State of California
AIR RESOURCES BOARD

Resolution 85-70

September 19, 1985

Agenda Item No.: 85-14-4

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (the "Board") to do such acts and to adopt such regulations as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the Board by law;

WHEREAS, Chapter 3.5 (commencing with Section 39650) of Part 2 of Division 26 of the Health and Safety Code establishes procedures for the identification of toxic air contaminants by the Board;

WHEREAS, Section 39655 of the Health and Safety Code defines a "toxic air contaminant" as an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health;

WHEREAS, Section 39662 of the Health and Safety Code directs the Board to list, by regulation, substances determined to be toxic air contaminants, and to specify for each substance listed a threshold exposure level, if any, below which no significant adverse health effects are anticipated;

WHEREAS, ethylene dichloride (EDC) is ubiquitously emitted from evaporation and burning of leaded gasoline, is emitted by the use of solvents, is present in the atmosphere in California, and is persistent in the atmosphere;

WHEREAS, pursuant to the request of the Board, the Department of Health Services (DHS) evaluated the health effects of EDC in accordance with Section 39660 of the Health and Safety Code;

WHEREAS, DHS concluded in its evaluation that EDC is an animal carcinogen and potential human carcinogen; EDC should be treated as a substance without a carcinogenic threshold; health effects other than cancer are not expected to occur at existing ambient levels of EDC; and the added lifetime cancer risk from EDC exposure is estimated to range from 53 to 88 cases per million people for each part per billion of lifetime average ambient concentration;

WHEREAS, for the reasons set forth in its evaluation, DHS has concluded that, in the absence of strong positive evidence that carcinogenic substances act only through mechanisms which ought to have a threshold, these substances should be treated as acting without a threshold, and DHS has determined that no positive evidence of a carcinogenic threshold exists with respect to EDC;

WHEREAS, upon receipt of the DHS evaluation, staff of the Board prepared a health effects report including and in consideration of the DHS evaluation and recommendations and in the form required by Section 39661 of the Health and Safety Code and, in accordance with the provisions of that section, made the report available to the public and submitted it for review to the Scientific Review Panel (SRP) established pursuant to Section 39670 of the Health and Safety Code;

WHEREAS, in accordance with Section 39661 of the Health and Safety Code, the SRP reviewed the staff health effects report, including the scientific procedures and methods used to support the data in the report, the data itself, and the conclusions and assessments on which the report was based, considered the public comments received regarding the report, and, on July 17, 1985, submitted its written findings to the Board;

WHEREAS, the SRP found to be prudent interpretations of the available evidence the propositions that:

> EDC is an animal carcinogen and should be considered a potential human carcinogen;
>
> EDC should be treated as a carcinogen that may act at all doses without any threshold level;
>
> Health effects, other than cancer, are not anticipated at current ambient EDC exposure levels;

WHEREAS, the SRP found the staff health effects report to be without serious deficiency and included in its findings the statement that it is appropriate that EDC should be listed by the Air Resources Board as a toxic air contaminant;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project having significant adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with provisions of Chapter 3.5 (commencing with Section 11340), Part 1, Division 3, Title 2 of the Government Code;

WHEREAS, in consideration of the health effects report, including DHS' evaluation and recommendations, the available evidence, the findings of the SRP, and the written comments and public testimony it has received, the Board finds that:

> EDC is an animal carcinogen and should be considered a potential human carcinogen;
>
> Health effects other than cancer are not anticipated at current ambient EDC exposure levels;

There is not sufficient available scientific evidence to support the identification of a threshold exposure level for EDC; and

EDC is an air pollutant which because of its carcinogenicity, may cause and contribute to an increase in mortality and an increase in serious illness, and poses a hazard to human health; and

WHEREAS, the Board has determined, pursuant to the requirements of the California Environmental Quality Act and Board regulations, that this regulatory action will have no significant adverse impact on the environment.

NOW, THEREFORE BE IT RESOLVED, that the Board hereby adopts a regulatory amendment to Section 93000, Title 17, California Administrative Code, as set forth in Attachment A.

I hereby certify that the above is a true and correct copy of Resolution 85-70, as adopted by the Air Resources Board.

Harold Holmes

Harold Holmes, Board Secretary

ATTACHMENT A

Amend Title 17, California Administrative Code, Section 93000 to read as follows:

93000. Substances Identified As Toxic Air Contaminants. Each substance identified in this section has been determined by the state board to be a toxic air contaminant as defined in Health and Safety Code Section 39655. If the state board has found there to be a threshold exposure level below which no significant adverse health effects are anticipated from exposure to the identified substance, that level is specified as the threshold determination. If the Board has found there to be no threshold exposure level below which no significant adverse health effects are anticipated from exposure to the identified substance, a determination of "no threshold" is specified. If the board has found that there is not sufficient available scientific evidence to support the identification of a threshold exposure level, the "Threshold" column specifies "None identified."

Substance	Threshold
Benzene (C_6H_6)	None identified.
Ethylene Dibromide ($BrCH_2CH_2Br$; 1,2-dibromoethane)	None identified.
Ethylene Dichloride ($ClCH_2CH_2Cl$), 1,2-dichloroethane)	None identified.

NOTE: Authority cited: Sections 39600, 39601 and 39662, Health and Safety Code. Reference: Sections 39650, 39660, 39661 and 39662, Health and Safety Code.

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Adoption of a Regulatory Amendment Identifying Ethylene Dichloride as a Toxic Air Contaminant

Agenda Item No.: 84-14-4

Public Hearing Date: September 19, 1985

Response Date: September 19, 1985

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this item. The staff report identified no adverse environmental effects.

Response: N/A

Certified: Harold Holmes
Board Secretary

Date: 11/10/86

State of California

Memorandum

To : Gordon Van Vleck
Secretary
Resources Agency

Date : January 27, 1986

Subject : Filing of Notice of Decisions of the Air Resources Board

Harold Holmes
Board Secretary
From : Air Resources Board

Pursuant to Title 17, Section 60007 (b), and in compliance with Air Resources Board certification under Section 21080.5 of the Public Resources Code, the Air Resources Board hereby forwards for posting the attached notice of decisions and response to environmental comments raised during the comment period.

ATTACHMENTS
85-64
85-65
85-70 and SEI
85-79

FILED AND POSTED BY
OFFICE

JAN 2 , 1986

Resources Agency of California