October 7, 2026

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Via Email: Elizabeth.Scheehle@arb.ca.gov
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Subject: June 30, 2025 Petition for Review of the Toxic Air Contaminant Human Health Assessment for Hexavalent Chromium Pursuant to Health and Safety Code Section 39662(e);
CARB's Response to Public Records Act Request #26-260 and OEHHA's Response to Public Records Act Request #26-328

Dear Ms. Scheehle and Dr. Edwards:

On August 4, 2026, the above trade associations requested two public records from both the California Air Resources Board (CARB) and Office of Environmental Health Hazard Assessment (OEHHA) pursuant to the Public Records Act (PRA) (Govt. Code, § 7920.000, *et*

seq.): (1) a copy of the communication from CARB to OEHHA asking OEHHA to review our June 30, 2025 Petition for Review of the Toxic Air Contaminant Human Health Assessment for Hexavalent Chromium Pursuant to Health and Safety Code Section 39662(e) (Petition) and prepare a written recommendation to CARB; and (2) a copy of OEHHA's evaluation of the Petition and recommendation to CARB. On September 28, 2026, both CARB and OEHHA confirmed that these records do not exist.[1]

On July 29, 2026, CARB and OEHHA advised us in a joint letter that both CARB and OEHHA "are reviewing the petition." However, CARB's and OEHHA's responses to our August 4, 2026 PRA requests raise questions regarding what CARB and OEHHA have done to review the Petition, if anything. We are writing to request clarification regarding the steps CARB and OEHHA have taken in response to the Petition since receiving it 15 months ago. In particular, could you please help us to understand your internal processes and timing for the review steps outlined in the *"Scientific Review Panel on Toxic Air Contaminants Process for Evaluation and Response to Submittals of New Scientific Information as Evidence for Review of Toxic Air Contaminant Risk Assessments"* (SRP Process), including:

1. Screening level review by CARB staff, including when it was completed and how CARB documented the results (SRP Process, Part II.A.);
2. Screening level review by OEHHA staff, including when it was completed and how OEHHA documented the results (SRP Process, Part II.A.);
3. Findings following review by OEHHA of newly submitted scientific evidence, including whether OEHHA transmitted its findings to the SRP under SRP Process Part II.B.1. or to the CARB Chair under SRP Process Part II.B.2.;
4. If OEHHA found that there is not a need to review the original risk assessment based on its review of the submitted material, the process for SRP Review of the newly submitted scientific evidence, including whether the CARB Chair formally asked the SRP to review the material and OEHHA's evaluation pursuant to the SRP Process and when that request was made (SRP Process, Part II.C.);
5. If OEHHA found that there is a need for further review of the original risk assessment, the CARB Chair's process for responding to that finding including CARB's process for releasing a written decision on the Petition based on such a recommendation and the timing for that decision.

[1] See Sept. 28, 2026 letter from Cesar Cuevas, CARB, to petitioner James Simonelli, CMC, regarding "California Public Records Act Request #26-260"; Sept. 28, 2026 email from Monet Vela, OEHHA, to petitioner James Simonelli, California Metals Coalition (CMC), regarding "OEHHA PRA 26-328."

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In short, we are asking for greater clarity regarding how CARB and OEHHA are evaluating the petition, the process and criteria you are using for the evaluation, and when CARB will either grant the petition or formally request SRP Review. We look forward to CARB's and OEHHA's prompt responses to these questions.

We look forward to your response.

Sincerely,

James Simonelli
Executive Director
California Metals Coalition

cc: Lauren Sanchez, Chair, CARB
Steven Cliff, Executive Officer, CARB
Rajinder Sahota, Deputy Executive Officer, Climate Change and Research, CARB
Edie Chang, Deputy Executive Officer, CARB
Kristina Thayer, Director, OEHHA
Kimberly Gettman, Deputy Director of Scientific Programs, OEHHA
Scott Lichtig, Deputy Secretary for Environmental Policy, California Environmental Protection Agency