

# Public Notice

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products.

## Extension of acceptance of Public Comments on a Pre-Rulemaking draft regulation specifying the use of Toxicity Criteria for Risk Assessments and Cleanup Decisions

Extension to Tuesday, January 31, 2017

In response to several requests from the public, the California Department of Toxic Substances Control (DTSC) announces the extension of acceptance of public comments on a proposed regulation specifying the toxicity criteria for human health risk-based screening levels, action levels and remediation goals. In future rulemaking, DTSC intends to add a new chapter to the *California Code of Regulations, Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste*.

### BACKGROUND

DTSC has determined that calculating screening levels and cleanup goals from a single source of toxicity criteria does not always provide the best protection for human health. DTSC proposes to require that any human health risk screening or human health risk assessment shall use the most protective of the following toxicity criteria sources for each cancer and non-cancer contaminant of concern:

1. Office of Environmental Health and Hazard Assessment Chemical Database, or its successor;
2. U.S. EPA Integrated Risk Information System (IRIS) database or its successor;
3. Provisional Peer-Reviewed Toxicity Value (PPRTV) or its successor.

### Pre-Rulemaking draft language

*Division 4.5, Environmental Health Standards for the Management of Hazardous Waste*

Add Chapter 51.3, Article 1, sections 69000.1 - 69000.3 as follows:



**Chapter 51.3 Human Health Toxicity Criteria for Cleanup.**

**Article 1.**

**69000.1. Purpose and Applicability**

This chapter applies to hazardous waste and hazardous substance release sites subject to the provisions of Health and Safety Code, division 20, chapters 6.5, 6.8 and/or 6.82. It requires that the toxicity factors specified in 69000.3 be used to establish human health risk-based action levels and remediation goals.

**69000.2. Action Levels, Screening Levels, Remediation Goals, and Point of Departure for Evaluation of Cleanup Alternatives**

(a) The point of departure for action level and screening level determinations, and remediation goals, based on human health risk is:

- (1) An incremental excess lifetime cancer risk to an individual of  $1 \times 10^{-6}$ , and
- (2) A cumulative hazard index across all pathways and contaminants of concern (COCs) of 1.0.

(b) The above action levels, screening levels and remediation goals shall be calculated using the toxicity criteria specified in section 69000.3.

**69000.3. Applicable Toxicity Criteria**

Any human health risk screening or human health risk assessment shall use the most protective of the following three toxicity criteria sources for each cancer and noncancer contaminant of concern:

- (a) The peer reviewed unit risk factors, inhalation and oral slope factors, and chronic reference exposure levels (cRELS, both inhalation and oral) from the Office of Environmental Health and Hazard Assessment Chemical Database, or its successor.
  - (b) The unit risk factors, inhalation and oral slope factors, reference doses (RfD), and reference concentrations (RfC), from the US EPA Integrated Risk Information System (IRIS) database, or its successor.
  - (c) The unit risk factors, inhalation and oral slope factors, reference doses (RfD), and reference concentrations (RfC), from the US EPA Provisional Peer-Reviewed Toxicity Value (PPRTV) database, or its successor.
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