

# FINAL STATEMENT OF REASONS

## SAFER CONSUMER PRODUCTS REGULATIONS - Listing Motor Vehicle Tires Containing N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) as a Priority Product

Department of Toxic Substances Control reference number: R-2022-04R

### Table of Contents

UPDATED INFORMATIVE DIGEST.....	2
Changes to Existing Statutes or Regulations .....	2
GENERAL INFORMATION .....	2
Update to the Initial Statement of Reasons.....	2
Mandates on Local Governments and School Districts.....	2
Alternatives Considered .....	2
Small Business Alternatives Considered.....	3
SUMMARY OF COMMENTS AND RESPONSES .....	3
List of Commenters and their Affiliations .....	3
Summary of Objections and Recommendations.....	14

## **UPDATED INFORMATIVE DIGEST**

### **Changes to Existing Statutes or Regulations**

After publication of the 45-day notice, Health and Safety Code sections 25252 and 25253 were amended by Senate Bill 502 (Ch. 701, Stat. 2022). Health and Safety Code section 25252(b)(1) was amended to eliminate a cross-reference to clearinghouse data pursuant to Health and Safety Code section 25256.1. Health and Safety Code 25253 was amended to authorize the department, in lieu of requiring the analysis of alternatives, to rely on all or part of one or more applicable publicly available studies or evaluations of alternatives to the chemical of concern under consideration in a consumer product, and to proceed directly to a regulatory response.

There have been no other changes in applicable laws or to the effect of the proposed regulation from the laws and effects described in the Notice of Proposed Action dated May 20, 2022.

## **GENERAL INFORMATION**

### **Update to the Initial Statement of Reasons**

As authorized by Government Code section 11346.9, subsection (d), the Department of Toxic Substances Control (DTSC) incorporates by reference the Initial Statement of Reasons (ISOR) prepared for this rulemaking. DTSC published the proposed regulatory text, ISOR, Economic and Fiscal Impact Analysis, and supporting documents for public review and comment on May 20, 2022. This public review and comment period concluded on July 20, 2022.

DTSC received a total of 32 comment letters. DTSC did not make any substantive or non-substantive changes to the regulation.

### **Mandates on Local Governments and School Districts**

DTSC has determined that this regulatory action will not result in mandates to any local agencies or school districts.

### **Alternatives Considered**

For the reasons set forth in the ISOR, the responses to comments received, and in this Final Statement of Reasons, DTSC determined that no alternative considered by the agency other than Alternative 1 would be more effective in achieving the purpose for which the regulatory action was proposed or would be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law than the action taken by DTSC.

**Alternative 1:** List “motor vehicle tires containing 6PPD” as a Priority Product.

This is the chosen alternative, because it is the only alternative effective in achieving the purposes of the regulation.

**Alternative 2:** List “motor vehicle tire tread containing 6PPD” as a Priority Product.

While 6PPD is found in tire tread, and tire tread is what is most likely to be worn off and deposited in the environment, 6PPD is found throughout the tire. Similarly, 6PPD-quinone has been found on both the tire tread and the tire sidewall. As such, restricting the definition of the Priority Product to include only the tire tread would ignore the potential for exposure to 6PPD and 6PPD-quinone that originated in the sidewall or other parts of the tire. To meaningfully protect California’s aquatic environment, DTSC decided to include the entire motor vehicle tire in its Priority Product designation.

**Alternative 3:** Narrow the scope of the definition of “motor vehicle tires” to replacement, all-season tires intended for use on passenger cars.

Tire industry stakeholders suggested to DTSC that the definition of “motor vehicle tires” for the purposes of this regulation should be limited to replacement, all-season tires intended for use on passenger cars. However, all tires contain 6PPD and release tire wear particles to the environment, resulting in exposure of aquatic organisms to 6PPD and 6PPD-quinone. While there is great variety in the types of tires available, industry stakeholders have indicated that any alternatives to 6PPD found for replacement, all-season tires intended for use on passenger cars would work for all tires. As a result, DTSC anticipates that only one Alternatives Analysis will be needed to encompass a broader definition of tires in this regulation. Choosing a broader definition allows DTSC to ensure that any available alternatives are adopted across the tire market, not just in replacement, all-season tires intended for use on passenger cars, and thus increases protection of California’s aquatic environment.

### **Small Business Alternatives Considered**

DTSC has not identified reasonable alternatives that would lessen any adverse impact on small business.

## **SUMMARY OF COMMENTS AND RESPONSES**

### **List of Commenters and their Affiliations**

Table 1 lists the organizations and individuals that provided comments during the previously mentioned comment period and the number DTSC assigned to their comment letters. Most of the comment letters cover more than one theme. To organize the comments, DTSC numbered individual letters, as shown, then assigned a number to each individual comment. For example, the number “CL13-03” refers to the third comment in the comment letter numbered 13. Table

2 presents an index of comments and the associated responses.

**Table 1: List of Commenters**

<b>Comment Letter</b>	<b>Commenter</b>	<b>Affiliation</b>
CL01	Laura Simpson	None listed
<b>Comment Letter</b>	<b>Commenter</b>	<b>Affiliation</b>
CL02	Jessica Heiden	None listed
CL03	Yu Yang	University of Nevada, Reno
CL04	Steven Most	Ventana Wilderness Alliance
CL05	Sarah Amick	U.S. Tire Manufacturers Association (USTMA)
CL06	Sarah Amick	U.S. Tire Manufacturers Association (USTMA)
CL07	Judy Schriebman	Gallinas Watershed Council, Watershed Alliance of Marin
CL08	Richelle Perez	Washington Department of Ecology
CL09	Caroline Griffith	Northcoast Environmental Center
CL10	Cody Phillips	California Coastkeeper Alliance
CL11	Eugene Pinzer	HUD OLHCHH
CL12	Sarah Phillips	Lagunitas Creek Technical Advisory Committee
CL13	Edward Kolodziej	University of Washington (Tacoma/Seattle)
CL14	Suzanne Hume	CleanEarth4Kids.org
CL15	Justin Boyington	None listed
CL16	Matt Clifford, Redgie Collins, and Jay Zeigler	California Salmon and Steelhead Coalition
CL17	Jacob Weber	None listed
CL18	Alecia Van Atta and Cathy Marcinkevage	NOAA National Marine Fisheries Service
CL19	Dianne Woelke	None listed
CL20	Christine Gorman	None listed
CL21	Stratton Kirton	None listed
CL22	Alexi Sanchez de Boado	None listed

CL23	Common Sense Concerned Parent	DC Safe Healthy Playing Fields
CL24	Neil Smith	Flexsys America LP
CL25	Diana Zuckerman	National Center for Health Research
CL26	Kaitlyn Kalua	California Ocean Protection Council
CL27	Andria Ventura	Clean Water Action

<b>Comment Letter</b>	<b>Commenter</b>	<b>Affiliation</b>
CL28	Catherine Palin	Alliance for Automotive Innovation
CL29	Celia LoBuono Gonzalez	None listed
CL30	Sarah Amick	U.S. Tire Manufacturers Association (USTMA)
CL31	Amy Stephan	Safe Healthy Playing Fields Inc., 501.c.3
CL32	Kathleen Michels	Safe Healthy Playing Fields

**Table 2: Index of Comments**

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL01-01	Entire letter	14
CL02-01	Entire letter	14
CL03-01	Entire letter	37
CL04-01	Entire letter	14
CL05-01	Page 1, sentence 1	17
CL06-01	Page 1, paragraph 1	17
CL06-02	Page 2, paragraph 1, sentence 1	14
CL06-03	Page 2, paragraph 1, sentence 3	17
CL07-01	Page 1, paragraph 1, sentences 2 and 4	33
CL08-01	Page 1, paragraph 1	14
CL09-01	Page 1, paragraph 1	14
CL09-02	Page 2, paragraph 1, sentence 1, clause 1	14
CL09-03	Page 2, paragraph 1, sentence 1, clause 2 (lines 1 and 2)	32
CL10-01	Page 1, paragraph 2, sentences 5 and 6 Page 4, paragraph 2, sentence 2, clause 1 (line 2)	14

---

<sup>1</sup> Note: Section headings are not counted as paragraphs. Bulleted text is grouped with preceding text and counted as one paragraph.

