

State Issues Update

Automotive Specialty Products Alliance Winter Meeting

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Fort Lauderdale, Florida

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2010 Issues Wrap Up

California Green Chemistry Initiative

- **Assembly Bill 1879 (2008)**

- Department of Toxic Substances Control (DTSC) to identify:
- Chemicals of Concern
- Consumer Product Uses of Concern
- Alternatives Analysis / Lifecycle Assessment
- Control Measure



2010 Issues Wrap Up



California Green Chemistry

- **2010 Timeline**

- June – Final Draft of Regulations Released
- 762 Pages of Comments / >90 Stakeholders
- September – Actual Regulations Released
- November – Revised Regulations Released
- 15 Day Comment Period Closed December 3rd
- Will Take Effect January 1, 2011

2010 Issues Wrap Up

California Green Chemistry



◇ DTSC to develop a list of Chemicals of Concern (CoC) by December 31, 2011 based on:

- Adverse Public Health Impacts
- Adverse Ecological Impacts
- Adverse Impacts on Air, Water or Soil Quality
- Availability of reliable information on potential for adverse impacts and exposure
- Potential for consumers or environmental receptors to be exposed to CoCs in quantities that can cause adverse public health or environmental impacts

2010 Issues Wrap Up

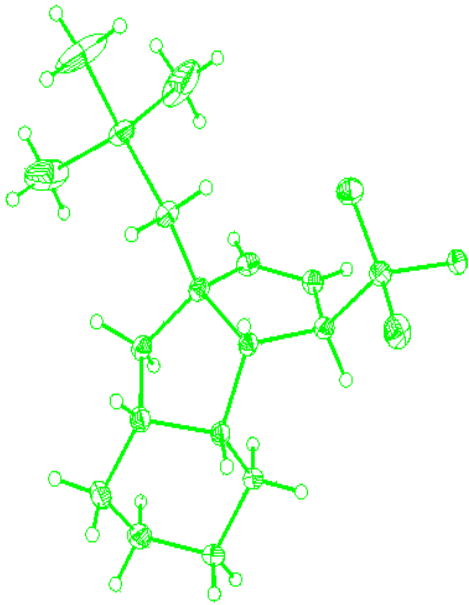
California Green Chemistry

- Prioritization of Products:
 - Children's Products
 - Personal Care Products
 - Household Cleaning Products
 - Others after **January 1, 2016**
- Based on Various Factors:
 - Statewide sales by volume / # of units
 - Contributions to volume of CoC in commerce
 - Containment of CoC in the product
 - Existing regulations that reduce potential exposure



2010 Issues Wrap Up

California Green Chemistry



- Regulatory Response:
 - None required
 - Alternatives analysis
 - Product information made available to consumers
 - End of life management
 - Product ban
- Will be limited by DTSC's resources

2010 Issues Wrap Up

Ingredient Disclosure

- **California Senate Bill 928 (Simitian)**
 - CSPA, ACI & FMA led discussions
 - NGOs including Sierra Club, WVE, SEIU, EWG
 - Key Unresolved Issues:
 - Weak protections for “incidental ingredients”
 - Limited Trade Secret Protection
 - No protection for “hazardous substances”
 - No separate path for fragrances
 - Trade secret protections sunset after six years
 - Nomenclature – CAS #s required for every ingredient

CARB 2010 Rulemaking

Product Category	Current CARB Limit	Future CARB Limit	Effective Date
Cleaners and Degreasers			
General Purpose Degreaser (non-aerosol)	4%	0.5%	December 31, 2012
Glass Cleaner (non-aerosol)	4%	3%	December 31, 2012
Personal Care Products			
Heavy Duty Hand Cleaner	8%	1%	December 31, 2013
Vehicle & Marine Vessel Aftermarket Products			
Auto Rubbing or Polishing Compound (non-aerosol)		Postponed Until Next Rulemaking	
Auto Wax / Polish / Sealant / Glaze All other forms – non-aerosol		Postponed Until Next Rulemaking	

