

**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
April 14, 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 *o*-phenylphenol 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. The listing of *o*-phenylphenol 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 *o*-phenylphenol 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 *o*-phenylphenol and OEHHA has completed its review of the comments and determined that the chemical meets the criteria for authoritative bodies listing. A document providing the basis for the listing of *o*-phenylphenol 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. 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, May 15, 2000.

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
<i>o</i> -phenylphenol	90-43-7	U.S. EPA, 1994

References:

U.S. Environmental Protection Agency (U.S. EPA, 1994). *Memorandum: Carcinogenicity Peer Review of Orthophenylphenol (OPP) and Sodium Orthophenylphenol (SOPP)*. Office of Prevention, Pesticides and Toxic Substances. August 24, 1994.