

February 14, 2011

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**Comments on OEHHA Proposed Rulemaking on Green Chemistry
Identification of Hazard Traits, Endpoints, and Other Relevant Data for Inclusion in the
Toxics Information Clearinghouse
(Version Dated December 17, 2010)**

Dear Ms. Kammerer:

Sierra Club California thanks OEHHA staff for their hard work on the proposed regulations. We have supported the Green Chemistry Initiative from its inception and were very involved in shaping and enacting SB 509 and AB 1879 in 2008. This regulation, which is mandated by SB 509, is integral to the process of making consumer products safer in California because it will define what types of human health and environmental hazards may be used as a basis for selecting a product for inclusion in the Safer Alternatives process, and will also specify the data to be included in the state's Toxics Information Clearinghouse.

The December 17, 2010, proposal draws from the best scientific work available on this topic, and fulfills both the letter and spirit of the law. We urge OEHHA to move quickly to finalize the regulation.

We do see one technical problem that can be easily corrected. In the Environmental Persistence definition (Section 69405.3, page 22), the list of evidence of persistence allows only persistence in marine (salt water) sediments to count--fresh water or estuarine sediment persistence would not count as evidence. This inappropriately de-values fresh and estuarine water bodies. The solution is to delete the word "marine", so that it would read "Evidence for environmental persistence includes half-lives in marine, fresh, or estuary water of greater than 40 to 60 days, in [deleted: marine] sediment for greater than 2 months,"

Thank you for considering our views.

Respectfully Submitted,

A handwritten signature in black ink that reads "Bill Mogavero". The signature is written in a cursive, slightly slanted style.

Director