CARB 2010 Rulemaking

Special Purpose Lubricants Subcategories to take effect December 31, 2013

Anti-seize Lubricant (aerosol)	40%
Anti-seize Lubricant (non-aerosol)	3%
Cutting & Tapping Oil (aerosol)	25%
Cutting & Tapping Oil (non-aerosol)	3%
Gear, Chain & Wire Lubricant (aerosol)	25%
Gear, Chain & Wire Lubricant (non-aerosol)	3%
Rust Preventative / Control Lubricant (aerosol)	25%
Rust Preventative / Control Lubricant (non-aerosol)	3%

2010 Mid-Term Elections



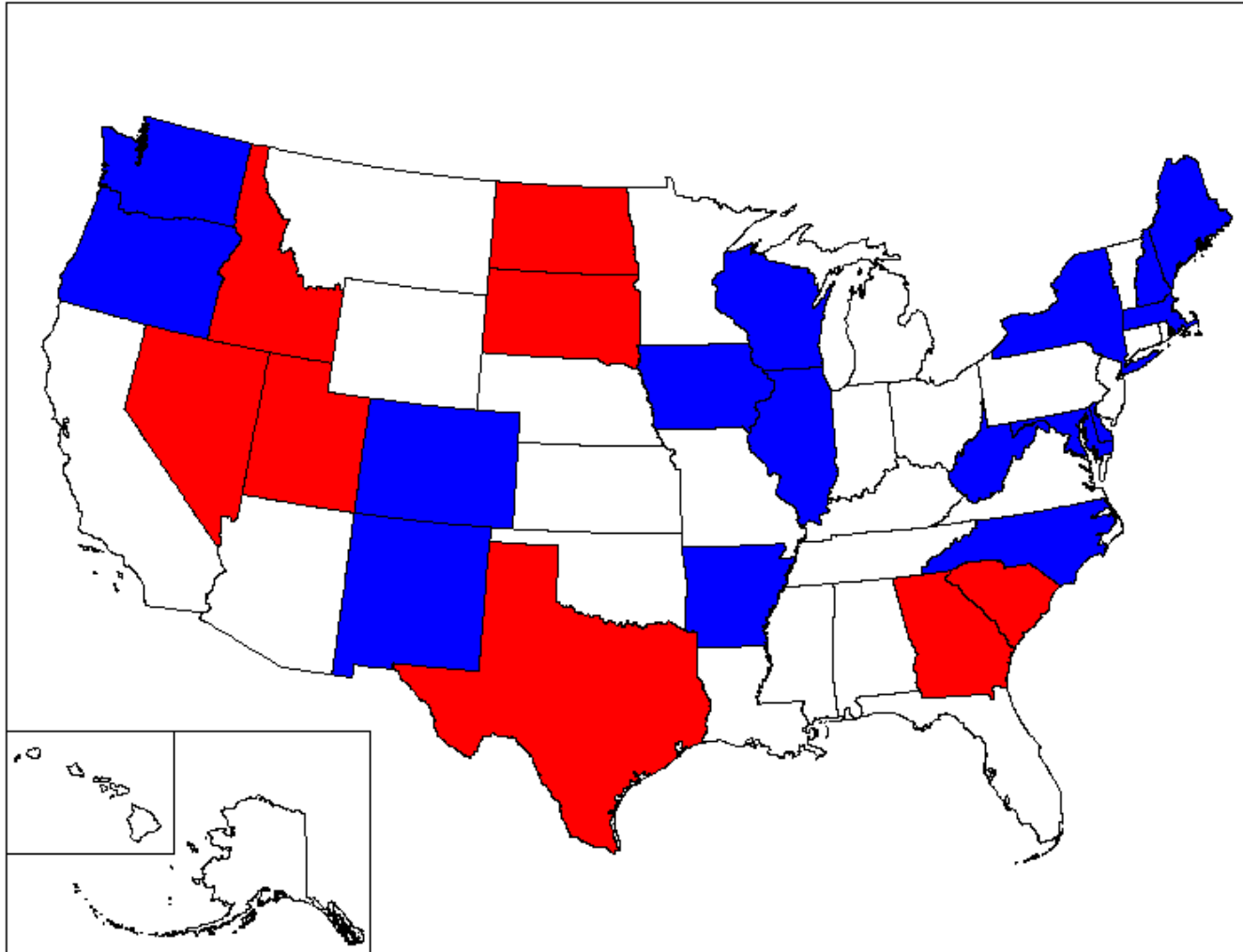
Republicans Picked Up:

