

Reducing Water Pollution Caused by Vehicle Brake Pads

Brake Pad Copper Control and Total Maximum Daily Loads

- Copper from vehicle brake pads is polluting California's urban waterways.
- There are limited options for intercepting or treating copper pollution.

As of 2006, 51 water bodies across California exceeded the amount for copper allowed under state and federal regulations. The vast majority of this copper comes from vehicle brake pads.

Local agencies, especially financially strapped cities like San Diego, Los Angeles, Sacramento, and San Francisco Bay Area cities, are being forced to deal with this pollution under the U.S. Environmental Protection Agency's Total Maximum Daily Load (TMDL) mandates imposed through regional water quality control boards.

Several municipalities are already facing aggressive TMDL requirements and deadlines for achieving drastic reductions in copper pollution in 18 specific water bodies. Similar requirements are being drafted and are soon expected for all of California's urban areas.

Carefully Crafted Regulation is Imperative

Senator Christine Kehoe has proposed Senate Bill (SB) 346 that would phase out the use of copper in motor vehicle brake pads and would also limit the use of other harmful water pollutants such as lead, mercury, zinc, cadmium and asbestos in brake pads.

- Senator Kehoe's bill is essential for municipal agencies facing tough copper TMDL requirements.



Costly infiltration basins and land-use intensive vegetated strips and swales are the only runoff treatment measures that can remove sufficient amounts of copper to comply with copper TMDLs. High costs and the very large land areas required make these options rarely available in California's highly urbanized areas. As a result, **treating runoff to remove copper is many times more expensive than treatment for other pollutants.** Installing urban runoff copper treatment measures like these would cost California municipalities billions of dollars. Regulating copper content in brake pads is a better and safer alternative.

The Cost of Waiting is Just Too Great

- Any delay in adopting or implementing SB 346 will put municipal agencies at risk.

Unless brake pad copper pollution reduction begins soon, non-compliance with TMDL requirements will be unavoidable. The potential fines for non-compliance are staggering, and many regional water quality control boards have shown a willingness to impose them if they believe no meaningful effort is being made to comply. The risk to municipalities is real – and not one they are willing to take.

Vehicle brake pads are the single largest source of copper in highly urbanized watersheds in California. To achieve compliance with Total Maximum Daily Loads (TMDLs), significant reductions in copper concentrations must occur. Compliance with TMDLs cannot be achieved without the brake pad source control proposed by Senator Kehoe.

SB 346 Protects Residents and Industry

Municipalities have been working for years to encourage manufacturers and other automotive industry leaders to reduce and eventually eliminate copper from brake pads. Those discussions have been productive but have fallen short of any substantive agreement regarding the timelines and leadership necessary to reduce brake pad copper pollution.

SB 346 is necessary to move this critical effort forward.

Domestic and international competition will undercut any attempt to voluntarily reduce copper in brake pads. Manufacturers would be left without the incentives to take advantage of alternative brake pad formulations. Protecting our watersheds from copper pollution through regulated source reduction is the only technically feasible and fiscally responsible solution. Regulation will ensure that source reduction is initiated in a timely fashion.



Display of brake pads

Senator Kehoe's bill:

- **Levels the playing field between all domestic and foreign manufacturers;**
- **Provides cost-effective means for improving water quality and avoiding far more costly treatment alternatives; and**
- **Is the only realistic and fair solution to a complicated threat to our state's water quality.**

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