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(Submitted electronically to fkammerer@oehha.ca.gov)

RE: Comments to the Pre-Regulatory Draft, Green Chemistry Hazard Traits, Endpoints, and Other Relevant Data

The purpose of this letter is to comment on the pre-regulatory draft for Green Chemistry Hazards Traits, Endpoints and Other Relevant Data that was made available for public comment on August 10, 2010. Tri-TAC is concerned that the environmental hazard traits and endpoints for a Chemical of Concern do not include those that affect Publicly Owned Treatment Works (POTWs).

Tri-TAC is a technical advisory group for POTWs in California. It is jointly sponsored by the California Association of Sanitation Agencies, the California Water Environment Association, and the League of California Cities. The constituent base for Tri-TAC collects, treats, and reclaims more than two billion gallons of wastewater each day and serves most of the sewered population of California.

Tri-TAC believes that the Green Chemistry Initiative will be helpful in identifying and regulating chemicals of concern in products that adversely affect POTW operations, reclaimed water use and biosolids beneficial reuse. To ensure this is accomplished in a feasible manner, the following comments have been provided for consideration.

- (1) Additional hazard traits are needed to ensure that the State can address chemicals that interfere with biological treatment processes at POTWs and chemicals that interfere with safe and economic reuse of biosolids.
- (2) The definition of "wildlife" should be clarified to ensure that the biological use of the term "animal" is intended (i.e., to include aquatic life) rather than the colloquial usage of this term (often limited to non-human mammals).
- (3) The regulations should be written such that aquatic toxicity data are sufficient to define a chemical hazard trait. The definition of the "wildlife survival impairment" hazard trait would require an extra burden of proof that is not required for any other

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Endpoints, and Other Relevant Data

September 13, 2010

Page 2

hazard trait (demonstration that the aquatic toxicity "significantly decreases the potential for wildlife survival in the environment.") This phrase should be deleted, which would make this hazard trait definition parallel to the definitions of other hazard traits.

(4) The Class One/Class Two ranking system for chemicals is inappropriate for aquatic toxicity. To date, authoritative body lists have been created for human health endpoints, but not for environmental toxicity endpoints. Such a ranking system could inappropriately reduce DTSC's ability to address water pollution and POTW compliance problems.

Tri-TAC appreciates the opportunity to comment on the pre-regulatory draft on Green Chemistry, Hazard Traits, Endpoints, and Other Relevant Data. If you have any questions or would like further information, please contact Philip Lo by phone 562-908-4288, extension 2912 or by email at plo@lacsdsd.org.

Sincerely,



Ben Horenstein
Chair, Tri-TAC

cc: Jeff Wong, PhD., Chief Scientist, DTSC
Tom Howard, Executive Director, State Water Resources Control Board
Alexis Strauss, Director, Water Division, USEPA Region IX
Dave Tamayo, CASQA
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