

66387.3 Self-Certification of Compliance

For the purposes of this section, self-certification means the process where the brake friction material manufacturer registers their brake friction material with a testing certification agency. The testing certification agency verifies the brake friction material is tested by an analytical laboratory accredited in accordance with California Code of Regulations, title 22, section 66387.5 , subsection (a) and is analyzed using testing protocol SAE J 2975:DEC2013 or an alternative testing method approved under section 66387.6 , subsection (). The testing certification agency assigns the environmental compliance level and publicly posts the following on its website: the registered unique identification code(s), the assigned environmental compliance level for each registered unique identification code, and the self-certification documentation. This section provides detailed steps on the self-certification process.

(a)

Manufacturers of brake friction material shall certify the formulation of any brake friction material that is sold or offered for sale in California complies with the requirements of either Health and Safety Code sections 25250.51, 25250.51 and 2550.52, or 25250.51 and 25250.53 using the following process:(1) Step 1: Submit a sample of each manufactured brake friction material for laboratory testing. A manufacturer of brake friction material shall submit a sample of brake friction material to a laboratory approved by the testing certification agency to perform

testing in accordance with California Code of Regulations, title 22, section 66387.5.

(2) Step 2: Receive confirmation from the laboratory that all required laboratory testing results specified in section 66387.6(g) for each brake friction material were submitted to the testing certification agency. If the manufacturer does not receive confirmation from the laboratory, then the manufacturer of the brake friction material shall contact the testing certification agency and confirm that all laboratory testing results required to certify a given friction material formulation were received by the testing certification agency. The manufacturer of brake friction material may review the testing results prior to the laboratory sending the results to the testing certification agency. All testing and reporting of results must be carried out in accordance with California Code of Regulations, title 22, section 66387.6. (3) Step 3: Ensure that each brake friction material that complies with the requirements of either Health and Safety Code sections 25250.51, 25250.51 and 25250.52, or 25250.51 and 25250.53 is assigned by the manufacturer of the brake friction material a unique identification code ending in the appropriate environmental compliance marking as described in California Code of Regulations, title 22, section 66387.7. (4) Step 4: Submit self-certification documentation to a testing certification agency. Self-certification documentation must include: (A) The contact information for the manufacturer of brake friction material(s) including but not limited to: 1. The contact person's name; and 2. The contact person's job title; and 3. The contact person's e-mail address; and 4. The business's name; and 5. The business's address; and 6. The business's phone number or the contact person's phone number. (B) A signed and dated statement by an authorized representative of the brake friction material manufacturer declaring that all brake friction materials bearing the listed unique identification codes are of the same composition as those submitted to the laboratory, are of the same composition as

those testing results submitted to the testing certification agency, and meet all of the requirements of Health and Safety Code section 25250.60 subdivision (c), subdivision (e), and subdivision (g). The statement shall include, but is not limited, to language identical or similar to that specified in California Code of Regulations, title 22, section 66387.3, subsection (a)(4)(B)1. 1. I, the undersigned, on behalf of the above named Company, approve, assert, and certify as true and accurate all information shown in this document. I hereby assert that the friction materials bearing the marked proof of certification set forth in this certification document are substantially identical to the products submitted for testing and meet the requirements of all applicable codes, regulations, rules, and laws including those specified in the addendum below. I hereby authorize [testing certification agency name] to publicly post all information required to be made public by any United States laws in accordance with the law and any written contracts between [testing certification agency name] and the Company specified above. I hereby assert that all test results used to issue this self-certification comply with all requirements of the law and any contracts between [testing certification agency name] and the Company specified above. Company agrees that [testing certification agency name] shall have no liability to Company or any third party with respect to release of the above referenced Company data to any government agency with the legal authority to receive such data. I hereby assert that I have the authority to make this authorization and assertion on behalf of the Company specified above. Any written modifications to this Affidavit section are not acceptable and invalidate this self-certification. This document shall serve as proof of self-certification as required by Health and Safety Code sections 25250.60 subdivision (c), subdivision (e), and subdivision (g). (5) Step 5: Receive confirmation from the testing certification agency that each brake friction material that complies with the requirements of this

chapter is posted on the Internet in a publicly accessible and searchable database or list. (A) The testing certification agency shall notify the Department either in writing or electronically of the URL where the information was publicly posted on the Internet. 1. For an electronic submittal, a person shall send the notification to the Department via electronic mail (brakepad@dtsc.ca.gov) on the Department's website at <http://www.dtsc.ca.gov> with the subject line "Attention: California Brake Pad Certification Notification" displayed in the subject line of the electronic mail; or 2. For a written submittal, a person shall send the notification to the Department via certified mail, return receipt requested, at the following address: Department of Toxic Substances Control, Safer Products and Workplaces Program, P.O. Box 806, Sacramento, CA 95812-0806, with the words "Attention: California Brake Pad Certification Notification" prominently displayed on the front of the envelope. (B) The publicly accessible and searchable database or list must include the manufacturer's name, the unique identification code, and the full URL address to the certification document. (C) The testing certification agency shall notify the Department within thirty (30) days whenever the Internet address of this database or list changes using the notification procedures in subsection (A)1 and (A)2 of this section. (6) Step 6: Ensure that brake friction material is marked with the marked proof of certification in accordance with California Code of Regulations, title 22, section 66387.7.

(1)

Step 1: Submit a sample of each manufactured brake friction material for laboratory testing. A manufacturer of brake friction material shall submit a sample of brake friction material to a laboratory approved by the testing certification agency to perform testing in accordance with California Code of Regulations, title 22, section 66387.5.

(2)

Step 2: Receive confirmation from the laboratory that all required laboratory testing results specified in section 66387.6(g) for each brake friction material were submitted to the testing certification agency. If the manufacturer does not receive confirmation from the laboratory, then the manufacturer of the brake friction material shall contact the testing certification agency and confirm that all laboratory testing results required to certify a given friction material formulation were received by the testing certification agency. The manufacturer of brake friction material may review the testing results prior to the laboratory sending the results to the testing certification agency. All testing and reporting of results must be carried out in accordance with California Code of Regulations, title 22, section 66387.6.

(3)

Step 3: Ensure that each brake friction material that complies with the requirements of either Health and Safety Code sections 25250.51, 25250.51 and 25250.52, or 25250.51 and 25250.53 is assigned by the manufacturer of the brake friction material a unique identification code ending in the appropriate environmental compliance marking as described in California Code of Regulations, title 22, section 66387.7.

(4)

Step 4: Submit self-certification documentation to a testing certification agency.

Self-certification documentation must include: (A) The contact information for the manufacturer of brake friction material(s) including but not limited to: 1. The contact person's name; and 2. The contact person's job title; and 3. The contact person's e-mail address; and 4. The business's name; and 5. The business's address; and 6. The business's phone number or the contact person's phone number. (B) A signed and dated statement by an authorized representative of the brake friction material manufacturer declaring that all brake friction materials bearing the listed unique identification codes are of the same composition as those submitted to the laboratory, are of the same

composition as those testing results submitted to the testing certification agency, and meet all of the requirements of Health and Safety Code section 25250.60 subdivision (c), subdivision (e), and subdivision (g). The statement shall include, but is not limited, to language identical or similar to that specified in California Code of Regulations, title 22, section 66387.3, subsection (a)(4)(B)1. 1. I, the undersigned, on behalf of the above named Company, approve, assert, and certify as true and accurate all information shown in this document. I hereby assert that the friction materials bearing the marked proof of certification set forth in this certification document are substantially identical to the products submitted for testing and meet the requirements of all applicable codes, regulations, rules, and laws including those specified in the addendum below. I hereby authorize [testing certification agency name] to publicly post all information required to be made public by any United States laws in accordance with the law and any written contracts between [testing certification agency name] and the Company specified above. I hereby assert that all test results used to issue this self-certification comply with all requirements of the law and any contracts between [testing certification agency name] and the Company specified above. Company agrees that [testing certification agency name] shall have no liability to Company or any third party with respect to release of the above referenced Company data to any government agency with the legal authority to receive such data. I hereby assert that I have the authority to make this authorization and assertion on behalf of the Company specified above. Any written modifications to this Affidavit section are not acceptable and invalidate this self-certification. This document shall serve as proof of self-certification as required by Health and Safety Code sections 25250.60 subdivision (c), subdivision (e), and subdivision (g).

(A)

The contact information for the manufacturer of brake friction material(s) including but not

limited to: 1. The contact person's name; and 2. The contact person's job title; and 3. The contact person's e-mail address; and 4. The business's name; and 5. The business's address; and 6. The business's phone number or the contact person's phone number.

1.

The contact person's name; and

2.

The contact person's job title; and

3.

The contact person's e-mail address; and

4.

The business's name; and

5.

The business's address; and

6.

The business's phone number or the contact person's phone number.

(B)

A signed and dated statement by an authorized representative of the brake friction material manufacturer declaring that all brake friction materials bearing the listed unique identification codes are of the same composition as those submitted to the laboratory, are of the same composition as those testing results submitted to the testing certification agency, and meet all of the requirements of Health and Safety Code section 25250.60 subdivision (c), subdivision (e), and subdivision (g). The statement shall include, but is not limited, to language identical or similar to that specified in California Code of Regulations, title 22, section 66387.3, subsection (a)(4)(B)1. 1. I, the undersigned, on behalf of the above named Company, approve, assert, and certify as true and accurate all information shown in this document. I hereby assert that the friction materials bearing the marked proof of certification set forth in

