

TO: R.K. HINDERER
J.W. LEWIS

FROM: M.M. MARSHALL *mm*

April 10, 1992

OHIO PROPOSITION 65 DATA

Please provide the data assigned on the attached to Ray Gomez, copy to me by the end of April.

Thanks.

MMM/rm
PROP65

cc: W.C. Holbrook
Ray Gomez

Attachments

*Completed Review
4/27/91*

BFG15049

21549001

MEMORANDUM

DATE: April 7, 1992
TO: Mike Marshall
FROM: Ray Gomez *RMG*
SUBJECT: Ohio Prop. 65

Attached is a copy of the proposed Ohio Prop. 65 initiative, with the proposed list of 458 toxic chemicals.

To get us organized to fight this initiative, I need some initial information/help from your group:

- HINDEN* ^{*LEWIS*} 1. Review the list of 458 chemicals and identify those used by the Geon Vinyl division in the state of Ohio.
- LEWIS* 2. Estimate the financial impact of Prop. 65's provision to impose a state tax on Ohio industrial facilities of 1 cent per pound on their toxic wastes and emissions. (Other divisions will use their SARA title III data to calculate this.)
- LEWIS* 3. If we can, estimate the costs and logistical difficulties of complying with a provision to notify in writing, semi-annually, all business and homes within a two mile radius of emissions sources of their "environmental exposure to toxic chemicals."
- LEWIS* 4. Review the draft initiative to determine if there any other onerous provisions in it and their potential adverse affects on Geon.

Can you make this a priority item?

Thanks for your help.

BFG15050

21549002

INITIATIVE PETITION

Number **Nº 00431**

Issued to _____
(Name of solicitor)

Date of issuance _____

LAW PROPOSED BY INITIATIVE PETITION FIRST TO BE SUBMITTED TO THE GENERAL ASSEMBLY TITLE

To enact section 3752 of the Revised Code to create a toxic chemical right-to-know law.

SUMMARY

The proposed law requires businesses to warn people before exposing them to chemicals known to cause cancer, birth defects or other reproductive disorders. Small businesses and state and local government are exempt from the notification requirement.

The proposed law lists 458 chemicals known to cause cancer, birth defects or reproductive disorders. The Director of the Ohio Environmental Protection Agency (EPA) may amend the list based on scientific findings. No warning is required for insignificant exposure to chemicals.

Warnings must identify the chemical and the health hazard. Warnings must appear on the product or on the container whenever possible. Businesses must deliver or mail warnings of exposure to environmental releases. Notice of continuing exposure to environmental releases is required semi-annually.

Any person living or working within two miles of a business may request the Ohio EPA to require the business to assess whether it may be causing significant exposure if the business uses specified amounts of chemicals on the list and is not providing a warning. Local citizens groups may apply to Ohio EPA for grants to obtain technical expertise to evaluate exposure assessments.

The Attorney General, prosecuting attorney of a county, city director of law, village solicitor, and citizens may bring actions to enforce the law, and they may recover their legal costs. The proposed law provides for civil and criminal penalties for violations.

Businesses that release toxic chemicals would pay for the right-to-know program through a fee of one cent per pound per year on their waste. The Director of the Ohio EPA would adjust the fee annually to raise no more than \$3 million. Half the money would be used to administer and enforce the law; the remaining half would go to technical assistance grants.

CERTIFICATE OF ATTORNEY GENERAL

(As Certified to the Committee on May 22, 1991)

Without passing on the advisability of the adoption of the proposed law, but pursuant to the duties imposed upon me under Section 3519.01, Revised Code, I hereby certify that the attached summary is a fair and truthful statement of the attached proposed law.

LEE I. FISHER
Attorney General

COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a Committee to Represent the Petitioners in all matters relating to the petition or its circulation: Dr. Kathleen M. Fagan, M.D., M.P.H., 2632 Exeter Rd., Cleveland Hts., OH 44118; Edward Hopkins, 691 N. High St., Columbus, OH 43215; Cynthia M. Starr, 1026 Avondale Ave., Cincinnati, OH 45229; James L. Sweeney, 743 Argonne Dr., Dayton, OH 45408; Noreen L. Warnock, 1904 Idlewild Dr., Lima, OH 45805.