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL10-02	Page 3, paragraph 2 Page 4, paragraph 1, sentence 3	14
CL10-03	Page 3, paragraph 4, sentences 3 and 4	14
CL10-04	Page 4, paragraph 2, sentence 2, clause 2 (lines 3 and 4)	14
CL10-05	Page 4, paragraph 2, sentence 3	19, 20
CL11-01	Entire letter	37
CL12-01	Page 1, paragraph 2	14
CL12-02	Page 2, paragraph 3	14
CL12-03	Page 2, paragraph 8	14
CL13-01	Paragraph 1, sentence 1	14
CL13-02	Paragraph 2, sentence 2	14
CL14-01	Page 1, paragraph 1, sentence 1	14
CL14-02	Page 2	14, 19, 33
CL15-01	Entire letter	14
CL16-01	Page 1, paragraph 1, sentence 1, lines 1 and 2 Page 2, paragraph 3, lines 1 and 2 Page 2, paragraph 6, sentence 1, clause 1 (line 1)	14
CL16-02	Page 1, paragraph 1, sentence 1, lines 3 and 4 Page 2, paragraph 3, lines 3 and 4 Page 2, paragraph 6, sentence 1, clause 2 (lines 1 through 3)	14
CL16-03	Page 2, paragraph 4, clause 2 (lines 2 and 3) Page 2, paragraph 5, clauses 2 and 3 (lines 3 and 4)	14
CL16-04	Page 2, paragraph 4, clause 3 (lines 3 and 4) Page 2, paragraph 5, clause 4 (lines 4 and 5)	14
CL16-05	Page 2, paragraph 6, sentence 2	19, 20
CL17-01	Page 1, paragraph 1, sentence 1	33
CL17-02	Page 1, paragraph 1, sentence 4	32

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL18-01	Page 2, paragraph 4, sentence 1, line 1	14
CL18-02	Page 2, paragraph 4, sentence 1, line 2	14
CL18-03	Page 2, paragraph 4, sentence 5	14
CL19-01	Page 1, paragraph 1, sentence 1	14
CL19-02	Page 2, paragraph 4, sentence 5	34
CL19-03	Page 2, paragraph 4, sentence 6	34
CL19-04	Page 2, paragraph 5, sentence 3	34
CL19-05	Page 2, paragraph 7, sentence 5 Page 3, paragraph 1, sentences 1 and 2	34
CL19-06	Page 3, paragraph 3, sentences 2 and 3	34
CL19-07	Page 3, paragraph 6	30
CL19-08	Page 4, paragraph 3, sentence 3 Page 4, paragraph 6, sentence 3	14
CL19-09	Page 6, paragraph 1, sentence 3	14
CL19-10	Page 6, paragraph 3, sentence 5 Page 8, paragraph 1 Page 11, paragraph 4, bullet 3 Page 11, paragraph 4, bullet 4	14
CL19-11	Page 6, paragraph 4, sentence 1	34
CL19-12	Page 8, paragraph 7 Page 11, paragraph 3	19
CL19-13	Page 10, paragraph 1	35
CL19-14	Page 11, paragraph 2	36
CL19-15	Page 11, paragraph 4, bullet 1	36
CL19-16	Page 11, paragraph 4, bullet 2	34
CL19-17	Page 11, paragraph 4, bullet 5	33
CL19-18	Page 11, paragraph 4, bullet 6	33
CL19-19	Page 11, paragraph 4, bullet 7	33
CL19-20	Page 11, paragraph 4, bullet 8	33
CL19-21	Page 11, paragraph 4, bullet 9	34



<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL19-22	Page 11, paragraph 4, bullet 10	34
CL19-23	Page 11, paragraph 4, bullet 11	33, 34
CL19-24	Page 11, paragraph 4, bullet 12	33
CL20-01	Page 1, paragraph 1, sentence 1, clause 1	14
CL20-02	Page 1, paragraph 1, sentence 1, clause 2	33
CL20-03	Page 1, paragraph 1, sentence 2	35
CL20-04	Page 1, paragraph 3, sentence 1	35
CL20-05	Page 1, paragraph 4, sentence 1	14
CL21-01	Paragraph 1, sentence 1, lines 2 through 4 Paragraph 1, sentence 2	15, 19
CL21-02	Paragraph 2, sentence 1	20
CL21-03	Paragraph 4, sentence 1	18
CL22-01	Entire letter	14
CL23-01	Page 1, paragraph 1, sentence 1	14
CL23-02	Page 1, paragraph 1, sentence 2	34
CL23-03	Page 1, paragraph 2, sentence 1, clause 2 (line 1)	34
CL23-04	Page 2, paragraph 1	36
CL23-05	Page 2, paragraph 2, sentence 1	14
CL24-01	Paragraph 2	31
CL24-02	Paragraph 3, sentences 1 and 2	16
CL24-03	Paragraph 3, sentence 3	16
CL25-01	Page 1, paragraph 1, sentence 1	14, 33, 34
CL25-02	Page 2	14, 33, 34
CL26-01	Page 2, paragraph 1, sentence 2	31
CL26-02	Page 2, paragraph 2	17
CL27-01	Page 1, paragraph 1, sentence 1 Page 2, paragraph 2, sentence 1	14

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL27-02	Page 1, paragraph 2 Page 2, paragraph 1	37
CL27-03	Page 2, paragraph 4, sentence 4	14
CL28-01	Page 1, paragraph 3, sentence 1 Page 2, paragraph 4, sentence 1, clause 1 (line 1)	14
CL28-02	Page 1, paragraph 3, sentence 3	31
CL28-03	Page 2, paragraph 4, sentence 1, clause 2 (lines 1 and 2)	19
CL28-04	Page 2, paragraph 5, clause 1 (line 1)	14-18, 20, 21-31
CL29-01	Page 1, sentences 1 and 2	33
CL29-02	Page 1, sentence 5	20
CL29-03	Page 1, sentence 8	14, 19
CL30-01	Page 1, paragraph 2, sentence 1 Page 37, paragraph 4, sentence 1	14
CL30-02	Page 1, paragraph 2, sentence 2	14
CL30-03	Page 11, section III.D. heading Page 11, paragraph 2, final sentence (sentence 15)	20, 21
CL30-04	Page 11, section III.E. heading	20, 21
CL30-05	Page 12, section IV.B. heading, lines 1 and 2 Page 13, paragraph 3, sentence 1	15
CL30-06	Page 12, section IV.B. heading, lines 3 and 4 Page 13, paragraph 2, sentence 4 Page 13, paragraph 3, sentence 2	16
CL30-07	Page 13, section IV.C. heading	20, 23

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL30-08	<p>Page 6, section 4 heading</p> <p>Page 6, paragraph 4, sentence 1</p> <p>Page 7, paragraph 2, sentence 1</p> <p>Page 14, section V.A. heading</p> <p>Page 15, paragraph 1</p> <p>Page 15, paragraph 2, sentence 1</p> <p>Page 15, paragraph 3, sentence 1</p> <p>Page 16, paragraph 2, sentence 2</p> <p>Page 16, paragraph 3, sentence 1</p>	15
CL30-09	<p>Page 16, section V.B. heading</p> <p>Page 17, paragraph 2, sentence 1</p> <p>Page 17, paragraph 2, sentence 5</p>	15
CL30-10	<p>Page 17, section V.C. heading</p> <p>Page 18, paragraph 2</p>	20, 21
CL30-11	<p>Page 18, section V.D. heading</p> <p>Page 18, paragraph 3, sentence 3</p>	19
CL30-12	<p>Page 18, section V.E. heading</p>	20, 21
CL30-13	<p>Page 19, section V.F. heading</p> <p>Page 19, sentence 1, lines 3 and 4</p>	20, 22
CL30-14	<p>Page 21, section VII.A. heading</p>	20, 22
CL30-15	<p>Page 22, section VII.C. heading</p> <p>Page 22, paragraph 2, sentence 4</p>	20, 23
CL30-16	<p>Page 22, section VII.D. heading</p>	20, 23
CL30-17	<p>Page 23, section VII.E.1. heading</p> <p>Page 23, paragraph 3, final sentence (sentence 5)</p>	20, 24
CL30-18	<p>Page 23, section VII.E.2. heading</p> <p>Page 24, paragraph 1, sentence 2</p>	20, 24
CL30-19	<p>Page 24, section VII.E.3. heading</p>	20, 24
CL30-20	<p>Page 25, section VII.E.5. heading</p>	30