this certification document are substantially identical to the products submitted for testing and meet the requirements of all applicable codes, regulations, rules, and laws including those specified in the addendum below. I hereby authorize [testing certification agency name] to publicly post all information required to be made public by any United States laws in accordance with the law and any written contracts between [testing certification agency name] and the Company specified above. I hereby assert that all test results used to issue this self-certification comply with all requirements of the law and any contracts between [testing certification agency name] and the Company specified above. Company agrees that [testing certification agency name] shall have no liability to Company or any third party with respect to release of the above referenced Company data to any government agency with the legal authority to receive such data. I hereby assert that I have the authority to make this authorization and assertion on behalf of the Company specified above. Any written modifications to this Affidavit section are not acceptable and invalidate this self-certification. This document shall serve as proof of self-certification as required by Health and Safety Code sections 25250.60 subdivision (c), subdivision (e), and subdivision (g).

1.

I, the undersigned, on behalf of the above named Company, approve, assert, and certify as true and accurate all information shown in this document. I hereby assert that the friction materials bearing the marked proof of certification set forth in this certification document are substantially identical to the products submitted for testing and meet the requirements of all applicable codes, regulations, rules, and laws including those specified in the addendum below. I hereby authorize [testing certification agency name] to publicly post all information required to be made public by any United States laws in accordance with the law and any written contracts between [testing certification agency name] and the Company specified above. I hereby assert that all test results used to issue this self-certification comply with all requirements of the law and any contracts between [testing certification agency name] and the Company specified above. Company agrees that [testing certification agency name]

shall have no liability to Company or any third party with respect to release of the above referenced Company data to any government agency with the legal authority to receive such data. I hereby assert that I have the authority to make this authorization and assertion on behalf of the Company specified above. Any written modifications to this Affidavit section are not acceptable and invalidate this self-certification. This document shall serve as proof of self-certification as required by Health and Safety Code sections 25250.60 subdivision (c), subdivision (e), and subdivision (g).

(5)

Step 5: Receive confirmation from the testing certification agency that each brake friction material that complies with the requirements of this chapter is posted on the Internet in a publicly accessible and searchable database or list. (A) The testing certification agency shall notify the Department either in writing or electronically of the URL where the information was publicly posted on the Internet. 1. For an electronic submittal, a person shall send the notification to the Department via electronic mail (brakepad@dtsc.ca.gov) on the Department's website at <http://www.dtsc.ca.gov> with the subject line "Attention: California Brake Pad Certification Notification" displayed in the subject line of the electronic mail; or 2. For a written submittal, a person shall send the notification to the Department via certified mail, return receipt requested, at the following address: Department of Toxic Substances Control, Safer Products and Workplaces Program, P.O. Box 806, Sacramento, CA 95812-0806, with the words "Attention: California Brake Pad Certification Notification" prominently displayed on the front of the envelope. (B) The publicly accessible and searchable database or list must include the manufacturer's name, the unique identification code, and the full URL address to the certification document. (C) The testing certification agency shall notify the Department within thirty (30) days whenever the Internet address of this database or list changes using the notification procedures in subsection (A)1 and (A)2 of this section.

(A)

The testing certification agency shall notify the Department either in writing or electronically of the URL where the information was publicly posted on the Internet. 1. For an electronic submittal, a person shall send the notification to the Department via electronic mail (brakepad@dtsc.ca.gov) on the Department's website at <http://www.dtsc.ca.gov> with the subject line "Attention: California Brake Pad Certification Notification" displayed in the subject line of the electronic mail; or 2. For a written submittal, a person shall send the notification to the Department via certified mail, return receipt requested, at the following address: Department of Toxic Substances Control, Safer Products and Workplaces Program, P.O. Box 806, Sacramento, CA 95812-0806, with the words "Attention: California Brake Pad Certification Notification" prominently displayed on the front of the envelope.

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2.

For a written submittal, a person shall send the notification to the Department via certified mail, return receipt requested, at the following address: Department of Toxic Substances Control, Safer Products and Workplaces Program, P.O. Box 806, Sacramento, CA 95812-0806, with the words "Attention: California Brake Pad Certification Notification" prominently displayed on the front of the envelope.

(B)

The publicly accessible and searchable database or list must include the manufacturer's name, the unique identification code, and the full URL address to the certification document.

(C)

The testing certification agency shall notify the Department within thirty (30) days whenever the Internet address of this database or list changes using the notification procedures in subsection (A)1 and (A)2 of this section.

(6)

Step 6: Ensure that brake friction material is marked with the marked proof of certification in accordance with California Code of Regulations, title 22, section 66387.7.

(b)

Manufacturers of brake friction material may use one set of testing results and self-certification documentation, and a single unique identification code for multiple products using an identical brake friction material formulation.

(c)

Manufacturers of brake friction material may use one set of testing results to register multiple unique identification codes for products using an identical brake friction material formulation.

(d)

Manufacturers of brake friction material are responsible for the accuracy of all information transmitted to the testing certification agency.