

OEHHA Lists Chemicals and Continues to Pass new regulations

Table of Contents

- OEHHA Lists Para-chlorobenzotrifluoride (PCBTF) 1**
- Protected: Defense Punts on Motion to Dismiss Prop 65 Case 2**
- OEHHA Posts Fact Sheet on Styrene 3**
- Protected: State AGs Want Role in Regulation of CBD-Products 4**
- Protected: EPA Rule to Restrict Five Toxic Chemicals 5**
- 11 Attorneys General Sue EPA for Failing to regulate Asbestos. 6**
- Protected: Bill May Eliminate Cleaning Products Association Says 8**
- Protected: Prop 65 Notices Served on Leather Goods 9**

OEHHA Lists Para-chlorobenzotrifluoride (PCBTF)

By Jack Schatz | OEHHA Lists Chemicals and Continues to Pass new regulations

California's Office of Environmental Health Hazard Assessment (OEHHA) has added Para-chlorobenzotrifluoride (PCBTF) to its list of carcinogens under Proposition 65. also add para-chlorobenzotrifluoride (PCBTF), a solvent to the Proposition 65 list of carcinogens.

Companies using any of approximately 900 substances listed under Prop 65 are required to provide warnings to Californians that using their products may possibly expose them to the chemicals identified as carcinogens or toxic to the reproductive system.

In its notice of intent, to list the OEHHA announced that it's taking the steps to list PCBTF based on the 'authoritative bodies' mechanism after a 2018 National Toxicology Program (NTP) reported "clear evidence" of PCBTF's carcinogenicity.

The NTP's report on PCBTF's carcinogenicity was titled "*Toxicology and Carcinogenesis Studies of p-Chloro- α,α -Trifluorotoluene in Sprague Dawley Rats.*" The reported findings met the sufficiency of the evidence and formal identification criteria required to be added to the Prop 65 list. PCBTF is also used as a solvent in inks, coatings, and paints.

The use of PCBTF is important for manufacturers in California because its contribution to ground-level ozone formation is insignificant which makes PCBTF an approved alternative solvent that meets the strict requirements for volatile organic compound (VOC) emissions.

The public comments period on the PCBTF proposal was initially set to end on December 24, 2018, but the American Coatings Association (ACA) requested an extension. California's Office of Environmental Health Hazard Assessment (OEHHA) agreed to extend the public comment period until January 23, 2019.

PCBTF was listed as a Proposition 65 carcinogen on June 28, 2019. The effective date of the listing is the same as the listing date. The enforcement date for (PCBTF) will take effect on June 28, 2020.



(PCBTF) is a carcinogenic and useful solvent

Protected: Defense Punts on Motion to Dismiss Prop 65 Case

By Jack Schatz | OEHHA Lists Chemicals and Continues to Pass new regulations

This content is password protected. To view it please enter your password below:

Password:

OEHHA Posts Fact Sheet on Styrene

By LisaLisa | OEHHA Lists Chemicals and Continues to Pass new regulations

California's Office of Environmental Health Hazard Assessment (OEHHA) recently posted a fact sheet about styrene on its Proposition 65 warning website. The fact sheet includes a strange recommendation concerning polystyrene. The Proposition 65 warnings website was a rulemaking initiative undertaken by OEHHA to increase the level of detail provided about chemicals on the Proposition 65 lists.

OEHHA listed [styrene](#) as a carcinogen under the state's Safe Drinking Water and Toxic Enforcement Act of 1986, also known as Proposition 65, on April 22, 2016, and on May 4, 2017, the California Office of Administrative Law approved a No Significant Risk Level (NSRL) for styrene of 27 µg per day.

Proposition 65 requires companies to provide a warning if exposure from the use of a product to a listed carcinogen will exceed a No Significant Risk Level derived using regulatory criteria. For some substances, like styrene, OEHHA has published NSRLs, which are deemed "safe harbors," meaning that products associated with exposures below the NSRL need not carry a warning statement.

The styrene fact sheet suggests that "Small amounts of styrene can be transferred to some food from polystyrene-based food-contact items such as drinking cups, plates, and other containers." One way to reduce potential exposure to styrene, suggested by OEHHA on the fact sheet is: "If possible, do not store or microwave food in polystyrene-based containers." Including this recommendation is perplexing since, in a final statement of reasons supporting the NSRL for styrene of 27 µg per day, OEHHA stated:

"It should be emphasized that the chemical that is listed under Proposition 65 is styrene, not polystyrene. The American Chemical Council, a prominent trade association notes that Styrene is the monomer used for the production of polystyrene. A warning for styrene would only be required in cases where residual levels of styrene in polystyrene food packaging materials result in exposures that pose a significant cancer risk, i.e., styrene exposures greater than 27 µg/day. The levels of such residual styrene in polystyrene food packaging materials are generally thought to be fairly low in most cases,"

The trade association said.

