

Law Offices Of
**HOWARD
RICE
NEMEROVSKI
CANADY
ROBERTSON
FALK
& RABKIN**

A Professional Corporation

THREE EMBARCADERO CENTER
SEVENTH FLOOR
SAN FRANCISCO, CA 94111-4065
TELEPHONE 415/434-1600
FACSIMILE 415/399-3041
VIA FACSIMILE

DENIS T. RICE
HOWARD N. NEMEROVSKI
RICHARD W. CANADY
A. JAMES ROBERTSON II
DELORES B. FALK, JR.
LAWRENCE B. RABKIN
RAYMOND P. HAAS
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CHONG S. PARK
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MATTHEW E. JACOBS
MATTHEW E. KRITZER
PETER M. O'NEWMYER

Of Counsel

KENNY W. HOWARD
WILLIAM T. HUTTON
ROBERT E. NELSON
LINDA A. MADRY
STEVEN L. SWIG

*Member of Southern California
Association of Attorneys

Southern California
150 NEWPORT CENTER DRIVE
SUITE 500
NEWPORT BEACH, CA 92660-6121
TELEPHONE 714/771-6900
FACSIMILE 714/771-6910

April 11, 1994

Clausen Ely, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

Re: Proposition 65

Dear Clausen:

After our telephone conversation Monday, I was successful in reaching Lori Monserrat, at OEHHA, to discuss the unscheduled consideration of ETS at the May 5 SAB meeting. Ms. Monserrat tells me that there is a 4-page document that will be provided to the SAB, and she has agreed to forward a copy of it to me immediately. I suspect this is the same material she is forwarding to you.

Ms. Monserrat's explanation of the process is that the OEHHA staff will submit a summary and oral presentation at the May 5 meeting for the purpose of allowing the panel to decide whether to go forward with a full consideration of ETS as a reproductive toxicant. Public comment will be welcomed, albeit possibly limited to five minutes. If the SAB agrees to go forward, ETS will in all probability be submitted for formal consideration at the next SAB meeting, which is yet unscheduled. Full consideration will require formal regulatory notification and evaluation of all available evidence.

During our telephone conversation, I asked why this process had begun prior to completion of the Air Resources' report. Ms. Monserrat stated that the new approach had resulted directly from a request from the SAB chairman. Needless to say, that is not a particularly good omen.

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FROM: DFM

Clausen Ely, Esq.
April 11, 1994
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As soon as I receive anything from Ms. Monserrat, I will forward it to you immediately. In the interim, I have reserved May 5, 1994 to monitor the SAB meeting.

Sincerely,



DONALD F. MILES

DFM:pk
Enclosure
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