



March 27, 2009

The Honorable Christine Kehoe  
California State Senate  
State Capitol, Room 5050  
Sacramento, CA 95814

**Subject: SB 346 (Kehoe) – Prevent Water Pollution from Brake Pads - Support**

Dear Senator Kehoe:

The California Stormwater Quality Association (CASQA)<sup>1</sup> commends you for introducing SB 346 (Kehoe) and is pleased to offer strong support for the passage of this bill. SB 346 requires that the use of copper in brake pads sold in California be reduced to no more than 5% by weight by 2021, and to no more than 0.5% by 2032. Starting in 2014, the bill also prohibits sale of brake pads containing lead, asbestos, and several other toxic substances.

The State Water Resources Control Board has designated creeks, rivers, and estuaries in urbanized areas across California as impaired by elevated copper levels. Copper is toxic to phytoplankton, the base of the aquatic food chain, and has been shown to adversely impact salmon sensory organs, potentially compromising their ability to return to spawning streams and to avoid predators. Scientific studies have shown that much of the copper in urban watersheds comes from the fine dust generated from the use of brake pads. Since it is dispersed widely in the urban environment, this fine dust cannot be collected, nor can it be readily removed from runoff when it rains. The only technically feasible solution to this water pollution problem is to stop the pollution at its source by limiting copper use in brake pads.

The State Water Resources Control Board is in the process of establishing Total Maximum Daily Loads (TMDLs) as allowable pollution limits on copper in urban watersheds across California. Since local governments cannot regulate the copper content of brake pads on vehicles driving through their communities, if brake pad copper content is not regulated by the state, local governments face urban stormwater runoff treatment expenditures estimated to exceed a billion dollars statewide.

SB 346 creates a workable balance between necessary innovation, manufacturing timelines, and the stringent water quality compliance requirements facing California cities and counties. It is the consensus-based result of a collaborative effort among brake manufacturers, environmentalists, stormwater quality management agencies, and water pollution regulators.

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<sup>1</sup> CASQA is composed of stormwater quality management organizations and individuals, including cities, counties, special districts, industries, and consulting firms throughout California. Our membership provides stormwater quality management services to over 26 million people in California and includes most every Phase I and many Phase II municipal programs in the State. CASQA was formed in 1989 to recommend approaches for stormwater quality management to the State Water Resources Control Board.

California's local governments are facing extraordinary challenges to clean up the state's polluted stormwater. Controlling pollutants—like copper in brake pads—at their sources will be a key step toward solving California's water pollution problems. CASQA is pleased to support SB 346.

Very truly yours,

A handwritten signature in black ink, appearing to read 'CC', with a long horizontal stroke extending to the right.

Chris Crompton, Chair  
California Stormwater Quality Association

cc: Senator Joe Simitian, Chair, Senate Environmental Quality Committee  
Kyra Ross, League of California Cities  
Karen Keene, California State Association of Counties  
CASQA Board of Directors and Executive Program Committee