

**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**

**March 17, 2000**

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 the chemical 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 Act. 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 the three chemicals identified in Table A below as known to the State to cause cancer, pursuant to the authoritative bodies mechanism provided in Health and Safety Code Section 25249.8(b) and 22 CCR Section 12306. As denoted in Table A, the listing of chloroprene is based on documentation developed by NTP and IARC. The listing of cobalt sulfate heptahydrate is based on documentation developed by NTP. The listing of fenoxycarb is based on documentation developed by U.S. EPA.

In a public notice published in the *California Regulatory Notice Register* on December 4, 1998 (Register 98, No. 49-Z), OEHHA solicited comments and information relevant to the evaluation of these chemicals in the context of the regulatory criteria for authoritative bodies listing under Proposition 65. A public forum was held on January 11, 1999. The public comment period closed on February 2, 1999. Comments were received on all three chemicals and OEHHA has completed its review of the comments and determined that each chemical meets the criteria for authoritative bodies listing. A document providing the basis for the listing of these chemicals 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/prop65.html](http://www.oehha.ca.gov/prop65.html). Under the authoritative bodies mechanism, objections to a 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. Anyone wishing to object to the listing of these chemicals 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  
301 Capitol Mall, 2nd Floor, Room 205  
Sacramento, California 95814  
Fax No.: (916) 327-1097  
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, April 17, 2000.**

Table A. Chemicals determined by OEHHA to meet the criteria set forth in 22 CCR, Section 12306 for listing as causing **cancer** under the authoritative bodies mechanism:

<b>Chemical</b>	<b>CAS No.</b>	<b>Reference</b>
Chloroprene	126-99-8	NTP 1998a, IARC 1999
Cobalt sulfate heptahydrate	10026-24-1	NTP 1998b,
Fenoxycarb	72490-01-8	U.S. EPA 1996

References:

International Agency for Research on Cancer (IARC, 1999). *IARC Monographs on the Evaluation of Carcinogenic Risks to Humans*. Volume 71:227-250. *Re-evaluation of Some Organic Chemicals, Hydrazine and Hydrogen Peroxide (Part One)*. IARC, Lyon, France.

National Toxicology Program (NTP, 1998a). *Toxicology and Carcinogenesis Studies of Chloroprene (CAS No. 126-99-8) in F344/N Rats and B6C3F<sub>1</sub> Mice (Inhalation Studies)*. Board Draft. NTP Technical Report Series No. 467 NTIS Publication No. 98-3957. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

National Toxicology Program (NTP, 1998b). *Toxicology and Carcinogenesis Studies of Cobalt Sulfate Heptahydrate (CAS No. 10026-24-1) in F344/N Rats and B6C3F<sub>1</sub> Mice (Inhalation Studies)*. Board Draft. NTP Technical Report Series No. 471 NTIS Publication No. 98-3961. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

U.S. Environmental Protection Agency (U.S. EPA, 1996). *Memorandum: Carcinogenicity Review Committee Review on Fenoxycarb*. Office of Prevention, Pesticides and Toxic Substances. April 1, 1996.