

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986  
(Proposition 65)**

**NOTICE TO INTERESTED PARTIES  
September 8, 2006**

**30-DAY PUBLIC COMMENT PERIOD REGARDING  
REMOVAL OF THREE CHEMICALS FROM THE PROPOSITION 65 LIST OF  
CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65). As the lead agency, OEHHA intends to remove isosafrole [CAS No. 120-58-1], 5-nitro-*o*-anisidine [CAS No. 99-59-2], and tris(aziridinyl)-*p*-benzoquinone (triaziquone) [CAS No. 68-76-8] from the list of chemicals known to the state to cause cancer, for purposes of Proposition 65.

Each of these chemicals was originally added to the Proposition 65 list on October 1, 1989 as a result of the issuance of a judicial decision enforcing Labor Code Sections 6382(b)(1) and (d) which are incorporated by reference as Proposition 65 listing provisions pursuant to Health and Safety Code Section 25249.8(a). Labor Code Section 6382(b)(1) requires inclusion of substances listed as human or animal carcinogens by the International Agency for Research on Cancer (IARC). Labor Code Section 6382(d) requires the inclusion of chemicals within the scope of the federal Hazard Communication Standard (29 CFR 1910.1200), which establishes that a chemical is a carcinogen or potential carcinogen for hazard communication purposes if it is identified as such by IARC or the National Toxicology Program (NTP). Isosafrole and tris(aziridinyl)-*p*-benzoquinone were listed under Proposition 65 based on Labor Code 6382(d). Both chemicals were on a hazardous chemicals list because of findings of carcinogenicity by IARC. 5-Nitro-*o*-anisidine was also listed based on Labor Code 6382(d). It was identified as causing cancer by the NTP.

5-Nitro-*o*-anisidine was removed from the NTP *Sixth Annual Report on Carcinogens* as a substance "reasonably anticipated to be a human carcinogen" in 1991, when NTP concluded there was insufficient evidence of carcinogenicity. The more recent *Report on Carcinogens, Eleventh Edition* identifies substances delisted from the *Report*, and can be found in Appendix B (available on-line at <http://ntp.niehs.nih.gov/go/16183>). IARC currently classifies 5-nitro-*o*-anisidine as Group 3: Not classifiable as to its carcinogenicity to humans. Isosafrole and tris(aziridinyl)-*p*-benzoquinone are also currently classified by IARC as Group 3: Not classified as to their carcinogenicity in

humans. A list of all agents currently classified as Group 3 by IARC can be found at <http://monographs.iarc.fr/ENG/Classification/crthgr03.php>.

Since these chemicals were added to the Proposition 65 list by operation of law based on the Labor Code Section incorporation by reference of chemicals identified as known or potential carcinogens within the scope of the federal Hazard Communication Standard (29 CFR 1910.1200), the removal of 5-nitro-*o*-anisidine from designation as such by the NTP and the classification of isosafrole and tris(aziridinyl)-*p*-benzoquinone as Group 3 by IARC means that these chemicals should be removed from the Proposition 65 list. Therefore, OEHHA proposes to delist isosafrole, 5-nitro-*o*-anisidine, and tris(aziridinyl)-*p*-benzoquinone as chemicals known to the state to cause cancer. This notice announces the opportunity for public comment on the intended action.

| <u><i>Chemical</i></u>                                 | <u><i>CAS No.</i></u> |
|--|-----------------------|
| Isosafrole   | 120-58-1              |
| 5-Nitro- <i>o</i> -anisidine                           | 99-59-2               |
| Tris(aziridinyl)- <i>p</i> -benzoquinone (Triaziquone) | 68-76-8               |

Anyone wishing to provide comments on the intended action delisting these three chemicals should send written comments and any supporting documentation in triplicate by mail (or hand-delivered in person or by courier) or a single copy by e-mail or fax to the address listed below:

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**In order to be considered, comments must be received at OEHHA by 5:00 p.m. on Monday, October 10, 2006.**