

**ASSEMBLY BILL**

**No. 1431**

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**Introduced by Assembly Member Hill**

February 27, 2009

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An act to amend Section 25252 of the Health and Safety Code, relating to hazardous materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1431, as introduced, Hill. Hazardous materials: chemicals of concern.

Existing law requires the Department of Toxic Substances Control, by January 1, 2011, to adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern, in accordance with a specified review process. Existing law requires the department to adopt the regulations in consultation with the Office of Environmental Health Hazard Assessment and all appropriate state agencies, and after conducting one or more public workshops as specified.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 25252 of the Health and Safety Code is  
2 amended to read:

1 25252. (a) On or before January 1, 2011, the department shall  
2 adopt regulations to establish a process to identify and prioritize  
3 those chemicals or chemical ingredients in consumer products that  
4 may be considered as being a chemical of concern, in accordance  
5 with the review process—specified in Section 25252.5. The  
6 department shall adopt these regulations in consultation with the  
7 office and all appropriate state agencies, and after conducting one  
8 or more public workshops for which the department provides public  
9 notice and provides an opportunity for all interested parties to  
10 comment. The regulations adopted pursuant to this section shall  
11 establish an identification and prioritization process that includes,  
12 but is not limited to, all of the following considerations:

- 13 (1) The volume of the chemical in commerce in this state.
- 14 (2) The potential for exposure to the chemical in a consumer  
15 product.
- 16 (3) Potential effects on sensitive subpopulations, including  
17 infants and children.

18 (b) (1) In adopting regulations pursuant to this section, the  
19 department shall develop criteria by which chemicals and their  
20 alternatives may be evaluated. These criteria shall include, but not  
21 be limited to, the traits, characteristics and endpoints that are  
22 included in the clearinghouse data pursuant to Section 25256.1.

23 (2) In adopting regulations pursuant to this section, the  
24 department shall reference and use, to the maximum extent feasible,  
25 available information from other nations, governments, and  
26 authoritative bodies that have undertaken similar chemical  
27 prioritization processes, so as to leverage the work and costs  
28 already incurred by those entities and to minimize costs and  
29 maximize benefits for the state’s economy.

30 (3) Paragraph (2) does not require the department, when  
31 adopting regulations pursuant to this section, to reference and use  
32 only the available information specified in paragraph (2).