

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 BY THE LABOR CODE MECHANISM:
1-BROMO-3-CHLOROPROPANE, 1-BUTYL GLYCIDYL ETHER, AND GLYCIDYL
METHACRYLATE**

DECEMBER 2, 2022

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to list 1-bromo-3-chloropropane (CAS RN 109-70-6), 1-butyl glycidyl ether (CAS RN 2426-08-6), and glycidyl methacrylate (CAS RN 106-91-2) as known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65¹).

This action is being proposed pursuant to the "Labor Code" listing mechanism². OEHHA has determined that these substances meet the criteria for listing by this mechanism.

Background on listing by the Labor Code mechanism: Health and Safety Code section 25249.8(a) incorporates California Labor Code section 6382(b)(1) into Proposition 65. The law requires that certain substances identified by the International Agency for Research on Cancer (IARC) be listed as known to cause cancer under Proposition 65. Labor Code section 6382(b)(1) refers to substances identified as human or animal carcinogens by IARC. OEHHA has adopted regulations concerning these listings in Title 27, Cal. Code of Regs., section 25904. As the lead agency for the implementation of Proposition 65, OEHHA evaluates whether a chemical's listing is required.

OEHHA's determination: *1-Bromo-3-chloropropane*, *1-butyl glycidyl ether*, and *glycidyl methacrylate* meet the requirements for listing as known to the state to cause cancer for purposes of Proposition 65.

IARC has published on its website "IARC Monographs on the Identification of Carcinogenic Hazards to Humans, Volume 125 "Some Industrial Chemical Intermediates and Solvents" (IARC, 2020). IARC concluded that *1-bromo-3-chloropropane* and *1-butyl glycidyl ether* are "possibly carcinogenic to humans" (Group 2B) based on sufficient evidence of carcinogenicity in animals and strong evidence in experimental systems that they each exhibit key characteristics of carcinogens (IARC,

¹ Health and Safety Code section 25249.5 *et seq.*

² Health and Safety Code section 25249.8(a) and Title 27, Cal.Code of Regs., section 25904.

2020). IARC concluded that *glycidyl methacrylate* is “probably carcinogenic to humans” (Group 2A) based on sufficient evidence of carcinogenicity in animals, strong evidence that the chemical belongs, on the basis of mechanistic considerations, to a class of reactive glycidyl epoxides, and strong evidence in human primary cells that the chemical exhibits key characteristics of carcinogens (IARC, 2020).

Opportunity for comment: OEHHA is providing this opportunity to comment as to whether the chemicals identified above meet the requirements for listing as causing cancer specified in Health and Safety Code section 25249.8(a), Labor Code section 6382(b)(1), and Title 27, Cal. Code of Regs., section 25904(b). Because this is a ministerial listing, comments should be limited to whether IARC has identified the specific chemical or substance as a human or animal carcinogen. Under this listing mechanism, OEHHA cannot consider scientific arguments concerning the weight or quality of the evidence considered by IARC when it identified these chemicals and will not respond to such comments if they are submitted (Title 27, Cal. Code of Regs., section 25904(c)).

Submission of Comments

All written comments must be submitted to OEHHA by electronic submission, mail, or hand-delivery, by **Monday, January 9, 2023**. OEHHA strongly recommends that comments be submitted electronically through our website at <https://oehha.ca.gov/comments>, rather than in paper form. Alternatively, comments can be submitted in paper form, either by mail or delivered in person.

Electronic Submission (preferred):

Through OEHHA website at: <https://oehha.ca.gov/comments>

Mailed Submission:

Attention: Esther Barajas-Ochoa
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010

In-person delivery submission:

Attention: Esther Barajas-Ochoa
Office of Environmental Health Hazard Assessment
1001 I Street, 23rd Floor
Sacramento, California 95814

OEHHA encourages all commenters to submit their comments in a format compliant with Section 508 of the federal Rehabilitation Act, Web Content Accessibility Guidelines

2.1³ and California Government Code sections 7405 and 11135, so that they can be read using screen reader technology and people with visual impairments are able to listen to them.

Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period.

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address and e-mail may be available to third parties.

If you have any questions, please contact Esther Barajas-Ochoa at Esther.Barajas-Ochoa@oehha.ca.gov or at (916) 445-6900.

Reference

International Agency for Research on Cancer (IARC, 2020). IARC Monographs on the Identification of Carcinogenic Hazards to Humans, Volume 125. Some Industrial Intermediates and Solvents. IARC, World Health Organization, Lyon, France. Available from <https://publications.iarc.fr/596>.

³ <https://www.w3.org/WAI/standards-guidelines/wcag/>