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL30-21	Page 25, section VII.E.6. heading	20, 24
CL30-22	Page 26, section VII.G. heading Page 26, paragraph 4, sentences 2 and 3	20, 25
CL30-23	Page 26, section VII.H. heading Page 27, paragraph 2, final sentence (sentence 9)	31
CL30-24	Page 27, section VII.I. heading Page 27, paragraph 3, sentence 1	20, 25
CL30-25	Page 28, section VIII.A. heading	20, 25
CL30-26	Page 28, section VIII.B. heading Page 29, paragraph 1, sentence 2	16, 20, 25
CL30-27	Page 33, section X. heading, lines 1 and 2 Page 33, section X.A. heading Page 33, paragraph 2, final sentence (sentence 4)	17
CL30-28	Page 33, section X. heading, lines 2 through 4	17
CL30-29	Page 34, section X.B. heading	17
CL30-30	Page 8, section II.6. heading Page 37, section XI. heading Page 37, paragraph 3, sentence 1, clause 2 (lines 1 and 2)	19
CL30-31	Page 5, section II.1. heading Page 5, paragraph 3, sentence 9 Page 37, paragraph 3, sentence 1, clause 1 (line 1)	14
CL30-32	Page 7, section II.5. heading Page 7, paragraph 3, sentence 1 Page 34, paragraph 2, sentence 1	17
CL30-33	Page 7, paragraph 4, sentence 2 Page 34, paragraph 3, sentence 2	17

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL30-34	Page 8, paragraph 1, sentence 1 Page 33, paragraph 4, sentence 1 Page 35, paragraph 2	17
CL30-35	Page 8, paragraph 1, sentence 2 Page 35, paragraph 3, sentence 1	17
CL30-36	Page 8, paragraph 1, sentence 3 Page 35, paragraph 5 Page 36, paragraph 1, sentence 1	17
CL30-37	Page 8, paragraph 1, sentence 4 Page 36, paragraph 1, sentence 2 Page 36, paragraph 6, line 3 Page 37, paragraph 1	18
CL30-38	Page 10, paragraph 4, sentence 1, clause 2 (lines 3 through 5)	20, 26
CL30-39	Page 10, paragraph 4, sentence 3 Page 11, paragraph 1, sentence 1	31
CL30-40	Page 12, paragraph 3, sentence 2	20, 23
CL30-41	Page 14, paragraph 2, sentences 3 and 4	15
CL30-42	Page 16, paragraph 2, sentence 1	15
CL30-43	Page 16, paragraph 3, sentence 2	15
CL30-44	Page 18, paragraph 4, sentence 1	20, 26
CL30-45	Page 18, paragraph 4, sentence 3	20, 26
CL30-46	Page 18, paragraph 5, final sentence (sentence 6)	20, 26
CL30-47	Page 19, sentence 1, lines 1 through 3	20, 26
CL30-48	Page 20, paragraph 1, sentence 1	20, 27
CL30-49	Page 21, paragraph 3	20, 27
CL30-50	Page 22, paragraph 1, sentence 3	20, 27
CL30-51	Page 24, paragraph 3, final sentence (sentence 9)	20, 28
CL30-52	Page 31, paragraph 3, sentences 3, 4, and 7	20, 28

<b>Comment Number</b>	<b>Location in Comment Letter<sup>1</sup></b>	<b>Page Number in FSOR</b>
CL30-53	Page 31, paragraph 4, sentence 1	20, 22
CL30-54	Page 32, paragraph 1, sentence 2	20, 22
CL30-55	Page 32, paragraph 2, sentences 2 and 6	20, 29
CL30-56	Page 32, paragraph 3	20, 29
CL30-57	Page 33, paragraph 3, sentence 1	17
CL31-01	Page 1, paragraph 1, sentence 2	14
CL31-02	Page 2, paragraph 2, sentences 1 and 2	34
CL31-03	Page 2, paragraph 4, sentence 1	34
CL31-04	Page 3, paragraph 2, final sentence (sentence 5) Page 6, paragraph 2	34
CL31-05	Page 6, paragraph 3	34
CL31-06	Page 7, paragraph 4, sentence 1	35
CL31-07	Page 7, paragraph 5	34
CL31-08	Page 8, paragraph 4, sentence 1	14
CL31-09	Page 8, paragraph 5, sentences 2 and 3	34
CL31-10	Page 9, paragraph 1, sentence 1	14
CL32-01	Entire letter	37

### **Summary of Objections and Recommendations**

DTSC received 32 comment letters during the 60-day comment period from May 20 through July 20, 2022. The comments fall into one of the following categories:

- i. support for the proposed rulemaking;
- ii. opposition to the proposed rulemaking, located in the following sections:
  - a. scope of the Priority Product definition;
  - b. scientific integrity;
  - c. CEQA exemptions;
  - d. procedural aspects;
  - e. policy strategy; and
- iii. subject content not directly related to the proposed rulemaking, located in the following sections:

- a. requests to revise language in the Product-Chemical Profile for Motor Vehicle Tires Containing N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD);
- b. 6PPD alternatives;
- c. specific actions not directly related to the rulemaking; and
- d. comments providing additional information

DTSC grouped and summarized the comments according to the listed themes, presenting summaries and responses in each section.

***Comments expressing support for the proposed rulemaking***

<b>Comments:</b>	CL01-01, CL02-01, CL04-01, CL06-02, CL08-01, CL09-01, CL09-02, CL10-01, CL12-01, CL13-01, CL14-01, CL15-01, CL16-01, CL18-01, CL19-01, CL20-01, CL22-01, CL23-01, CL23-05, CL25-01, CL27-01, CL28-01, CL28-04, CL30-01, CL30-02, CL30-31, CL31-01, CL31-08, CL31-10
<b>Summary:</b>	These comments express general support for DTSC’s proposal to regulate motor vehicle tires containing 6PPD as a Priority Product.
<b>DTSC Response:</b>	DTSC acknowledges the support offered by these comments.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

***Comments regarding the scope of the Priority Product definition***

<b>Comments:</b>	CL10-02, CL10-03, CL10-04, CL12-02, CL12-03, CL13-02, CL14-02, CL16-02, CL16-03, CL16-04, CL18-02, CL18-03, CL19-08, CL19-09, CL19-10, CL20-05, CL25-02, CL27-03, CL29-03, CL30-09
<b>Summary:</b>	DTSC should expand the scope of the product definition to include all tire types, tires imported into CA as components of vehicles, and products made from tires or scrap tires. Specifically, CL10-03 argues DTSC failed to provide the necessity criterion for the scope of the Priority Product definition, CL12-02 requested to delete the exception for retailers, and CL30-09 suggested expanding the list of exclusions in the definition.

