



RUBBER
manufacturers
association

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March 18, 2016

The Honorable Benjamin Allen
State Capitol Building, Room 2054
Sacramento, CA 95814-4900

Re: California Senate Bill 1260

Dear Senator Allen:

The Rubber Manufacturers Association (RMA)¹ opposes California Senate Bill 1260 that would prohibit manufacturers from selling tires that contain zinc in excess of an unspecified percentage by weight. Zinc oxide is an ingredient in all tires, and tires cannot be manufactured without its use. The bill would require fundamental breakthroughs in basic rubber chemistry that, even if feasible, would not achieve significant environmental benefit.

If zinc reductions in stormwater are needed, the California Department of Toxic Substances Control (DTSC), through its well-established authority under the Safer Consumer Products regulation, should evaluate sources and make recommendations for reducing zinc in stormwater.

Zinc Oxide is Crucial to the Manufacture of Safe and Durable Tires

Tires are highly engineered and highly regulated to ensure the greatest possible quality, safety and durability. All tires contain zinc oxide and cannot be manufactured without its use. Zinc oxide plays a crucial role as an activator in the chemical reaction process known as vulcanization, which transforms rubber from a soft black gum into a solid article. All tires sold in the United States must meet Federal Motor Vehicle Safety Standards (FMVSS) set by the National Highway Traffic Safety Administration (NHTSA), which are the most stringent such standards in the world. Changes in tire composition require extensive testing to ensure that tires continue to meet NHTSA safety standards.

Flawed Studies Target Zinc in Tires

Even if it were possible to reduce zinc oxide in tires, such reductions would not significantly reduce zinc in stormwater in California. There are many sources of zinc in stormwater in California, and the contribution of zinc from tire wear particles was overestimated in a recent report by the California Stormwater Quality Association (CASQA), which evaluated sources of

¹ RMA is the national trade association representing major tire manufacturers that produce tires in the United States, including Bridgestone Americas, Inc., Continental Tire the Americas, LLC; Cooper Tire & Rubber Company; The Goodyear Tire & Rubber Company; Michelin North America, Inc.; Pirelli Tire North America; Toyo Tire Holdings of Americas Inc. and Yokohama Tire Corporation.

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zinc in urban runoff. The CASQA report relies on a 2001 study by Davis et al.,² which makes a number of assumptions including a gross overestimation of zinc from tire wear. Furthermore, the Davis et al. study itself states that it was intended only to be used to provide information for subsequent work to evaluate true sources of zinc, and does not identify accurate sources of zinc. Despite the cautions in the Davis et al. study, the CASQA study inappropriately bases its conclusions and recommendations on it.

Safer Consumer Products Regulation Created to Address Product-Related Chemical Issues


Before deciding which sources to target for zinc reductions, the State must further evaluate the sources of zinc loading in California watersheds. The Department of Toxic Substance Control (DTSC) is best suited to evaluate sources of zinc in stormwater and recommend possible actions to reduce zinc in stormwater.

The Safer Consumer Products regulation, finalized by DTSC in 2013 following extensive input from the public, seeks to reduce toxic chemicals in products that consumers use and buy. This regulation identifies products that contain potentially harmful substances and asks manufacturers whether the substance is necessary to manufacture a product and if there is a safer alternative.

We urge California to use the process for evaluating chemicals in products already well established by the Safer Consumer Products regulation, rather than seek chemical reductions in individual products through targeted legislation.

Thank you for your consideration of our views.

Sincerely,



Anne Forristall Luke
President and CEO
Rubber Manufacturers Association

² Davis, A. P., Shokouhian, M., & Ni, S. (2001). Loading estimates of lead, copper, cadmium, and zinc in urban runoff from specific sources. *Chemosphere*, 44(5), 997-1009.