May 15, 2020

Department of Toxic Substance Control (DTSC)
Attn: Safer Consumer Products (SCP) Program
1001 I Street
Sacramento, CA 95814

Submitted via online portal at https://calsafer.dtsc.ca.gov/

Re: Support Listing Carpets and Rugs Containing Perfluoroalkyl or Polyfluoroalkyl Substances as a Priority Product

Dear Safer Consumer Products (SCP) Program:

The undersigned organizations on this letter strongly support listing carpets and rugs containing perfluoroalkyl or polyfluoroalkyl substances (PFAS) as Priority Products under the SCP regulations. California has a responsibility to protect residents from toxic and bioaccumulative chemicals entering the market and producers should take responsibility to ensure safe handling of the materials at their end-of-life, especially ones which pose human health risks if not properly managed.

The evidence presented by DTSC shows carpet and rugs with added PFAS pose human health hazards. The class of PFAS in carpets and rugs contain chemicals connected to serious health impacts, including cancers, liver and kidney malfunction, thyroid diseases, delayed puberty, early menopause in women, reduced immune system responses in children, birth defects, reproductive and developmental toxicity, systemic toxicity, and elevated cholesterol. Both the scientific community and general public are justifiably very concerned with PFAS being found in 6 out of 12 tested U.S. carpet, in human bodies and in water samples.

Lack of action at the State level is driving local jurisdictions to ensure the public has limited exposure to carpet containing this chemical class, such as the Woodland Unified School District who implemented a

ban on carpet with PFAS and San Francisco’s Green Procurement Policy for carpet. Home Depot and Lowe both announced they will no longer sell carpets containing PFAS starting January 2020.

The stewardship organization running the program in California, Carpet America Recovery Effort (CARE), cited the lack of state guidelines for handling carpet with PFAS as a reason to not address concerns with PFAS brought up by members of the California Carpet Stewardship Advisory Committee (AC). On July 31, 2019, the AC voted on and passed a recommendation that CARE address PFAS as a measure to reduce environmental contamination and exposure during end-of-life management for carpet handled under the program. Unfortunately, CARE denied the request in August 21, 2019, stating “there are no specific guidelines/requirements for the use of [post-consumer carpet] materials delineated by statute.” The carpet industry lobbied against transparency on the use of PFAS in carpet by opposing the eco-modulated fee in AB 729, passed in 2019, because it would impact the cost and public appearance of carpets with more toxics. We hope the outcome of the SCP process includes guidelines for safe handling of carpet and rugs with PFAS for the safety of the workers and includes outdoor carpets and synthetic turf in the product definition.

Thank you again for the opportunity to protect human health and safety in California. PFAS need to be addressed immediately as they are an impediment to achieving a circular economy.

Sincerely,

Doug Kobold, Executive Director
California Product Stewardship Council

Heidi Sanborn, Executive Director
National Stewardship Action Council

Alicia Culver, Executive Director
Responsible Purchasing Network

Adam D. Link, Executive Director
California Association of Sanitation Agencies

Andria Ventura, Toxics Program Manager

Clean Water Action California

Autumn Cleave, Pollution Prevention Specialist
Bay Area Pollution Prevention Group

Leslie Lukaecs
Leslie Lukaecs, Executive Director
Zero Waste Sonoma

Colleen Foster, Chair
California Resource Recovery Association

Jennifer Lombari, Interim General Manager
Mendo Recycle

Kevin Bell, P.E., Deputy Executive Director
Western Placer Waste Management Authority

Nick Lapis, Director of Advocacy
Californians Against Waste

Eric Zetz, Chair
SWANA CA Legislative Task Force

Rachel Mulrenan, Campaigns Adviser
Changing Markets Foundation

Lenny Siegel, Executive Director
Center for Public Environmental Oversight

Anna Reade, Staff Scientist
Natural Resources Defense Council

Liza Grandia
Liza Grandia, Director
Woodland Green Schools Coalition

Alison Sherman, Waste Management Coordinator
City of Torrance

Sharon Green, Legislative & Regulatory Programs Manager
Los Angeles County Sanitation Districts

Janet Nudelman, Director of Program and Policy
Breast Cancer Prevention Partners