<b>DTSC Response:</b>	As described in the Initial Statement of Reasons and documents relied on, and based on the United States Tire Manufacturers Association's (USTMA) statement that “if an alternative is identified for all-season, replacement, passenger tires, this alternative would be applicable across all tire types and all market segments”, DTSC believes that alternatives found to be effective through the Green Chemistry process will benefit all types of tires, even those not covered by this rulemaking. DTSC must prioritize limited available resources, and the currently proposed definition of motor vehicle tires will not overly-burden DTSC’s resources while also covering a significant portion of the market. DTSC also has the option to pursue subsequent regulations related to these additional tire-related products if deemed necessary. At this time, DTSC believes that the proposed product definition strikes an appropriate balance.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL28-04, CL30-08, CL30-09, CL30-41, CL30-42, CL30-43
<b>Summary:</b>	The proposed definition of the product category “tire” is too unwieldy to perform an Alternatives Analysis and should be focused on all-season, replacement, passenger tire tread and tire sidewall.
<b>DTSC Response:</b>	DTSC has considered both the potential impact of this regulation, given the current product definition, and the resources available to DTSC to implement the proposed regulation. DTSC believes that the proposed definition is neither too narrow nor broad, thereby striking an appropriate balance. Additionally, previous communication from USTMA with DTSC indicated that “if an alternative is identified for all-season, replacement, passenger tires, this alternative would be applicable across all tire types and all market segments.” This suggests that an Alternatives Analysis conducted for a simplified, model tire type could be applied to all motor vehicle tires covered under this regulation, thereby negating the need for individual Alternatives Analyses for each tire type. Due to the expected broad applicability of the Alternatives Analysis, DTSC believes the current proposed definition is manageable.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

***Comments regarding scientific integrity of the proposed regulation***

<b>Comments:</b>	CL21-01, CL28-04, CL30-05
------------------	---------------------------



<b>Summary:</b>	DTSC’s proposed regulation should be supported by sound scientific references.
<b>DTSC Response:</b>	DTSC agrees that the proposed regulation should be supported by sound scientific references, and, in fact, the Safer Consumer Products Regulations require that DTSC adhere to standards of available information by considering the extent and quality of information used to substantiate the existence or absence of potential adverse impacts, potential exposures, and potential adverse waste and end-of-life effects (California Code of Regulations, Title 22, section 69503.2). To fulfill these standards, DTSC provides in-text citations and full references at the end of its documents. In addition, External Scientific Peer Review, a formal review process, concluded that the basis for the potential for exposure to 6PPD and its transformation product 6PPD-quinone from motor vehicle tires, along with the potential for these exposures to cause or contribute to adverse impacts, was scientifically sound.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL24-02, CL28-04, CL30-26
<b>Summary:</b>	The Product-Chemical Profile contains speculative conclusions relating to the broader environmental and human health impacts of 6PPD that are not supported by “reliable information” and not appropriate to be used in the priority listing determination.
<b>DTSC Response:</b>	<p>Conclusions regarding potential impacts meet the regulatory standard. The SCP Regulations specify the requirements to list Priority Products; the Key Prioritization Principles of which are as follows:</p> <ol style="list-style-type: none"> <li>1. There must be potential public and/or aquatic, avian, or terrestrial animal or plant organism exposure to the Candidate Chemical(s) in the product; and</li> <li>2. There must be the potential for one or more exposures to contribute to or cause significant or widespread adverse impacts.</li> </ol> <p>DTSC has provided substantial evidence to demonstrate that 6PPD in motor vehicle tires has the potential to contribute to or cause significant or widespread adverse impacts to aquatic organisms as well as other concerns noted in the Product-Chemical Profile. This conclusion has been substantiated by the External Scientific Peer Review process.</p>
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Comments:</b>	CL24-03, CL28-04, CL30-06
<b>Summary:</b>	DTSC should clearly identify data gaps in rulemaking documents.
<b>DTSC Response:</b>	The Product-Chemical Profile describes the scientific literature’s then-current understanding of 6PPD’s transformation products, along with the data gaps and questions that remain regarding its chemical fate and potential impacts. DTSC actively seeks newly released research relating to 6PPD in motor vehicle tires to stay up to date with the scientific literature.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

***Comments opining that DTSC’s proposed CEQA exemptions are inapplicable***

<b>Comments:</b>	CL28-04, CL30-27, CL30-28, CL30-29, CL30-32, CL30-33, CL30-34, CL30-35, CL30-36, CL30-57
<b>Summary:</b>	DTSC’s proposed CEQA exemptions are inapplicable, and DTSC cannot regulate multiple chemicals in tires as distinct Priority Products. DTSC is required to analyze the potential impacts of future regulatory action it may or may not propose in the event that manufacturers of the proposed Priority Products submit Alternatives Analysis Reports in response to the rule. DTSC should consider potential cumulative impacts associated with listing this Priority Product and any future listing for other chemicals in tires. DTSC should not propose to list zinc in tires as a Priority Product and should focus only on 6PPD in tires.
<b>DTSC Response:</b>	As described in the draft Notice of Exemption, DTSC believes this proposed rulemaking is exempt from CEQA review. The comments submitted in disagreement with this proposed determination do not provide any evidence of potential adverse environmental impacts associated with the proposed rule that DTSC has not considered. DTSC will review any future regulatory action when such a project, if any, is sufficiently defined so as to allow for meaningful review.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

***Comments addressing procedural aspects of the proposed rulemaking***

<b>Comments:</b>	CL05-01, CL06-01, CL06-03, CL26-02
------------------	------------------------------------

<b>Summary:</b>	<p>These comments request that DTSC:</p> <ul style="list-style-type: none"> <li>• Release the draft CEQA Notice of Exemption to the commenter</li> <li>• Extend the comment period by 60 days</li> <li>• Set explicit timelines to conduct a comprehensive analysis of vehicle tire design and 6PPD alternatives</li> </ul>
<b>DTSC Response:</b>	<p>In response to these comments, DTSC provided the draft CEQA Notice of Exemption to the commenter and extended the comment period by 15 days. Explicit timelines for the completion of Alternatives Analyses by responsible entities are detailed in the Safer Consumer Products regulations (California Code of Regulations, Title 22, sections 69505 through 69505.9). These timelines are triggered by the effective date of a Priority Product listing, so DTSC is unable to give the exact timelines before a rule is approved and the effective date is known.</p>
<b>Outcome:</b>	<p>No changes were made to the proposed regulation or supporting documents based on these comments.</p>

*Comments regarding DTSC’s policy strategy*

<b>Comments:</b>	<p>CL28-04, CL30-37</p>
<b>Summary:</b>	<p>This comment asserts that DTSC has identified other, more pressing public health concerns from chemicals in consumer products and should focus its limited resources on other high-impact and high-priority areas.</p>
<b>DTSC Response:</b>	<p>DTSC has the discretion to determine which product-chemical combinations should be listed as Priority Products. The Safer Consumer Products Regulations require that product-chemical combinations have the potential for public and/or aquatic, avian, or terrestrial animal or plant organism exposure to the Candidate Chemical in the product and have the potential for exposures to contribute to or cause significant or widespread adverse impacts (California Code of Regulations, Title 22, section 69503.2). In addition, the Safer Consumer Products Regulations instruct DTSC to give special consideration to the potential for the Candidate Chemicals in products to contribute to or cause adverse impacts for sensitive subpopulations and endangered and threatened species listed by the California Department of Fish and Wildlife (California Code of Regulations, Title 22, section 69503.3). In the Product-Chemical Profile for 6PPD in motor vehicle tires, DTSC has demonstrated its concerns for the significant and potentially widespread adverse impacts that 6PPD in motor vehicle tires place on the sensitive coho subpopulation that is listed as endangered by the California Department of Fish and Wildlife.</p>

<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.
-----------------	--

<b>Comments:</b>	CL21-03
<b>Summary:</b>	This comment requests that policies protect public health and the environment.
<b>DTSC Response:</b>	DTSC agrees that its policies protect public health and the environment and affirms that DTSC's Mission is to protect California's people, communities, and environment from toxic substances, to enhance economic vitality by restoring contaminated land, and to compel manufacturers to make safer consumer products. DTSC believes that the proposed listing of motor vehicle tires containing 6PPD accords with and supports our Mission.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Comments:</b>	CL10-05, CL14-02, CL16-05, CL19-12, CL21-01, CL29-03
<b>Summary:</b>	This comment requests that actions to minimize risks from toxic chemicals are taken urgently.
<b>DTSC Response:</b>	The California Administrative Procedure Act (APA) establishes standards for DTSC when adopting state regulations. The APA is designed to provide the public meaningful opportunity to participate in the state's rulemaking processes to promote transparency, necessity, and validity in the adoption of regulations. The APA requires that many steps in the rulemaking process allow adequate time for stakeholder participation (e.g., comment periods). While the APA offers few opportunities to increase the speed at which rulemaking packages are adopted, the proposal to list motor vehicle tires containing 6PPD as a Priority Product has moved faster than any Priority Product previously proposed by DTSC. DTSC intends to move as quickly as possible while adhering to the requirements of the APA.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Comments:</b>	CL28-03, CL-28-04, CL30-11, CL30-30
<b>Summary:</b>	These comments request that DTSC engage and collaborate with stakeholders.