- ~680 State Legislative Seats
- 20 State Legislative chambers
- 6 Governorships
- More than double what Democrats picked up in 2008



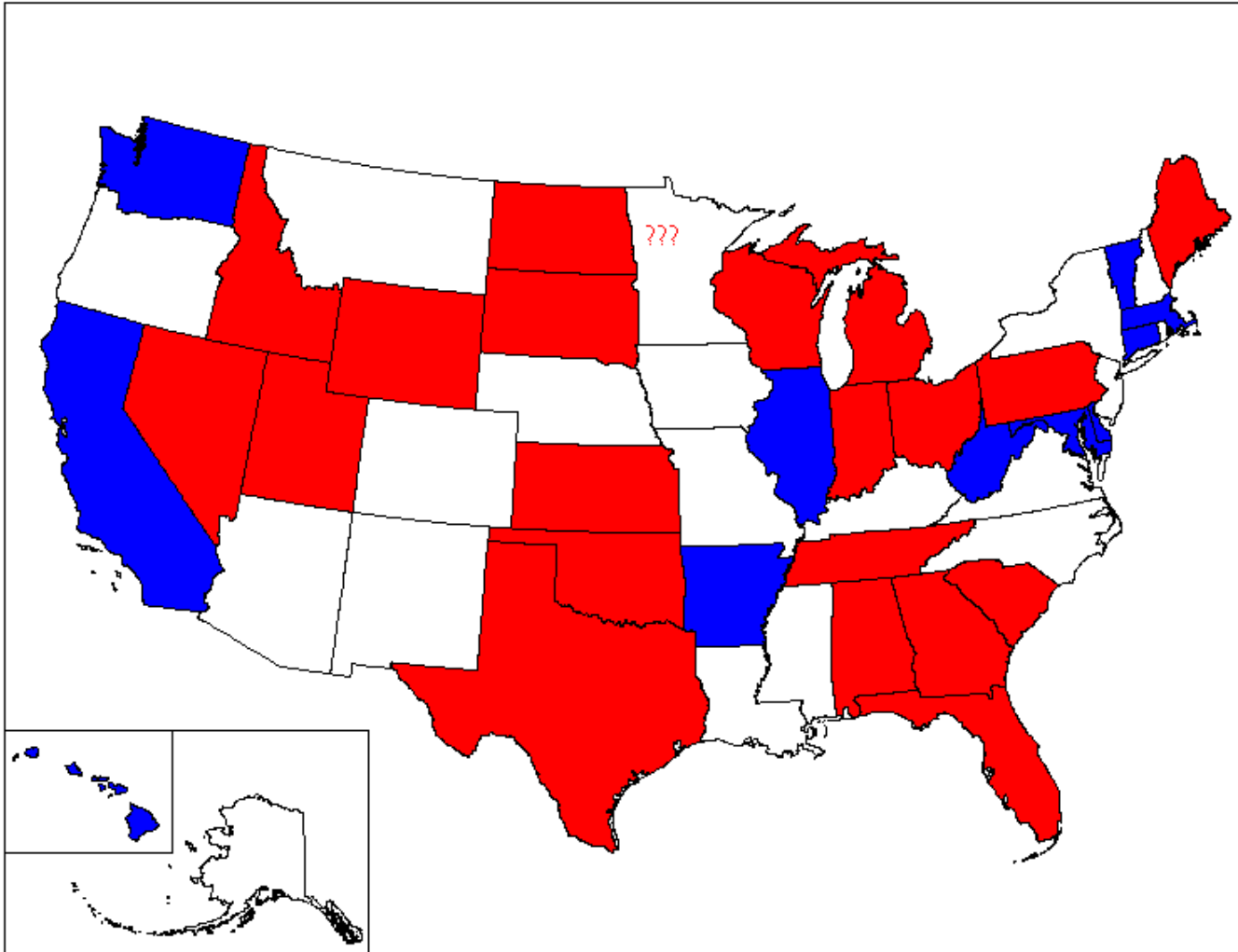
Balance of Power in the States

Before 2010 Elections:



Balance of Power in the States

After 2010 Elections:



