THE CHANLER GROUP

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*Via Electronic Mail Only*

Ms. Monet Vela
Office of Environmental Health Hazard Assessment
1001 I Street, 23rd Floor
Sacramento, California 95814
monet.vela@oehha.ca.gov
P65Public.Comments@oehha.ca.gov

*Re: Proposed NSRL for the Proposition 65 Carcinogen DINP*

Dear Ms. Vela:

This comment is respectfully submitted on behalf of Anthony E. Held, Ph.D, P.E. and other citizen enforcers represented by our law firm (The Chanler Group) as to the proposed no significant risk level (NSRL) for diisononyl phthalate (DINP) of 146 µg/day.

Pertinent regulations and public policy necessitate the use of "the most sensitive study" when adopting an NSRL for DINP. (27 CCR § 25703(a)(3).) The study of male rats conducted by Lington *et al.* (1997) is the most sensitive of the four long-term carcinogenesis studies the Office of Environmental Health Hazard Assessment (OEHHA) relied on in its initial statement of reasons.

It appears to us that the Lington (1997) study of male rats supports an NSRL of 70 µg/day. While we recognize that the most sensitive study is specific to male rats, we do not see a legal or practical basis for not utilizing this data as the linchpin of OEHHA's no significant risk determination.

If the agency believes that it would be more scientifically appropriate (and has the authority to do so) to establish separate NSRL's for each sex, our position supports such a methodology.

Very truly yours,

Clifford A. Chanler