CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

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

NOTICE OF INTENT TO LIST CHEMICALS
July 19, 2002

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) provides two mechanisms for administratively listing chemicals which are known to the State to cause cancer or reproductive toxicity (Health and Safety Code Section 25249.8(b)). One such mechanism by which a chemical may be listed is if a body considered to be authoritative by the state's qualified experts has formally identified it as causing cancer or reproductive toxicity. The following are identified as authoritative bodies for purposes of Proposition 65 as it pertains to chemicals known to cause cancer: the U.S. Environmental Protection Agency, the International Agency for Research on Cancer, the U.S. Food and Drug Administration, the National Institute for Occupational Safety and Health, and the National Toxicology Program. The criteria for listing chemicals through the authoritative bodies mechanism are set forth in Title 22, California Code of Regulations (22 CCR), Section 12306.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency intends to list *strong inorganic acid mists containing sulfuric acid* as known to the State to cause cancer, pursuant to this administrative mechanism as provided in Health and Safety Code Section 25249.8(b) and 22 CCR, Section 12306.

Relevant information on *strong inorganic acid mists containing sulfuric acid* was requested in a notice published in the *California Regulatory Notice Register* on September 29, 2000 (Register 00, No. 39-Z). A public forum was held on October 26, 2000. OEHHA has determined that *strong inorganic acid mists containing sulfuric acid* meet the criteria for listing under 22 CCR, Section 12306, and therefore is issuing a notice of intent to list *strong inorganic acid mists containing sulfuric acid* under Proposition 65. A document providing more detail on the basis for the listing of this chemical can be obtained from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the OEHHA Web site at: http://www.oehha.ca.gov/ . Anyone objecting to the listing of *strong inorganic acid mists containing sulfuric acid* as causing cancer on the basis that there is no substantial evidence that the criteria for sufficiency of evidence as causing cancer specified in 22 CCR, Section 12306 have been satisfied should provide written comments in triplicate, along with supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be hand-delivered to Ms. Oshita at the Office of Environmental Health Hazard Assessment at the same address.

In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if delivered in person or sent by FAX) by 5:00 p.m. on Monday, August 19, 2002.

The following chemical has been determined by OEHHA to meet the criteria set forth in 22 CCR, Section 12306 for listing as causing cancer under the authoritative bodies mechanism:

Chemical	CAS No.	Toxicological Endpoint	Reference
Strong inorganic acid mists containing sulfuric acid	---	Cancer	NTP (2000)

References

National Toxicology Program (NTP, 2000). *Report on Carcinogens, Ninth Edition: Carcinogen Profiles 2000.* U.S. Department of Health and Human Services, Public Health Service, NTP, Research Triangle Park, NC.