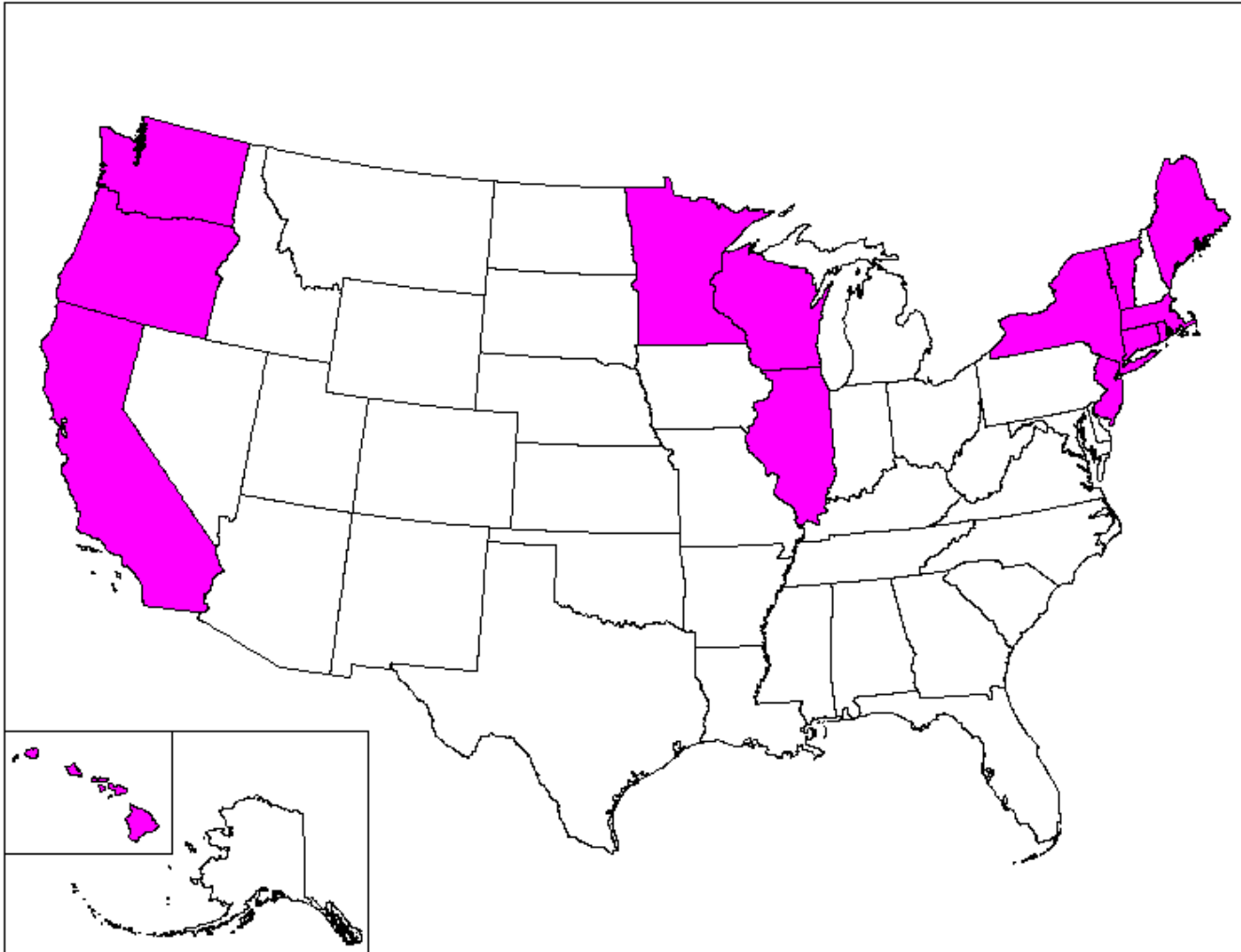
2010 Mid-Term Elections

But What Does it Mean?