<b>DTSC Response:</b>	DTSC has engaged and collaborated with stakeholders through a variety of forums throughout our efforts to understand and subsequently prioritize this Priority Product. These interactions have been critical to inform our work leading up to this rulemaking, and we will continue to communicate with all stakeholders who are open to dialogue regarding 6PPD, its hazard traits, and potential alternatives for its use in tires.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL10-05, CL16-05, CL29-02
<b>Summary:</b>	These comments request that DTSC protect California’s fish populations, particularly wild salmon.
<b>DTSC Response:</b>	As described in California Code of Regulations, Title 22, section 69501, the purpose of the Safer Consumer Products Regulations is to eliminate or reduce potential exposures to Chemicals of Concern in Priority Products. As required by the California Green Chemistry Law, DTSC has demonstrated that potential widespread or significant adverse impacts to California fish populations are associated with the presence of 6PPD in motor vehicle tires. As such, we believe that listing 6PPD in motor vehicle tires as a Priority Product will ultimately help to protect California’s fish populations, particularly coho salmon.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL21-02
<b>Summary:</b>	The proposed regulation should not unduly impact the recycling industry.
<b>DTSC Response:</b>	DTSC does not believe that the proposed Priority Product listing will significantly impact the recycling of motor vehicle tires. The proposed Priority Product does not include products that are produced from recycled tires. Additionally, DTSC does not have authority over the recycling of scrap tires. CalRecycle administers and provides oversight for state-managed non-hazardous waste and recycling programs, including oversight of used tires.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

***Comments asking DTSC to revise the Product-Chemical Profile***

<b>Comments:</b>	CL28-04, CL30-03, CL30-04, CL30-07, CL30-10, CL30-12, CL30-13, CL30-14, CL30-15, CL30-16, CL30-17, CL30-18, CL30-19, CL30-21, CL30-22, CL30-24, CL30-25, CL30-26, CL30-38, CL30-40, CL30-44, CL30-45, CL30-46, CL30-47, CL30-48, CL30-49, CL30-50, CL30-51, CL30-52, CL30-53, CL30-54, CL30-55, CL30-56
<b>Summary:</b>	These requests are extensive and widely varied. The table below presents DTSC’s summary of and response to each comment.

<b>DTSC General Response:</b>	The commenters suggest numerous edits to the Product-Chemical Profile document. DTSC appreciates these comments. While DTSC acknowledges that some of these edits might update the information relied upon for this proposed regulation, these edits, taken individually or collectively, would not change our conclusion that 6PPD in motor vehicle tires should be listed as a Priority Product.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Profile Comment</b>	<b>Summary</b>	<b>DTSC Response</b>
CL28-04, CL30-03	DTSC should revise the timeline in the Profile to accurately reflect the use of 6PPD in tires.	The Product-Chemical Profile describes the timeline of the use of 6PPD in motor vehicle tires as DTSC understood it when writing the profile. Revising this timeline would not change the conclusions of the Product-Chemical Profile.
CL28-04, CL30-04	DTSC should acknowledge the other uses of 6PPD.	The Product-Chemical Profile describes numerous other uses of 6PPD in the Candidate Chemical Definition and Properties section on p. 9 and the Aggregate Effects section on p. 40.
CL28-04, CL30-10	DTSC should clarify that tires imported into or sold in California as components of motor vehicles are excluded from the definition of Priority Product.	The Product-Chemical Profile provides the product definition current at the time DTSC released the Profile. DTSC does not retroactively update profile documents to reflect subsequent changes. All stakeholders should consult the language in the regulatory text for the most relevant product definition.
CL28-04, CL30-12	DTSC should cite scientific literature to support the various statements made in the Rationale for Product-Chemical Selection section of the Profile.	The Rationale for Product-Chemical Selection section of the Product-Chemical Profile acts as an executive summary of the document and references information that is fully cited and discussed elsewhere in the document. DTSC uses scientific citations throughout the Product-Chemical Profile to substantiate our findings.

<b>Profile Comment</b>	<b>Summary</b>	<b>DTSC Response</b>
CL28-04, CL30-13	DTSC should clarify that URMS is not the only factor that contributes to the decline of coho salmon.	The Product-Chemical Profile extensively describes factors other than 6PPD-quinone contributing to the decline of coho salmon in the Potential for Adverse Impacts to Coho Salmon and Cumulative Effects sections.
CL28-04, CL30-53	The Profile attempts to attribute the decline in salmon populations and its economic ramifications solely to 6PPD without considering other contributing factors and other potential chemicals that could also be responsible.	The Product-Chemical Profile extensively describes factors other than 6PPD-quinone contributing to the decline of coho salmon in the Potential for Adverse Impacts to Coho Salmon and Cumulative Effects sections.
CL28-04, CL30-54	Rather than trying to attribute the entire species decline and the economic impact of that decline to 6PPD, there needs to be a holistic assessment of habitat impact factors and solutions.	The Product-Chemical Profile extensively describes factors other than 6PPD-quinone contributing to the decline of coho salmon in the Potential for Adverse Impacts to Coho Salmon and Cumulative Effects sections.
CL28-04, CL30-14	DTSC should use “reliable information,” as defined in the Safer Consumer Products Regulations, to accurately reflect the use of 6PPD in tires in the U.S.	The SCP Regulations enable DTSC to determine what information can be considered reliable. Direct communication with the chemical industry on the use of 6PPD was found to meet the standard for reliable information in this instance, given the absence of other available data at the time the report was written.



Profile Comment	Summary	DTSC Response
CL28-04, CL30-40	Public documents should be clear and based on “reliable information”. The Technical Report outlines a number of assumptions without reference to reliable information to support the assumption.	The SCP Regulations enable DTSC to determine what information can be considered reliable. Additionally, the Regulations allow DTSC to regulate Priority Products based on the <i>potential</i> for exposure and <i>potential</i> for adverse impacts. DTSC has used the scientific literature to support these assumptions about the potential for exposure and adverse impacts. Further, the External Scientific Peer Review conducted as a part of this proposed rulemaking concurs with our conclusion that “the 6PPD contained in motor vehicle tires and its oxidation product 6PPD-quinone have the <i>potential</i> to contribute to or cause significant or widespread adverse impacts to the threatened and endangered populations of coho salmon in California, as well as to other aquatic organisms and the Native American tribes that rely on them.”
CL28-04, CL30-15	DTSC should revise the “Market Presence and Trends” section to accurately reflect USTMA tire shipment data.	DTSC thanks the commenter for this updated information. Although no changes have been made to the Product-Chemical Profile because this update does not alter DTSC’s conclusions regarding the proposed rulemaking, this market information will be considered going forward.
CL28-04, CL30-16	DTSC should clarify that particles formed by the interaction of tires and road pavement are a mixture of tread rubber and pavement particles.	The Product-Chemical Profile describes the distinction between TWP and TRWP on p. 32 and, further, indicates that the Profile will refer to TWP when discussing the generation and toxicity of tire wear but will use the term TRWP when appropriate, based on the scientific literature being discussed.
CL28-04, CL30-07	DTSC should recharacterize Tire and Road Wear Particles (TRWP) throughout the various proposed rulemaking documents.	The Product-Chemical Profile describes the distinction between TWP and TRWP on p. 32 and, further, indicates that the Profile will refer to TWP when discussing the generation and toxicity of tire wear but will use the term TRWP when appropriate, based on the scientific literature being discussed. Providing this distinction elsewhere in the other proposed