21549003

**OHIO
PROPOSITION 65
INITIATIVE**

21549004

BFG15052

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OHIO.

Section 1. That Section 3752 of the Revised Code be enacted to read as follows:

Sec. 3752.01. THE PEOPLE OF OHIO FIND (1) THAT EXPOSURE TO TOXIC CHEMICAL SUBSTANCES ENDANGERS PUBLIC HEALTH AND SAFETY BY INCREASING THE RISK OF CANCER, GENETIC MUTATION, BIRTH DEFECTS AND OTHER DISEASES, AND IMPROPERLY INFRINGES UPON THE PUBLIC'S RIGHT TO A SAFE, CLEAN AND HEALTHY ENVIRONMENT AND (2) THAT BUSINESS AND STATE AND FEDERAL AGENCIES HAVE NOT PROVIDED ADEQUATE INFORMATION ABOUT EXPOSURE TO TOXIC CHEMICAL SUBSTANCES. THE PEOPLE THEREFORE DECLARE THEIR RIGHT TO KNOW ABOUT THEIR EXPOSURE TO TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER, BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM.

Sec. 3752.02. AS USED IN THIS CHAPTER:

(A) "AMBIENT AIR" MEANS THAT PORTION OF THE ATMOSPHERE OUTSIDE OF BUILDINGS AND OTHER ENCLOSURES, STACKS, OR DUCTS THAT SURROUNDS HUMAN, PLANT OR ANIMAL LIFE, OR PROPERTY.

(B) "BOARD OF HEALTH" MEANS THE BOARD OF HEALTH OF A CITY OR GENERAL HEALTH DISTRICT OR THE AUTHORITY HAVING THE DUTIES OF A BOARD OF HEALTH IN ANY CITY AS AUTHORIZED BY SECTION 3709.05 OF THE REVISED CODE.

(C) "CONSUMER PRODUCT EXPOSURE" MEANS ANY EXPOSURE THAT RESULTS FROM AN INDIVIDUAL'S ACQUISITION PURCHASE, STORAGE, CONSUMPTION, OR OTHER FORESEEABLE USE OF A CONSUMER PRODUCT OR AN EXPOSURE THAT FORESEEABLY RESULTS FROM RECEIVING A SERVICE.

(D) "ENVIRONMENTAL EXPOSURE" MEANS AN EXPOSURE THAT MAY FORESEEABLY OCCUR AS A RESULT OF CONTACT WITH AN ENVIRONMENTAL MEDIUM INCLUDING, BUT NOT LIMITED TO, AMBIENT AIR, INDOOR AIR, DRINKING WATER, SURFACE WATER, GROUND WATER, SOIL, VEGETATION, OR NATURAL OR HUMAN-MADE SUBSTANCES.

(E) "EXPOSE" MEANS TO CAUSE AN EXPOSURE

(F) "EXPOSURE" MEANS TO INGEST, INHALE, CONTACT VIA BODY SURFACES OR OTHERWISE COME INTO CONTACT WITH A TOXIC CHEMICAL SUBSTANCE.

(G) "HEALTH DISTRICT" MEANS A CITY OR GENERAL DISTRICT CREATED BY OR UNDER THE AUTHORITY OF CHAPTER 3709 OF THE REVISED CODE.

BFG15053

21549005

(H) "NO SIGNIFICANT RISK" MEANS FOR A SUBSTANCE OR COMBINATION OF SUBSTANCES KNOWN TO CAUSE CANCER, A RISK LEVEL WHICH IS CALCULATED TO RESULT IN NO MORE THAN ONE EXCESS CASE OF CANCER IN AN EXPOSED POPULATION OF ONE MILLION, BASED ON THE MOST CONSERVATIVE GENERALLY ACCEPTED RISK ASSESSMENT METHOD, ASSUMING LIFETIME EXPOSURE AT THE LEVEL IN QUESTION.

(I) "PERSON" MEANS THE STATE, ANY POLITICAL SUBDIVISION, INTERSTATE BODY CREATED BY COMPACT, THE UNITED STATES AND ANY AGENCY OR INSTRUMENTALITY THEREOF, AND ANY LEGAL ENTITY DEFINED AS A PERSON UNDER SECTION 1.59 OF THE REVISED CODE.