- Redistricting will affect public policy for the next decade
- Republicans control all 3 chambers in 20 states
- Maine & Wisconsin flipped entirely from D to R

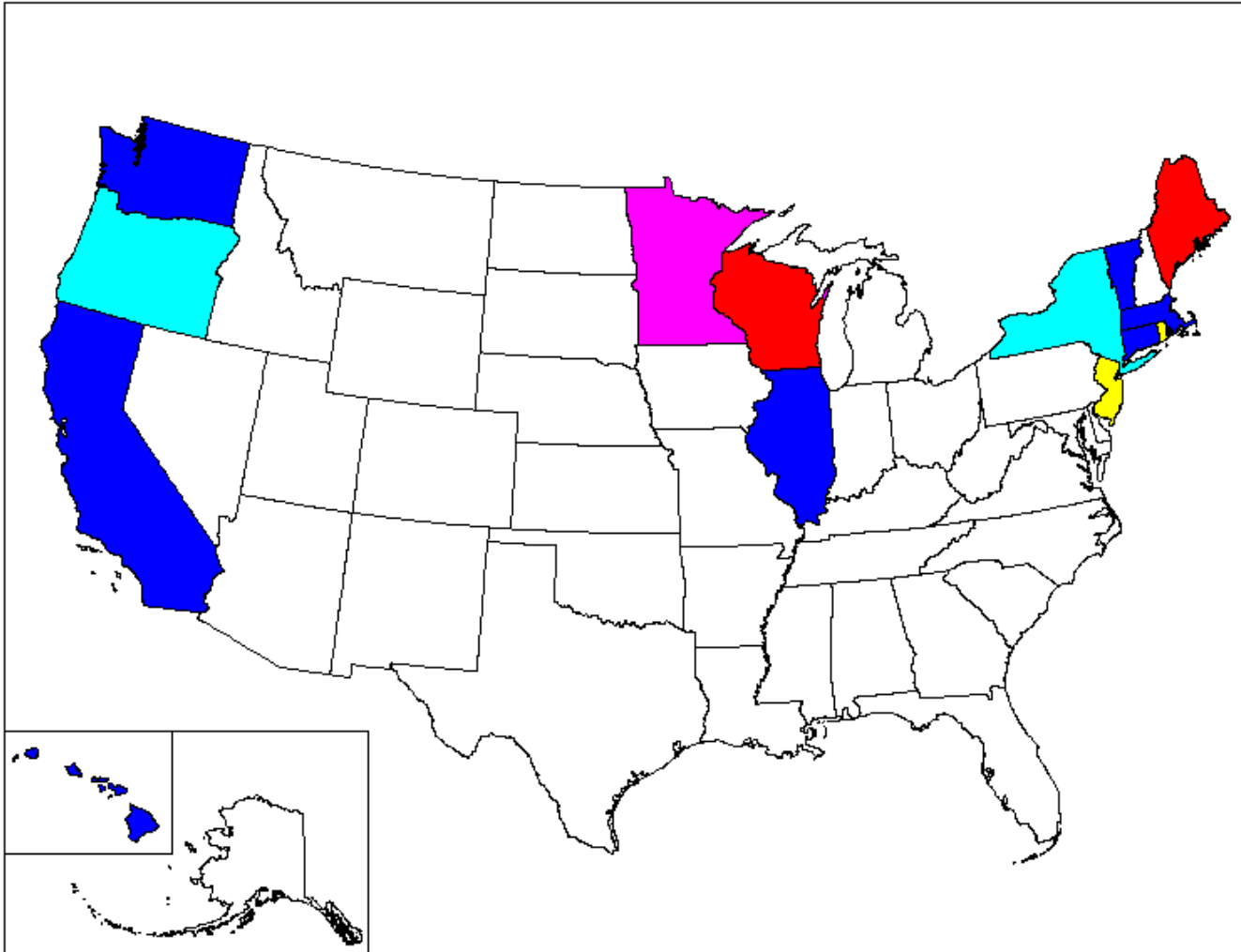
2011 Legislative Outlook

Traditional Legislative Hot Spots:



2011 Legislative Outlook

Legislative Hot Spots Heading into 2011:



2011 Legislative Outlook

So What Can We Expect?

- More aggressive efforts at the state level
- Chemicals Management Legislation
- Extended Producer Responsibility
- Ingredient Disclosure Legislation / Regulation
- Fees

Chemicals Management Policy

Preparing for the Future

- Increased communication up/down supply chain
- Increased data development for chemicals and uses will be needed
- Increased engagement in policy process
- Increased product stewardship efforts and alternatives assessments

Questions?

Thank you