Profile Comment	Summary	DTSC Response
		rulemaking documents would not alter DTSC’s conclusion about the proposed rulemaking.
CL28-04, CL30-17	DTSC should clarify that an optimal migration rate for antidegradants in tires is needed for tire performance and safety.	Within the Product-Chemical Profile, DTSC describes the need for 6PPD to migrate to the surface over the lifetime of the tire and further indicates that the mobility of 6PPD in tire rubber makes it an optimal antidegradant in tires. As such, we believe this fulfills the need to describe the role that migration plays in the performance of antidegradants in tires. Manufacturers will more comprehensively describe the functional requirements of 6PPD as it pertains to its use in motor vehicle tires in the Alternatives Analysis process.
CL28-04, CL30-18	DTSC should clarify that there are no data that identify the main source of 6PPD-quinone in the environment.	DTSC indicates in the Product-Chemical Profile that release of 6PPD-quinone through mechanical abrasion and the subsequent production of tire wear particles is <i>likely</i> the main source of 6PPD-quinone to the environment. This builds upon our framework that relies on evaluating <i>potential</i> . Additionally, this assessment builds on the work of two additional publications, which are cited on p. 31.
CL28-04, CL30-19	DTSC should clarify the amount of a tire’s mass loss.	DTSC believes that the sentence as-is, which indicates 10% loss of tire mass over the useful life of a tire, is in line with the USTMA estimate of 10-12%, and as such no further edits are necessary to sufficiently characterize the mass loss of tires for the purposes of this regulation.
CL28-04, CL30-21	DTSC should clarify that 6PPD does not remain on tire wear particles forever.	The sentence in question refers to the presence of 6PPD-quinone on tire wear particles and not 6PPD. Throughout the Product-Chemical Profile, DTSC highlights the high reactivity of 6PPD and indicates that its presence in tires decreases over the lifetime of the tire.

<b>Profile Comment</b>	<b>Summary</b>	<b>DTSC Response</b>
CL28-04, CL30-22	DTSC should revise the Profile’s “Aggregate Effects” section to clarify what is known about the potential exposure to 6PPD from products made of recycled or reused tires.	In the Aggregate Effects section, DTSC indicates the <i>potential</i> for release of 6PPD and 6PPD-quinone from products made from recycled or reused tires, in line with the requirements of the SCP Regulations. DTSC documents scientific literature indicating the continued presence of 6PPD in end-of-life tire materials. While extensive documentation of the release of 6PPD and 6PPD-quinone from all recycled tire products is not available, existing literature on the presence of 6PPD and 6PPD-quinone in tires, the presence of 6PPD in some recycled tire products, and the ways in which recycled or reused tire products are used, as documented in this Product-Chemical Profile, is sufficient to indicate this potential.
CL28-04, CL30-24	DTSC should clarify the amount of TRWP that may be released to nearby waterbodies.	DTSC’s Product-Chemical Profile cites California-specific studies on the release of tire-derived microplastics into California waterways. As such, we believe this to be an appropriate citation for this purpose.
CL28-04, CL30-25	DTSC should include the full data set for “California Coho Salmon Population Estimates” in Figure 5 on p. 48 of the Profile.	DTSC provides an extensive discussion of the decline of coho salmon in California in the Product-Chemical Profile, including the indication of a decline beginning in the 1940s. DTSC believes that this is sufficient for the purposes of this proposed regulation.
CL28-04, CL30-26	DTSC should include an evaluation of all available data regarding aquatic toxicity before making broad assumptions that are not well supported by the scientific literature.	DTSC was unable to include many of the citations noted by the commenter because they were not publicly available at the time of the finalization of our Product-Chemical Profile. We described the findings of the literature present at that time, including that of Hiki et al. (2021). DTSC believes, as was confirmed by the External Scientific Peer Review, that the literature cited in the Product-Chemical Profile is sufficient to indicate potential for adverse impacts to aquatic organisms, including coho salmon.

<b>Profile Comment</b>	<b>Summary</b>	<b>DTSC Response</b>
CL28-04, CL30-38	DTSC should recognize all of the critical performance and safety functions that 6PPD provides in manufacturing safe and durable tires.	The purpose of the Product-Chemical Profile is to document the potential for exposure to 6PPD (including its transformation products) from motor vehicle tires and the potential for that exposure to cause or contribute to significant or adverse impacts. As such, an extensive documentation of all of the critical performance and safety functions that 6PPD provides in tires is not required. This documentation will be completed by the manufacturers during the Alternatives Analysis process.
CL28-04, CL30-44	Throughout Section 1 of the Profile, DTSC should accurately characterize what is known about TRWP and chemicals associated with the particles.	DTSC uses scientific citations throughout the Product-Chemical Profile to substantiate our findings. Section 1, the Rationale for Product-Chemical Selection, serves as an executive summary of the content, including citations, contained within the main text of the document. The scientific citation for this topic can be found on p. 33 of the document.
CL28-04, CL30-45	DTSC should reference reliable scientific research rather than generic language when characterizing the fate and transport of TRWP in the environment.	DTSC uses scientific citations throughout the Product-Chemical Profile to substantiate our findings. The sentence called out by the commenter is found in the Rationale for Product-Chemical Selection section, which serves as an executive summary of the content, including citations, contained within the main text of the document. The scientific citation for this topic can be found on p. 33 of the document.
CL28-04, CL30-46	DTSC should add a more comprehensive discussion of the Los Angeles and San Francisco area samples.	The reference described by the commenter is found in the Rationale for Product-Chemical Selection section of the Priority Product Profile, which serves as an executive summary of the content, including citations, contained within the main text of the document. The discussion and explanation of the Los Angeles and San Francisco area samples begins on the bottom of p. 42 of the Product-Chemical Profile.
CL28-04, CL30-47	DTSC should revise the Profile to acknowledge in Section 1 that	Section 1 is the Rationale for Product-Chemical Selection section of the Priority Product Profile, which serves as an executive summary of the content,

<b>Profile Comment</b>	<b>Summary</b>	<b>DTSC Response</b>
	significant declines of the coho salmon populations in California were observed as early as the 1940s, pre-dating the use of 6PPD in tires.	including citations, contained within the main text of the document. The more extensive discussion and explanation of the decline of coho salmon in California is discussed beginning on p. 48, which includes the indication of a decline beginning in the 1940s.
CL28-04, CL30-48	DTSC should acknowledge in Section 1 that URMS has not been officially documented in California, and it is unclear how significant 6PPD-quinone is in view of all the other factors affecting coho populations.	Section 1 is the Rationale for Product-Chemical Selection section of the Product-Chemical Profile, which serves as an executive summary of the content, including citations, contained within the main text of the document. The more extensive discussion and explanation of URMS in California is found on p. 49, while an extensive discussion of the other factors affecting coho populations begins on p. 53.
CL28-04, CL30-49	DTSC should use recognized read-across or QSAR tools to predict the potential human health toxicity of 6PPD-quinone. Alternatively, DTSC should identify the human health hazard as a data gap for 6PPD-quinone without additional speculation.	DTSC highlights on p. 25 of the Product-Chemical Profile that there are currently no studies available to evaluate the human health effects of 6PPD-quinone exposure.
CL28-04, CL30-50	USTMA's 12 full members and 4 statistical affiliate members, together, account for approximately 80% of US tires shipments each year.	The Product-Chemical Profile's reference to 13 USTMA member organizations originates from the USTMA website prior to Goodyear's acquisition of Cooper Tire & Rubber and was therefore accurate when DTSC researched and drafted the Profile. DTSC acknowledges that this edit would clarify the information relied upon for this proposed regulation;