(J) "PERSON IN THE COURSE OF DOING BUSINESS" DOES NOT INCLUDE ANY PERSON EMPLOYING FEWER THAN TEN EMPLOYEES IN THE BUSINESS, THE STATE, ANY POLITICAL SUBDIVISION, INTERSTATE BODY CREATED BY COMPACT, OR ANY ENTITY IN ITS OPERATION OF A PUBLIC WATER SYSTEM AS DEFINED IN SECTION 6109.01 OF THE REVISED CODE.

(K) "REPRODUCTIVE TOXICITY" MEANS EMBRYOTOXICITY, FETOTOXICITY, TERATOGENICITY, OR ADVERSE EFFECTS ON MALE OR FEMALE REPRODUCTIVE PERFORMANCE.

(L) "TOXIC CHEMICAL SUBSTANCE" MEANS ANY SUBSTANCE KNOWN TO CAUSE CANCER OR REPRODUCTIVE TOXICITY THAT IS LISTED IN DIVISION (A) OF SECTION 3752.21 OF THE REVISED CODE, OR THAT MAY BE LISTED IN RULES ADOPTED UNDER THAT SECTION.

Sec. 3752.03. NO PERSON IN THE COURSE OF DOING BUSINESS SHALL RECKLESSLY EXPOSE ANY INDIVIDUAL TO A TOXIC CHEMICAL SUBSTANCE WITHOUT FIRST GIVING CLEAR AND REASONABLE WARNING TO SUCH INDIVIDUAL.

Sec. 3752.04. (A) THE WARNINGS REQUIRED TO BE GIVEN UNDER SECTION 3752.03 OF THE REVISED CODE SHALL BE DISPLAYED PROMINENTLY WITH BOLD LETTERING, UNDERLINING, OR OTHER SPECIAL PRESENTATIONS OF EQUAL EFFECTIVENESS IN DRAWING ATTENTION TO THE PRESENCE OF THE WARNING AND SHALL IDENTIFY EVERY TOXIC CHEMICAL SUBSTANCE.

(B) THE METHOD EMPLOYED TO TRANSMIT THE WARNING SHALL BE DESIGNED TO MAKE THE WARNING MESSAGE KNOWN TO THE INDIVIDUAL PRIOR TO EXPOSURE.

(1) FOR CONSUMER PRODUCT EXPOSURES, THE WARNINGS SHALL, IF FEASIBLE, APPEAR ON A LABEL THAT IS AFFIXED TO OR ACCOMPANIES A PRODUCT OR ITS CONTAINER OR WRAPPER. IF LABELING IS NOT FEASIBLE, WARNINGS SHALL BE PROVIDED THROUGH SHELF LABELING, SIGNS, MENUS, OR OTHER COMMUNICATIONS AT THE RETAIL OUTLET. IF NEITHER OF THE FOREGOING WARNING METHODS ARE FEASIBLE, WARNINGS SHALL BE GIVEN BY A SYSTEM OF SIGNS, PUBLIC ADVERTISING, OR OTHER SYSTEM THAT PROVIDES CLEAR AND

REASONABLE WARNING. FOR PRODUCTS OR SERVICES THAT CONTAIN TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER, THE WARNING SHALL INCLUDE THE FOLLOWING LANGUAGE: "WARNING: THIS PRODUCT CONTAINS ONE OR MORE TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER." FOR PRODUCTS OR SERVICES THAT CONTAIN TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE REPRODUCTIVE TOXICITY, THE WARNINGS SHALL INCLUDE THE FOLLOWING LANGUAGE: "WARNING: THIS PRODUCT CONTAINS ONE OR MORE TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM." FOR PRODUCTS OR SERVICES THAT CONTAIN TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER AND REPRODUCTIVE TOXICITY, BOTH WARNINGS SHALL BE GIVEN.

TO THE EXTENT PRACTICABLE, REGULATIONS IMPLEMENTING THIS SUBDIVISION SHALL PLACE THE OBLIGATION TO PROVIDE ANY WARNING MATERIALS, SUCH AS LABELS, ON THE PRODUCER OR PACKAGER RATHER THAN ON THE RETAIL SELLER, EXCEPT WHERE THE RETAIL SELLER IS RESPONSIBLE FOR INTRODUCING A TOXIC CHEMICAL SUBSTANCE INTO THE CONSUMER PRODUCT.

(2) FOR ENVIRONMENTAL EXPOSURES, WARNINGS SHALL BE MAILED OR OTHERWISE DELIVERED TO EACH RESIDENCE AND PLACE OF BUSINESS LOCATED WITHIN THE AREA WHERE THE EXPOSURE OCCURS, AND SHALL BE PROVIDED SEMI-ANNUALLY FOR SO LONG AS THE EXPOSURE CONTINUES. FOR EXPOSURE TO TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER, THE WARNING SHALL INCLUDE THE FOLLOWING LANGUAGE: "WARNING: THIS AREA CONTAINS ONE OR MORE TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER." FOR EXPOSURE TO TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE REPRODUCTIVE TOXICITY, THE WARNINGS SHALL INCLUDE THE FOLLOWING LANGUAGE: "WARNING: THIS AREA CONTAINS ONE OR MORE TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM." FOR EXPOSURE TO TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER AND REPRODUCTIVE TOXICITY, BOTH WARNINGS SHALL BE GIVEN. THE WARNINGS SHALL ALSO IDENTIFY THE PERSON RESPONSIBLE FOR GIVING THE WARNING AND THE LOCATION OF THE PERSON'S PREMISES FROM WHICH THE TOXIC CHEMICAL SUBSTANCES HAVE BEEN RELEASED.

(C) WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DIRECTOR SHALL ADOPT RULES TO FURTHER ADMINISTER, IMPLEMENT AND ENFORCE THIS SECTION.

Sec. 3752.05. SECTION 3752.03 OF THE REVISED CODE SHALL NOT APPLY TO ANY OF THE FOLLOWING:

(A) AN EXPOSURE FOR WHICH FEDERAL LAW GOVERNS WARNING IN A MANNER THAT PREEMPTS STATE AUTHORITY.

(B) (1) FOR SUBSTANCES LISTED IN DIVISION (A) OF SECTION 3752.21 OF THE REVISED CODE, AN EXPOSURE THAT OCCURS

BFG15055

21549007

LESS THAN TWELVE MONTHS SUBSEQUENT TO THE EFFECTIVE DATE OF THAT SECTION;

(2) FOR SUBSTANCES LISTED IN RULES ADOPTED PURSUANT TO DIVISION (B) OF SECTION 3752.21 OF THE REVISED CODE, AN EXPOSURE THAT OCCURS LESS THAN TWELVE MONTHS SUBSEQUENT TO THE EFFECTIVE DATE OF THE RULE.

(C) AN EXPOSURE FOR WHICH THE PERSON RESPONSIBLE CAN DEMONSTRATE THE FOLLOWING:

(1) THAT THE EXPOSURE POSES NO SIGNIFICANT RISK FOR ANY INDIVIDUAL; AND

(2) THAT THE EXPOSURE WILL HAVE NO OBSERVABLE EFFECT ASSUMING EXPOSURE AT ONE THOUSAND (1000) TIMES THE LEVEL IN QUESTION FOR SUBSTANCES KNOWN TO CAUSE REPRODUCTIVE TOXICITY, OR FOR WHICH THE PERSON CAN DEMONSTRATE THAT AN ALTERNATIVE MARGIN OF SAFETY, WHICH SHALL NOT BE LESS THAN ONE HUNDRED (100) TIMES THE LEVEL IN QUESTION, WILL PROTECT THE EXPOSED POPULATION; OR

(3) THAT THE EXPOSURE IS TO A SUBSTANCE THAT IS AN ESSENTIAL HUMAN NUTRIENT OR AN ESSENTIAL MEDICATION OR PROCEDURE PRESCRIBED BY A LICENSED PHYSICIAN.

THE DEMONSTRATIONS REQUIRED BY THIS DIVISION SHALL BE BASED UPON EVIDENCE AND STANDARDS OF COMPARABLE SCIENTIFIC VALIDITY TO THE EVIDENCE AND STANDARDS WHICH FORM THE SCIENTIFIC BASIS FOR THE LISTING OF ANY SUCH SUBSTANCE PURSUANT TO DIVISION (B) (2) OF SECTION 3752.21 OF THE REVISED CODE. IN ANY ACTION BROUGHT TO ENFORCE SECTION 3752.03 OF THE REVISED CODE, OTHER THAN ONE BROUGHT PURSUANT TO SECTION 3752.99 OF THE REVISED CODE, THE BURDEN OF DEMONSTRATING THAT AN EXPOSURE MEETS THE CRITERIA OF THIS DIVISION SHALL BE ON THE DEFENDANT.

(D) AN EXPOSURE TO A TOXIC CHEMICAL SUBSTANCE CONTAINED IN WATER OR DRINKING WATER TO THE EXTENT THAT THE PERSON RESPONSIBLE CAN DEMONSTRATE THAT THE TOXIC CHEMICAL SUBSTANCE WAS CONTAINED IN DRINKING WATER WHICH WAS RECEIVED FROM:

(1) A PUBLIC WATER SYSTEM, AS DEFINED IN SECTION 6109.01 OF THE REVISED CODE;

(2) A COMMERCIAL SUPPLIER OF DRINKING WATER; OR

(3) A SOURCE OF DRINKING WATER IN COMPLIANCE WITH ALL APPLICABLE PRIMARY DRINKING WATER STANDARDS FOR ALL LISTED TOXIC CHEMICAL SUBSTANCES, AND THE TOXIC CHEMICAL SUBSTANCE IN

QUESTION IS THE RESULT OF TREATMENT OF THE WATER IN ORDER TO ACHIEVE COMPLIANCE WITH PRIMARY DRINKING WATER STANDARDS.

WHERE THE SOURCE OF THE TOXIC CHEMICAL SUBSTANCE IS IN PART FROM THE SOURCES LISTED IN SUBDIVISIONS (1), (2) AND (3) AND IN PART FROM OTHER SOURCES, THE EXEMPTION ONLY APPLIES TO THE PORTION OF THE TOXIC CHEMICAL SUBSTANCE FROM THE SOURCES LISTED IN SUBDIVISIONS (1), (2) AND (3).

(E) AN EXPOSURE TO A TOXIC CHEMICAL SUBSTANCE CONTAINED IN AIR TO THE EXTENT THAT THE PERSON RESPONSIBLE CAN DEMONSTRATE THAT THE SUBSTANCE WAS CONTAINED IN AIR WHICH THE PERSON RECEIVED FROM THE AMBIENT AIR.

WHERE THE SOURCE OF THE TOXIC CHEMICAL SUBSTANCE IS IN PART FROM THE AMBIENT AIR AND IN PART FROM OTHER SOURCES. THE EXEMPTION ONLY APPLIES TO THAT PORTION OF THE TOXIC CHEMICAL SUBSTANCE THAT THE PERSON DID NOT CAUSE TO BE EMITTED INTO THE AMBIENT AIR.

(F) AN EXPOSURE TO A TOXIC CHEMICAL SUBSTANCE CONTAINED IN FOOD TO THE EXTENT THAT THE PERSON RESPONSIBLE CAN DEMONSTRATE THAT THE SUBSTANCE IS NATURALLY OCCURRING IN THE FOOD. A TOXIC CHEMICAL SUBSTANCE IS NATURALLY OCCURRING ONLY TO THE EXTENT THAT THE SUBSTANCE DID NOT RESULT FROM ANY KNOWN HUMAN ACTIVITY.

Sec. 3752.06. (A) ANY INDIVIDUAL WHO RESIDES OR IS EMPLOYED AT A LOCATION THAT IS WITHIN A TWO-MILE RADIUS OF A PREMISES THAT MAY CAUSE AN ENVIRONMENTAL EXPOSURE FOR WHICH A WARNING IS REQUIRED UNDER SECTION 3752.03 OF THE REVISED CODE, BUT FOR WHICH NO WARNING IS BEING PROVIDED, MAY FILE A COMPLAINT, IN WRITING AND VERIFIED BY THE AFFIDAVIT OF THE COMPLAINANT, HIS OR HER AGENT OR ATTORNEY, WITH THE DIRECTOR OF ENVIRONMENTAL PROTECTION, ALLEGING THAT SUCH PERSON IS CAUSING AN ENVIRONMENTAL EXPOSURE FOR WHICH A WARNING IS REQUIRED. THE AFFIDAVIT VERIFYING A COMPLAINT MAY BE MADE BEFORE ANY PERSON AUTHORIZED BY LAW TO ADMINISTER OATHS, AND MUST BE SIGNED BY THE PERSON WHO MAKES IT.

(B) UPON RECEIPT OF A COMPLAINT AUTHORIZED BY THIS SECTION, THE DIRECTOR SHALL ISSUE AN ORDER IN ACCORDANCE WITH CHAPTER 3745 OF THE REVISED CODE REQUIRING THE PERSON NAMED IN THE COMPLAINT TO SUBMIT TO THE DIRECTOR WITHIN THIRTY DAYS OF THE ISSUANCE OF THE ORDER A LIST CONTAINING THE AMOUNT OF EACH TOXIC CHEMICAL SUBSTANCE PRODUCED, USED, PROCESSED, STORED OR HANDLED ON THE PREMISES DURING THE PRECEDING CALENDAR YEAR. UPON RECEIPT OF THE LIST, THE DIRECTOR SHALL SEND A COPY OF IT TO THE INDIVIDUAL WHO SUBMITTED THE COMPLAINT.

BFG15057

21549009

Sec. 3752.07. (A) IF UPON THE BASIS OF THE INFORMATION CONTAINED IN THE LIST PRESCRIBED BY SECTION 3752.06 OF THE REVISED CODE, OR OTHERWISE, THE DIRECTOR FINDS THAT THE TOTAL AMOUNT OF ANY TOXIC CHEMICAL SUBSTANCE THAT IS ALSO AN EXTREMELY HAZARDOUS SUBSTANCE OR HAZARDOUS SUBSTANCE LISTED IN RULES ADOPTED UNDER DIVISION (B) (1) (A), (C) OR (C) (5) OF SECTION 3750.02 OF THE REVISED CODE, AS APPROPRIATE, WAS PRESENT ON THE PREMISES DURING THE PRECEDING CALENDAR YEAR IN AN AMOUNT GREATER THAN TEN TIMES THE REPORTABLE QUANTITY APPLICABLE TO THE SUBSTANCE UNDER THOSE RULES, THE DIRECTOR, IN ACCORDANCE WITH CHAPTER 3745 OF THE REVISED CODE, SHALL ISSUE AN ORDER DIRECTING THE PERSON TO SUBMIT AN EXPOSURE ASSESSMENT TO THE DIRECTOR. AN ORDER ISSUED UNDER THIS DIVISION SHALL REQUIRE THE EXPOSURE ASSESSMENT TO BE SUBMITTED WITHIN ONE HUNDRED EIGHTY DAYS AFTER ISSUANCE OF THE ORDER. FOR GOOD CAUSE SHOWN, THE DIRECTOR MAY EXTEND THE TIME FOR SUBMISSION OF AN EXPOSURE ASSESSMENT BY NOT MORE THAN ONE HUNDRED EIGHTY ADDITIONAL DAYS.

(B) WITHIN FIFTEEN DAYS OF RECEIPT OF THE EXPOSURE ASSESSMENT, THE DIRECTOR SHALL MAIL A COPY OF IT TO THE INDIVIDUAL WHO FILED THE COMPLAINT UNDER SECTION 3752.06 OF THE REVISED CODE AND TO THE PUBLIC LIBRARY LOCATED NEAREST TO THE PREMISES, AND SHALL CAUSE NOTICE OF THE ASSESSMENT TO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY WHERE THE PREMISES ARE LOCATED.

(C) THE DIRECTOR OF ENVIRONMENTAL PROTECTION SHALL NOT ISSUE ANY ORDER OR TAKE OTHER ACTION APPROVING, DISAPPROVING OR OTHERWISE MAKING ANY DETERMINATION ON THE ADEQUACY OR COMPLETENESS OF ANY EXPOSURE ASSESSMENT.