(See <https://oehha.ca.gov/media/downloads/crrr/styrenesfor05112017.pdf>.)



Protected: State AGs Want Role in Regulation of CBD-Products

By LisaLisa | OEHHA Lists Chemicals and Continues to Pass new regulations

This content is password protected. To view it please enter your password below:

Password:

Protected: EPA Rule to Restrict Five Toxic Chemicals

By James | OEHHA Lists Chemicals and Continues to Pass new regulations

This content is password protected. To view it please enter your password below:

Password:

11 Attorneys General Sue EPA for Failing to regulate Asbestos.

By LisaLisa | OEHHA Lists Chemicals and Continues to Pass new regulations



Democratic Caucus Chairman Xavier Becerra

California Attorney General Xavier Becerra and Massachusetts Attorney General Maura Healey, are leading a coalition of 11 attorneys general, that have filed a lawsuit challenging the U.S. Environmental Protection Agency's (EPA) failure to initiate rulemaking to regulate asbestos. The attorneys general had previously petitioned the EPA to create a new rule requiring data collection on the importation and use of asbestos-one of the world's most toxic substances.

"It is widely acknowledged that asbestos is one of the most harmful and toxic chemicals known to humankind," **said Attorney General Becerra.** "While it's troubling that we must once again take the EPA to court to force the agency to do its job, we won't pull any punches. There's too much at stake to let the EPA ignore the danger that deadly asbestos poses to our communities, including to workers and children."

Asbestos - a carcinogen that takes 15,000 lives per year - is linked to diseases that are life-threatening or cause substantial pain and suffering, including mesothelioma, fibrosis, lung cancer, gastrointestinal cancer, and other lung disorders and diseases. There is no safe level of exposure to this highly toxic material. Currently, the EPA does not possess and is not collecting, the necessary comprehensive data about the importation, processing, and use of asbestos and asbestos-containing articles in the U.S.

In January 2019, the coalition of state attorneys general petitioned the EPA pursuant to the Toxic Substances Control Act (TSCA) to create a new set of regulations within the TSCA's Chemical Data Reporting rule. This rule is intended to provide data on the importation and use of chemicals, including asbestos. The Attorneys General contend that robust reporting of the distribution and use of asbestos and asbestos-containing articles is necessary to provide the EPA with the data it needs to fulfill its obligations under TSCA. The TSCA requires the agency to evaluate and address the risks posed by toxic chemicals like asbestos. Further, the new rule would have helped ensure that EPA's regulatory decisions regarding asbestos are consistent with the best available science, and the data resulting from the requested regulations would provide the states with important information that is not currently collected.

The EPA denied the states' petition in late April. In their lawsuit challenging EPA's denial of the petition, the coalition argues that the rulemaking they requested is necessary under TSCA. The lawsuit further charges

that the denial of the petition was arbitrary and capricious and violates the agency's obligations under TSCA. Specifically, the Attorneys General ask the court to compel EPA Administrator Andrew Wheeler to initiate rulemaking and issue a new asbestos reporting rule to:

- Eliminate "naturally occurring substance" as an exemption for asbestos reporting;
- Require processors of asbestos, as well as manufacturers, including importers, of the chemical substance to adhere to reporting requirements;
- Ensure that the impurities exemption in the Chemical Data Reporting rule does not apply to asbestos; and
- Require reporting with respect to imported articles that contain asbestos.

Joining Attorney General Becerra and Attorney General Healey in filing the lawsuit are the Attorneys General of Connecticut, Hawaii, Maine, Maryland, Minnesota, New Jersey, Oregon, Washington, and the District of Columbia.

A copy of the complaint can be found [here](#).



STATE OF CALIFORNIA DEPARTMENT OF Justice
210-6000, agprossoffice@doj.ca.gov

Justice Contact: (916)

Protected: Bill May Eliminate Cleaning Products Association Says

By LisaLisa | OEHHA Lists Chemicals and Continues to Pass new regulations

This content is password protected. To view it please enter your password below:

Password:

Protected: Prop 65 Notices Served on Leather Goods

By LisaLisa | OEHHA Lists Chemicals and Continues to Pass new regulations

This content is password protected. To view it please enter your password below:

Password: