

**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 CHEMICAL
FEBRUARY 9, 2001**

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 mechanism by which a chemical is 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. For carcinogenicity, the United States Environmental Protection Agency (U.S. EPA), the International Agency for Research on Cancer (IARC), the National Toxicology Program (NTP), the United States Food and Drug Administration (FDA), and the National Institute for Occupational Safety and Health (NIOSH) have been identified as authoritative bodies for purposes of the Act. For reproductive toxicity, U.S. EPA, IARC (for transplacental carcinogenicity only), FDA, and NIOSH have been identified as authoritative bodies for purposes of the Proposition 65. 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 bromate as known to the State to cause cancer pursuant to the authoritative bodies mechanism provided in Health and Safety Code Section 25249.8(b).

Bromate ion and its water soluble salts was the subject of a notice of intent to list published in the *California Regulatory Notice Register* (CRNR) on August 25, 2000. Relevant information on bromate ion and its water soluble salts was requested in a notice published in the CRNR on June 2, 2000 and a public forum was held on July 11, 2000. Based on comments received for "bromate ion and its water soluble salts" during the notice of intent to list comment period and following further consideration, OEHHA has revised the identified chemical and adds a more recent U.S. EPA document as a basis for listing. OEHHA has determined that bromate meets the criteria for administrative listing under the authoritative bodies mechanism. In order to clarify the record that the chemical under consideration is bromate and that an additional document serves as the basis for listing, OEHHA hereby re-publishes the notice of intent to list for bromate.

Documents providing the basis for the listing of bromate can be obtained from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the OEHHA Home Page at www.oehha.ca.gov/.

Under the authoritative bodies mechanism, objections to the listing shall be made on the basis that there is no substantial evidence that the criteria of sufficiency of evidence of carcinogenicity identified in 22 CCR, Section 12306 have been satisfied. Any one wishing to object to the listing of bromate should submit 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 hand-delivered or sent by fax) by 5:00 p.m. on Monday, March 12, 2001.

Chemical 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.	Reference
Bromate	-----	U.S. EPA (1998a,b)

References:

U.S. Environmental Protection Agency (U.S. EPA, 1998a). National Primary Drinking Water Regulations: Disinfectants and Disinfection Byproducts; Final Rule. December 16. *Federal Register* **63**(241):69389-69476.

U.S. Environmental Protection Agency (U.S. EPA, 1998b). *Health Risk Assessment/Characterization of Drinking Water Disinfection Byproduct Bromate*. Health and Ecological Criteria Division, Office of Science and Technology, Office of Water, U.S. EPA, Washington, D.C.