

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:
COAL-TAR PITCH, FLUORO-EDENITE FIBROUS AMPHIBOLE,
AND SILICON CARBIDE WHISKERS**

SEPTEMBER 22, 2023

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to list coal-tar pitch, fluoro-edenite fibrous amphibole, and silicon carbide whiskers as known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code (HSC) sections 25249.5 et seq., otherwise known as Proposition 65.

This action is being proposed pursuant to the "Labor Code" listing mechanism described below. 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 California Code of Regulations (CCR), title 27, section 25904. As the lead agency for the implementation of Proposition 65, OEHHA evaluates whether a chemical's listing is required.

OEHHA's determination: *Coal-tar pitch, fluoro-edenite fibrous amphibole, and silicon carbide whiskers* meet the requirements for listing as known to the state to cause cancer for purposes of Proposition 65 (CCR, title 27, section 25904(b)(3)).

IARC has published on its website "IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 100F, Chemical Agents and Related Occupations" (IARC, 2012) and "IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 111, Some Nanomaterials and Some Fibres" (IARC, 2017). IARC concluded that *coal-tar pitch* and *fluoro-edenite fibrous amphibole* are classified in Group 1 ("carcinogenic to humans") and that *silicon carbide whiskers* are classified in Group 2A ("probably carcinogenic to humans"). IARC concluded that there is sufficient evidence of carcinogenicity in humans and animals for *coal-tar pitch* and *fluoro-edenite*

fibrous amphibole (IARC, 2012; IARC, 2017). IARC concluded that there is sufficient evidence of carcinogenicity in animals for *silicon carbide whiskers* (IARC, 2017).

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 (HSC section 25249.8(a); CCR, title 27, section 25904(b)). Because this is a ministerial listing, comments should be limited to whether IARC has sufficiently identified the specific chemicals or substances 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.

Submission of Comments

All written comments must be submitted to OEHHA by electronic submission, mail, or hand-delivery, by **Monday, October 23, 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: Kiana Vaghefi
Office of Environmental Health Hazard Assessment
P. O. Box 4010
Sacramento, California 95812-4010

In-person delivery submission:

Attention: Kiana Vaghefi
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 2.1 (<https://www.w3.org/WAI/standards-guidelines/wcag>) and California Government Code sections 7405 and 11135, so that they can be read using screen reader technology.

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 Kiana Vaghefi at Kiana.Vaghefi@oehha.ca.gov or at (916) 445-6900.

References

International Agency for Research on Cancer (IARC, 2012). IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 100F. Chemical Agents and Related Occupations. IARC, World Health Organization, Lyon, France. Available from: <https://publications.iarc.fr/123>

IARC (2017). IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 111. Some Nanomaterials and Some Fibres. IARC, World Health Organization, Lyon, France. Available from: <https://publications.iarc.fr/552>