

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF
1986 PROPOSITION 65**

NOTICE TO INTERESTED PARTIES

**ACCEPTANCE OF PETITION FOR RULEMAKING AND
REQUEST FOR INFORMATION**

SAFE HARBOR LEVEL FOR 1,3-DICHLOROPROPENE

March 12, 2021

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65; Health and Safety Code Section 25249.5 et seq.). OEHHA hereby grants a Petition for Rulemaking submitted by Californians for Pesticide Reform (CPR) develop a Proposition 65 No Significant Risk Level (NSRL) for 1,3-Dichloropropene (1,3-D). This chemical was added to the list of chemicals known to the State of California to cause cancer for purposes of Proposition 651 in January 1989. A copy of the Petition and Response letter is available on the OEHHA website at <https://oehha.ca.gov/Proposition-65>.

An NSRL is a "safe harbor" level at which an exposure poses no significant risk. Businesses do not have to provide warnings for exposures below an NSRL. When an exposure is above an NSRL, a business may have liability under Proposition 65 but may demonstrate by other means that the exposure poses "no significant risk" of cancer.²

OEHHA intends to develop an NSRL for 1,3-D and is requesting scientific information that may be relevant to the development of an NSRL for this chemical.

Any written submissions responsive to this request must be received by OEHHA by April 27, 2021, to be considered during the development of this NSRL. Opportunity for public comment on the proposed NSRL will be provided when OEHHA initiates a formal rulemaking process to adopt an NSRL for 1,3-D.

Because of limited in-office staffing during the COVID-19 emergency, OEHHA strongly recommends that submissions be made electronically through our website at <https://oehha.ca.gov/comments>. Submissions in paper form may still be mailed, but

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code section 25249.5, et seq.

² Title 27, Ca, Code of Regulations, section 25705 et seq.

delays may occur if staff are unable to access them in a timely manner.

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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.