Profile Comment	Summary	DTSC Response
		<p>however, citations include dates to clarity regarding the time at which presented data is factual.</p> <p>Updating the aforementioned statistics regarding number of USTMA members and estimate of tires entering the U.S. market based on it would not alter our conclusion that 6PPD in motor vehicle tires should be listed as a Priority Product. DTSC thanks the commenter for this updated information.</p>
CL28-04, CL30-51	<p>USTMA estimates of the rate of tire wear based on modern tires and verifiable shipment data are superior to estimates made using the wear rates provided by Kole et al. (2017).</p>	<p>The Product-Chemical Profile includes a range of tire wear rate estimates based on then-current information available in the literature and estimates provided by USTMA.</p>
CL28-04, CL30-52	<p>DTSC should acknowledge that using phylogenetic relationships as the basis for predicting species' sensitivity to 6PPD-quinone is premature. DTSC should at least acknowledge the possibility that these other California species are not affected and that additional research is needed to understand whether other fish species may be potentially impacted.</p>	<p>DTSC acknowledges in the Product-Chemical Profile that there is little known about the toxicity of 6PPD-quinone to other species. DTSC maintains that using phylogenetic relationships, in the absence of additional data, is a reasonable approach to predict the <i>potential</i> for adverse impacts as a result of exposure to 6PPD-quinone. DTSC also acknowledges in the document that not all species indicated in the phylogeny in Figure 6 may be adversely impacted by 6PPD-quinone, including chum. 6PPD-quinone has subsequently been proven toxic to other salmonids indicated in the phylogeny presented in Figure 6 of the Product-Chemical Profile.</p>

<b>Profile Comment</b>	<b>Summary</b>	<b>DTSC Response</b>
CL28-04, CL30-55	DTSC’s far-reaching position on the connection between 6PPD in tires, salmon populations, and direct negative outcomes for Tribal populations is unsupported by DTSC’s preliminary analysis and those sources relied on.	In the Product-Chemical Profile, DTSC describes the effects experienced by Tribes in California as a result of the loss of salmon, including coho salmon, based on research and consultations. The Product-Chemical Profile does not claim that 6PPD-quinone is the cause of all of these impacts but indicates that there is potential for the impact of 6PPD-quinone on coho salmon to contribute to these adverse impacts. Further, the External Scientific Peer Review conducted as a part of this rulemaking process concurred with our conclusion that “the 6PPD contained in motor vehicle tires and its oxidation product 6PPD-quinone have the potential to contribute to our cause significant or widespread adverse impacts to the threatened and endangered populations of coho salmon in California, as well as to other aquatic organisms and the Native American tribes that rely on them.”
CL28-04, CL30-56	DTSC cannot point to highly attenuated downstream negative impacts to Tribal populations that cannot be traced directly and exclusively to 6PPD from motor vehicle tires to support the proposition that the two regulatory key prioritization principles (i.e., potential for public exposure to the candidate chemical in the product-chemical combination and potential for that exposure to contribute	In the Product-Chemical Profile, DTSC describes the effects experienced by North American Tribes in California as a result of the loss of salmon, including coho salmon, based on research and consultations. The Product-Chemical Profile does not claim that 6PPD-quinone is the cause—let alone the sole cause—of all of these impacts but indicates that there is potential for the impact of 6PPD-quinone on coho salmon to contribute to these adverse impacts. Further, the External Scientific Peer Review conducted as a part of this rulemaking process concurred with our conclusion that “the 6PPD contained in motor vehicle tires and its oxidation product 6PPD-quinone have the potential to contribute to our cause significant or widespread adverse impacts to the threatened and endangered populations of coho salmon in California, as well as to

<b>Profile Comment</b>	<b>Summary</b>	<b>DTSC Response</b>
	to or cause significant or widespread adverse impacts) are met for this listing decision.	other aquatic organisms and the Native American tribes that rely on them.”

<b>Comment:</b>	CL19-07
<b>Summary:</b>	This comment requests that exposure routes and U.S. FDA regulations pertaining to 6PPD and 6PPD-quinone warrant the consideration of human health toxicity for the 6PPD in motor vehicle tires Priority Product.
<b>DTSC Response:</b>	California’s Safer Consumer Products Regulations specify toxicological endpoints that can be used to assign hazard traits to a Candidate Chemical. DTSC has reviewed the available literature regarding the effects of 6PPD on human health and described its findings in the Product-Chemical Profile for motor vehicle tires Containing 6PPD.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Comments:</b>	CL28-04, CL30-20
<b>Summary:</b>	This comment recommends against the use of 6PPD-quinone as a chemical marker for tire wear.
<b>DTSC Response:</b>	The assertion that 6PPD-quinone could be used as a marker for tire wear is that of a journal article authored by well-known tire researchers, Klockner et al., and the Product-Chemical Profile merely cites this finding. DTSC agrees that other chemical components of tires may be more suitable for use as tire wear indicators. DTSC’s case for regulating 6PPD in motor vehicle tires does not depend on using 6PPD-quinone as a surrogate for tire wear.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL26-01
<b>Summary:</b>	This comment encourages DTSC to expand this evaluation beyond a single chemical (e.g., 6PPD or zinc) to include a comprehensive evaluation of the microplastic particles shed by vehicle tires.



<b>DTSC Response:</b>	DTSC concluded that the scientific evidence that 6PPD in motor vehicle tires meets the necessary criteria for the Priority Product listing. DTSC will review any future actions when such a project, if any, is sufficiently defined so as to allow for meaningful review.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL28-04, CL30-23
<b>Summary:</b>	This comment recommends against the use of 1,3-diphenylguanidine (DPG), hexa(methoxymethyl)melamine (HMMM), or dicyclohexylurea (DCU) as surrogates for 6PPD or 6PPD-quinone.
<b>DTSC Response:</b>	DTSC acknowledges that direct measurements are preferable to the use of surrogates; however, there are limited direct measurements of 6PPD and 6PPD-quinone in the environment and, as such, other indicators can help increase our understanding of the potential for exposure. DTSC’s case for regulating 6PPD in motor vehicle tires does not depend on using 6PPD-quinone as a surrogate for tire wear.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

***Comments pertaining to 6PPD alternatives***

<b>Comments:</b>	CL24-01, CL28-02, CL28-04, CL30-39
<b>Summary:</b>	These comments request that tire performance and safety are taken into consideration when alternatives to 6PPD are assessed or describe key aspects of such assessments.
<b>DTSC Response:</b>	The Safer Consumer Products Regulations do not allow DTSC to require the use of alternatives to a Chemical of Concern that would compromise a Priority Product’s compliance with health and safety requirements. Further, DTSC’s Alternatives Analysis process requires responsible entities to consider product performance during their evaluation of potential alternatives. Therefore, motor vehicle tires incorporating alternatives to 6PPD would still be subject to the safety and performance requirements set forth by the National Highway Traffic Safety Administration’s (NHTSA) Federal Motor Vehicle Safety Standards (FMVSS).
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comment:</b>	CL09-03
<b>Summary:</b>	This comment requests that DTSC require ecosystem toxicological testing for alternatives to 6PPD.
<b>DTSC Response:</b>	<p>The information that must be included in an Alternatives Analysis is described in the Safer Consumer Products Regulations (California Code of Regulations, Title 22, sections 69505 through 69505.9). The SCP Regulations require that responsible entities conducting Alternatives Analyses consider whether the adverse environmental impacts of an alternative differ enough from the Chemical of Concern in a Priority Product to warrant further assessment as a relevant factor. DTSC will review all Alternatives Analyses to ensure they meet the requirements set forth in the SCP regulations.</p> <p>While DTSC is required to protect public health and the environment by maximizing the use of alternatives that are functionally acceptable, technically feasible, and economically feasible, DTSC is not authorized to require responsible entities to generate data to fill data gaps.</p>
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on the information provided.

<b>Comment:</b>	CL17-02
<b>Summary:</b>	This comment opines that tire manufacturers, not consumers, should be responsible for finding non-toxic alternatives to 6PPD in motor vehicle tires.
<b>DTSC Response:</b>	<p>Under DTSC’s Safer Consumer Products Regulations, the manufacturer has the principal duty to comply with the requirements applicable to a responsible entity, including the Alternatives Analysis. However, the regulations also provide that with some exceptions, a consortium, trade association or other entity may fulfill the requirements applicable to a responsible entity.</p>
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

***Comments requesting DTSC take specific actions not directly related to the proposed rulemaking***

<b>Comments:</b>	CL14-02, CL19-17, CL19-18, CL19-19, CL19-20, CL19-23, CL19-24, CL25-01, CL25-02
<b>Summary:</b>	These comments request that DTSC take particular actions relating to tires, crumb rubber, or synthetic turf fields.

<b>DTSC Response:</b>	The proposed regulation does not pertain directly to crumb rubber or synthetic turf fields. DTSC is currently evaluating potential concerns associated with synthetic turf.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL07-01, CL17-01, CL20-02, CL29-01
<b>Summary:</b>	These comments request that DTSC ban 6PPD (or require the use of a safer alternative), its derivatives, and tires that contain them.
<b>DTSC Response:</b>	These comments misunderstand the Safer Consumer Products regulatory process. The goal of California’s Green Chemistry law was to find a way to regulate chemicals in consumer products without taking command and control regulatory action that may result in a regrettable substitution. The proposed Priority Product listing regulation sets in motion a requirement for manufacturers to determine whether there are safer alternatives to 6PPD in motor vehicle tires. After completion of these steps, DTSC will evaluate whether additional regulatory action is required.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.

<b>Comments:</b>	CL19-04, CL19-16, CL19-22, CL23-02, CL23-03, CL25-01, CL25-02, CL31-02, CL31-03, CL31-04, CL31-05, CL31-07, CL31-09
<b>Summary:</b>	These comments ask DTSC to regulate (e.g., ban, remove, or mitigate runoff from) artificial turf fields and other athletic or play surfaces made from scrap tires.
<b>DTSC Response:</b>	<p>The focus of the proposed rulemaking is motor vehicle tires containing 6PPD. It does not directly apply to crumb rubber or products (such as artificial turf infill or rubber playground surfaces), although any changes in motor vehicle tire composition that come about as a result of this proposed regulation may subsequently affect these products. DTSC is separately investigating chemicals of concern in artificial turf.</p> <p>DTSC does not have authority over the recycling of scrap tires. CalRecycle administers and provides oversight for state-managed non-hazardous waste and recycling programs, including oversight of used tires.</p>

<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on these comments.
-----------------	--

<b>Comment:</b>	CL19-11
<b>Summary:</b>	This comment requests the removal of tire rubber deposited on airport runways.
<b>DTSC Response:</b>	The proposed Priority Product for motor vehicle tires containing 6PPD does not include tires intended for exclusive use on off-road vehicles, a designation that includes aircraft. As such, this product definition and its associated regulations are not applicable to tire rubber deposited on airport runways during aircraft landings. DTSC does, however, expect green chemistry advancements from the proposed rulemaking to have downstream effects in all tire types.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Comments:</b>	CL19-02, CL19-03, CL19-05, CL19-06, CL19-21, CL19-23
<b>Summary:</b>	These comments make requests for research into: <ul style="list-style-type: none"> <li>• the human health effects of 6PPD and 6PPD-quinone</li> <li>• the sources of 6PPD-quinone</li> <li>• the risks from 6PPD-quinone and its substitutes</li> <li>• diseases with long latency due to children’s exposure to toxins</li> <li>• securing funding for general research and mitigation</li> </ul>
<b>DTSC Response:</b>	DTSC included relevant research in the Product-Chemical Profile and continues to actively monitor research on 6PPD, 6PPD-quinone, and potential alternatives to 6PPD. The proposed Priority Product listing regulation sets in motion a requirement for manufacturers to determine whether there are safer alternatives to 6PPD in motor vehicle tires. After completion of these steps, DTSC may determine that one or more of a range of regulatory responses is required depending upon the outcome of the AA. One regulatory response option is to require the manufacturer to initiate research that advances green chemistry or green engineering in the context of the Priority Product.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Comments:</b>	CL19-13, CL20-03, CL31-06
------------------	---------------------------

<b>Summary:</b>	<p>These comments pertain to tire pollution standards or the regulation of waste or scrap tires. They specifically request that DTSC:</p> <ul style="list-style-type: none"> <li>• establish tire pollution emission standards so that alternatives to 6PPD are not equally polluting or worse</li> <li>• establish chain-of-custody regulations for the life of all tire waste products</li> <li>• consider the potential exposures from products containing tire crumb rubber, such as permeable pavements.</li> </ul>
<b>DTSC Response:</b>	<p>The proposed Priority Product listing regulation sets in motion a requirement for manufacturers to determine whether there are safer alternatives to 6PPD in motor vehicle tires while considering potential exposures and subsequent adverse impacts across the entire life cycle of the product. The proposed regulation does not address tire pollution standards or the regulation of waste or scrap tires.</p>
<b>Outcome:</b>	<p>No changes were made to the proposed regulation or supporting documents based on these comments.</p>

<b>Comment:</b>	CL20-04
<b>Summary:</b>	DTSC should explore mitigation methods to control pollution from tires already on the road.
<b>DTSC Response:</b>	<p>In the context of the SCP process, the responsibility to consider exposure controls falls, first and foremost, on the product manufacturers and can be evaluated as part of an Alternatives Analysis. The Potential Alternatives section of the Product-Chemical Profile describes a few mitigation strategies that may function to prevent further pollution from tires already on the road. These potential alternatives include coating or physical barriers on the tire surface and devices for motor vehicles that may be able to capture tire wear particles as they are generated.</p> <p>DTSC will consider all options when determining whether regulatory responses are required to protect public health and the environment; however, these determinations are not made until after Alternatives Analyses are completed.</p>
<b>Outcome:</b>	<p>No changes were made to the proposed regulation or supporting documents based on these comments.</p>

<b>Comments:</b>	CL19-14, CL23-04
------------------	------------------

<b>Summary:</b>	These comments request that the lifetime mass balance of 6PPD, 6PPD-quinone, and related chemicals in rubber tires be characterized.
<b>DTSC Response:</b>	DTSC’s Product-Chemical Profile describes our understanding of the use, disposal, and recycling of motor vehicle tires containing 6PPD and its transformation product 6PPD-quinone. Sections of this document include: <ul style="list-style-type: none"> <li>• Potential Exposures to the Candidate Chemical During the Product’s Life Cycle</li> <li>• Environmental Fate</li> <li>• Adverse Waste and End-of-Life Effects</li> </ul> However, a mass balance characterization is outside the scope of this Product-Chemical Profile. In addition, this Product-Chemical Profile specifically focuses on 6PPD in motor vehicle tires and therefore does not include other chemicals found in rubber tires.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

<b>Comment:</b>	CL19-15
<b>Summary:</b>	This comment requests that DTSC list used tire crumb as hazardous waste.
<b>DTSC Response:</b>	The Safer Consumer Products Regulations are not related to DTSC’s regulation of hazardous waste. This action proposes to list motor vehicle tires containing 6PPD as a Priority Product with the goal of requiring manufacturers to identify safer alternatives.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on this comment.

***Comments providing additional information***

<b>Comments:</b>	CL03-01, CL11-01, CL27-02, CL32-01
<b>Summary:</b>	These comments provide information but do not state a specific position in support of or in opposition to the proposed regulation.
<b>DTSC Response:</b>	DTSC acknowledges and appreciates the additional information.
<b>Outcome:</b>	No changes were made to the proposed regulation or supporting documents based on the information provided.