

From: "Yi Tian"
To: <lmonserr@oehha.ca.gov>, <cmcummings@oehha.ca.gov>
CC: "Yi Tian"
Date: 10/24/2007 11:58 PM
Subject: RE: Public Workshop at OEHHA

Dear Carol and Laurie,

I am pleased that OEHHA is seeking input from the public, and I would like to comment on the warning regulations. I work in a high rise "Class A" office building, which is always kept in pristine conditions, and yet, there is a Prop 65 warning sign on every door of the building. Sometimes I see a Prop 65 warning sign on a gate to a parking lot, sometimes at the entrance to an amusement park ... The Prop 65 warning signs have become so ubiquitous (and so vague in the content) that I don't think they have much effect any more. I agree with Item #5 below; the warning regulations need to be amended to more specifically address the form, content, and delivery of the warnings to make the warnings count for something. Using my office building as an example, every time I see that warning sign, I can't help but wondering what am I being exposed to? how? and exactly where in the building?

Thanks for listening!

Yi Tian, ENVIRON - Irvine

-----Original Message-----

From: lmonserr@oehha.ca.gov [mailto:lmonserr@oehha.ca.gov
<mailto:lmonserr@oehha.ca.gov>]
Sent: Thursday, October 11, 2007 6:01 PM
To: Yi Tian
Subject: Public Workshop at OEHHA

OEHHA: News and Information Listserv

Public Workshop: REQUEST FOR PUBLIC PARTICIPATION IN A PROPOSITION 65 REGULATORY UPDATE PROJECT

The Office of Environmental Health Hazard Assessment is the lead agency for implementation of Proposition 65 (The Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code section 25249.5, et. seq., hereafter referred to as Proposition 65 or the Act). As part of its responsibilities related to Proposition 65, OEHHA maintains the regulations implementing the Act. These regulations can be found in Title 22 of the California Code of Regulations, sections 12000-14000 inclusive.

As part of an ongoing project to clarify and update these regulatory provisions, OEHHA has established a limited-term position for a regulatory attorney. This attorney will work full-time on projects designed to clarify, improve and update the regulatory provisions governing the Proposition 65 program. As part of this effort, OEHHA is

seeking input from stakeholders in the enforcement and business communities, as well as other members of the public concerning the direction this effort should take. Over the years, OEHHA has identified updates that could be taken to clarify existing regulatory provisions, add new provisions dealing with emerging issues, or delete provisions that may no longer be necessary and these potential updates, listed in alphabetical order, are listed below.

On Friday, November 2, 2007 from 10 to Noon in the Byron Sher Auditorium at the Cal/EPA Headquarters Building located at 1001 I Street, Sacramento, California, OEHHA will hold a public workshop for the purpose of gathering input from interested parties concerning the relative importance of these regulatory actions as well as items that should be added to the list or removed. If you have special accommodations or language needs, please contact Monet Vela at (916) 323-2517 or mvela@oehha.ca.gov by October 26, 2007.

While all ideas will be considered, stakeholders are encouraged to make their suggestions as specific as possible and also to limit the suggestions to those that will implement or make specific the provisions of Proposition 65 while furthering the purposes of the Act. Suggestions for changes to the law itself are beyond the scope of this project.

Interested parties may also submit their ideas on the regulatory update project by 5:00 p.m. on November 16, 2007. All submissions should be directed to: Carol J. Monahan-Cummings Chief Counsel Office of Environmental Health Hazard Assessment
1001 I Street, MS# 25B
Sacramento, CA 95816
Or via e-mail to cmcummings@oehha.ca.gov

List of Potential Regulatory Actions

- Add needed definitions of statutory terms.
- Address averaging issues related to exposures to listed chemicals.
- Address scientific issues concerning methods of detection and analysis and detection limits.
- Adopt NSRLs and MADLs for important/common chemicals.
- Amend warning regulations to more specifically address the form, content and delivery of warnings for exposures from consumer products, occupational exposures and environmental exposures.
- Clarify issues related to minor deviations from safe harbor form or language.
- Clarify relative level of responsibility for providing warnings between manufacturers, distributors and retailers for various types of exposures (including phone and internet sales).
- Consider additional changes to the Safe Use Determination regulation.

- Consider clarifying issues relating to assessing the level of exposure to listed chemicals from consumer products (i.e. transfer factors).

- Develop a regulation addressing exposures to beneficial nutrients in foods.

Office of Environmental Health Hazard Assessment

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Thank you,
Laurie

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