

|->

Title 22@ Social Security

|->

Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

|->

Chapter 55@ Safer Consumer Products

|->

Article 3@ Process for Identifying and Prioritizing Product - Chemical Combinations

|->

Section 69503.3@ Adverse Impact and Exposure Factors

69503.3 Adverse Impact and Exposure Factors

(a)

Adverse Impacts. (1) In evaluating a product-chemical combination for possible listing as a Priority Product, the Department shall evaluate the potential for the Candidate Chemical(s) to contribute to or cause adverse impacts, by considering one or more of the following factors for which information is reasonably available: (A) The Candidate Chemical(s)' hazard trait(s) and/or environmental or toxicological endpoint(s); (B) The Candidate Chemical(s)' aggregate effects; (C) The Candidate Chemical(s)' cumulative effects with other chemicals with the same or similar hazard trait(s) and/or environmental or toxicological endpoint(s); (D) The Candidate Chemical(s)' physicochemical properties; (E) The Candidate Chemical(s)' environmental fate; (F) The human populations, and/or aquatic, avian, or terrestrial animal or plant organisms for which the Candidate Chemical(s) has/have the potential to contribute to or cause adverse impacts; and/or (G) The potential for the Candidate Chemical(s) to degrade, form reaction products, or metabolize into another Candidate Chemical or a chemical that exhibits one or more hazard traits and/or environmental or toxicological endpoints. (2) The Department shall give special consideration to the potential for the Candidate Chemical(s) in the product to contribute to or cause adverse impacts for: (A) Sensitive subpopulations; (B) Environmentally sensitive habitats; (C) Endangered and threatened species listed by the California

Department of Fish and Wildlife; and (D) Environments in California that have been designated as impaired by a California State or federal regulatory agency.

(3) The Department may also evaluate and consider, based on reliable information, the adverse impacts associated with structurally or mechanistically similar chemicals for which there is a known toxicity profile.

(1)

In evaluating a product-chemical combination for possible listing as a Priority Product, the Department shall evaluate the potential for the Candidate Chemical(s) to contribute to or cause adverse impacts, by considering one or more of the following factors for which information is reasonably available: (A) The Candidate Chemical(s)' hazard trait(s) and/or environmental or toxicological endpoint(s); (B) The Candidate Chemical(s)' aggregate effects; (C) The Candidate Chemical(s)' cumulative effects with other chemicals with the same or similar hazard trait(s) and/or environmental or toxicological endpoint(s); (D) The Candidate Chemical(s)' physicochemical properties; (E) The Candidate Chemical(s)' environmental fate; (F) The human populations, and/or aquatic, avian, or terrestrial animal or plant organisms for which the Candidate Chemical(s) has/have the potential to contribute to or cause adverse impacts; and/or (G) The potential for the Candidate Chemical(s) to degrade, form reaction products, or metabolize into another Candidate Chemical or a chemical that exhibits one or more hazard traits and/or environmental or toxicological endpoints.

(A)

The Candidate Chemical(s)' hazard trait(s) and/or environmental or toxicological endpoint(s);

(B)

The Candidate Chemical(s)' aggregate effects;

(C)

The Candidate Chemical(s)' cumulative effects with other chemicals with the same or similar hazard trait(s) and/or environmental or toxicological endpoint(s);

(D)

The Candidate Chemical(s)' physicochemical properties;

(E)

The Candidate Chemical(s)' environmental fate;

(F)

The human populations, and/or aquatic, avian, or terrestrial animal or plant organisms for which the Candidate Chemical(s) has/have the potential to contribute to or cause adverse impacts; and/or

(G)

The potential for the Candidate Chemical(s) to degrade, form reaction products, or metabolize into another Candidate Chemical or a chemical that exhibits one or more hazard traits and/or environmental or toxicological endpoints.

(2)

The Department shall give special consideration to the potential for the Candidate Chemical(s) in the product to contribute to or cause adverse impacts for: (A) Sensitive subpopulations; (B) Environmentally sensitive habitats; (C) Endangered and threatened species listed by the California Department of Fish and Wildlife; and (D) Environments in California that have been designated as impaired by a California State or federal regulatory agency.

(A)

Sensitive subpopulations;

(B)

Environmentally sensitive habitats;

(C)

Endangered and threatened species listed by the California Department of Fish and Wildlife;
and

(D)

Environments in California that have been designated as impaired by a California State or federal regulatory agency.

(3)

The Department may also evaluate and consider, based on reliable information, the adverse impacts associated with structurally or mechanistically similar chemicals for which there is a known toxicity profile.

(b)

Exposures. In evaluating a product-chemical combination for possible listing as a Priority Product, the Department shall evaluate the potential for public and/or aquatic, avian, or terrestrial animal or plant organism exposure(s) to the Candidate Chemical(s) in the product, by considering one or more of the following factors for which information is reasonably available: (1) Market presence of the product, including: (A) Statewide sales by volume; (B) Statewide sales by number of units; and/or (C) Intended product use(s), and types and age groups of targeted customer base(s). (2) The occurrence, or potential occurrence, of exposures to the Candidate Chemical(s) in the product. (3) The household and workplace presence of the product, and other products containing the same Candidate Chemical(s) that is/are the basis for considering the listing of the product-chemical combination as a Priority Product. (4) Potential exposures to the Candidate Chemical(s) in the product during the product's life cycle, considering: (A) Manufacturing, use, storage, transportation, waste, and end-of-life management practices and the locations of these practices; (B) Whether the product is manufactured or stored in, or transported through, California solely for use

outside of California; (C) Whether the product is placed into the stream of commerce in California solely for the manufacture of one or more of the products exempted from the definition of "consumer product" specified in Health and Safety Code section 25251; (D) The following types of uses: 1. Household and recreational use; 2. Sensitive subpopulation potential use of, or exposure to, the product; and/or 3. Workers, customers, clients, and members of the general public who use, or otherwise come in contact with, the product or releases from the product in homes, schools, workplaces, or other locations; (E) Frequency, extent, level, and duration of potential exposure for each use scenario and end-of-life scenario; (F) Containment of the Candidate Chemical(s) within the product, including potential accessibility to the Candidate Chemical(s) during the useful life of the product and the potential for releases of the Candidate Chemical(s) during the useful life and at the end-of-life; (G) Engineering and administrative controls that reduce exposure concerns associated with the product; and/or (H) The potential for the Candidate Chemical(s) or its/their degradation products to be released into, migrate from, or distribute across environmental media, and the potential for the Candidate Chemical(s) or its/their degradation products to accumulate and persist in biological and/or environmental compartments or systems.

(1)

Market presence of the product, including: (A) Statewide sales by volume; (B) Statewide sales by number of units; and/or (C) Intended product use(s), and types and age groups of targeted customer base(s).

(A)

Statewide sales by volume;

(B)

Statewide sales by number of units; and/or

(C)

Intended product use(s), and types and age groups of targeted customer base(s).

(2)

The occurrence, or potential occurrence, of exposures to the Candidate Chemical(s) in the product.

(3)

The household and workplace presence of the product, and other products containing the same Candidate Chemical(s) that is/are the basis for considering the listing of the product-chemical combination as a Priority Product.

(4)

Potential exposures to the Candidate Chemical(s) in the product during the product's life cycle, considering: (A) Manufacturing, use, storage, transportation, waste, and end-of-life management practices and the locations of these practices; (B) Whether the product is manufactured or stored in, or transported through, California solely for use outside of California; (C) Whether the product is placed into the stream of commerce in California solely for the manufacture of one or more of the products exempted from the definition of "consumer product" specified in Health and Safety Code section 25251; (D) The following types of uses: 1. Household and recreational use; 2. Sensitive subpopulation potential use of, or exposure to, the product; and/or 3. Workers, customers, clients, and members of the general public who use, or otherwise come in contact with, the product or releases from the product in homes, schools, workplaces, or other locations; (E) Frequency, extent, level, and duration of potential exposure for each use scenario and end-of-life scenario; (F) Containment of the Candidate Chemical(s) within the product, including potential accessibility to the Candidate Chemical(s) during the useful life of the product and the potential for releases of the

Candidate Chemical(s) during the useful life and at the end-of-life; (G) Engineering and administrative controls that reduce exposure concerns associated with the product; and/or (H) The potential for the Candidate Chemical(s) or its/their degradation products to be released into, migrate from, or distribute across environmental media, and the potential for the Candidate Chemical(s) or its/their degradation products to accumulate and persist in biological and/or environmental compartments or systems.

(A)

Manufacturing, use, storage, transportation, waste, and end-of-life management practices and the locations of these practices;

(B)

Whether the product is manufactured or stored in, or transported through, California solely for use outside of California;

(C)

Whether the product is placed into the stream of commerce in California solely for the manufacture of one or more of the products exempted from the definition of "consumer product" specified in Health and Safety Code section 25251;

(D)

The following types of uses: 1. Household and recreational use; 2. Sensitive subpopulation potential use of, or exposure to, the product; and/or 3. Workers, customers, clients, and members of the general public who use, or otherwise come in contact with, the product or releases from the product in homes, schools, workplaces, or other locations;

1.

Household and recreational use;

2.

Sensitive subpopulation potential use of, or exposure to, the product; and/or

3.

Workers, customers, clients, and members of the general public who use, or otherwise come in contact with, the product or releases from the product in homes, schools, workplaces, or other locations;

(E)

Frequency, extent, level, and duration of potential exposure for each use scenario and end-of-life scenario;

(F)

Containment of the Candidate Chemical(s) within the product, including potential accessibility to the Candidate Chemical(s) during the useful life of the product and the potential for releases of the Candidate Chemical(s) during the useful life and at the end-of-life;

(G)

Engineering and administrative controls that reduce exposure concerns associated with the product; and/or

(H)

The potential for the Candidate Chemical(s) or its/their degradation products to be released into, migrate from, or distribute across environmental media, and the potential for the Candidate Chemical(s) or its/their degradation products to accumulate and persist in biological and/or environmental compartments or systems.