Sec. 3752.08. NO PERSON SHALL BE REQUIRED TO PERFORM AN EXPOSURE ASSESSMENT FOR A TOXIC CHEMICAL SUBSTANCE DURING THE TWELVE MONTHS IMMEDIATELY FOLLOWING THE LISTING OF SUCH SUBSTANCE PURSUANT TO SECTION 3752.21 OF THE REVISED CODE.

Sec. 3752.09. EACH PERSON REQUIRED TO SUBMIT AN EXPOSURE ASSESSMENT UNDER SECTION 3752.07 OF THE REVISED CODE SHALL INCLUDE THE FOLLOWING AT A MINIMUM:

(A) A CHARACTERIZATION OF THE PHYSICAL SETTING OF THE PREMISES, INCLUDING THE LOCATION, CLIMATE, VEGETATION, SOILS, GROUND WATER HYDROLOGY, PRESENCE AND LOCATION OF SURFACE WATER, AND METEOROLOGY;

(B) A CHARACTERIZATION OF THE POPULATION THAT MAY BE EXPOSED, INCLUDING ITS LOCATION RELATIVE TO THE PREMISES, ACTIVITY PATTERNS, AND THE NATURE AND PRESENCE OF SENSITIVE SUB-POPULATIONS;

BFG15058

21546 10

(C) AN IDENTIFICATION OF ACTIVITIES CONDUCTED ON THE PREMISES THAT CAUSE OR MAY CAUSE THE RELEASE OF TOXIC CHEMICAL SUBSTANCES AND OF THE MANNER IN WHICH THEY ARE OR MAY BE RELEASED;

(D) AN IDENTIFICATION AND QUANTIFICATION OF THE TOXIC CHEMICAL SUBSTANCES BEING RELEASED, THE ENVIRONMENTAL MEDIA INTO WHICH THEY ARE RELEASED, AND THE METHODOLOGY, ASSUMPTIONS AND UNCERTAINTIES INVOLVED IN MAKING SUCH DETERMINATIONS;

(E) AN IDENTIFICATION OF THE EXPOSURE PATHWAYS, INCLUDING THE MANNER IN WHICH TOXIC CHEMICAL SUBSTANCES ARE TRANSPORTED THROUGH VARIOUS ENVIRONMENTAL MEDIA, AN IDENTIFICATION OF THE MANNER BY WHICH INDIVIDUALS WOULD COME INTO CONTACT WITH THE TOXIC CHEMICAL SUBSTANCES RELEASED AT THE PREMISES, AND INFORMATION AS TO WHETHER THE ROUTE OF EXPOSURE FOR EACH TOXIC CHEMICAL SUBSTANCE RELEASED AT THE PREMISES IS THROUGH INHALATION, INGESTION, DERMAL CONTACT, OR OTHER MEANS;

(F) A QUANTIFICATION OF THE MAGNITUDE, FREQUENCY AND DURATION OF EXPOSURE FOR EACH TOXIC CHEMICAL SUBSTANCE AND EXPOSURE PATHWAY TO DETERMINE THE MAXIMUM EXPOSURE;

(G) A QUANTIFICATION OF THE RISK OF CANCER OR REPRODUCTIVE TOXICITY TO THE EXPOSED POPULATION CAUSED BY THEIR EXPOSURE TO THE TOXIC CHEMICAL SUBSTANCE OF COMBINATION OF TOXIC CHEMICAL SUBSTANCES RELEASED FROM THE PREMISES;

(H) AN IDENTIFICATION OF THE UNCERTAINTIES AND ASSUMPTIONS IN MAKING THE DETERMINATIONS REQUIRED BY THIS SECTION, AND OF THE MANNER IN WHICH EACH OF THESE UNCERTAINTIES AND ASSUMPTIONS WAS ADDRESSED; AND

(I) SUCH OTHER INFORMATION AS THE DIRECTOR MAY, BY RULE, DETERMINE IS NECESSARY OR APPROPRIATE.

(J) WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DIRECTOR SHALL ADOPT AND MAY AMEND AND RESCIND RULES TO FURTHER ADMINISTER AND IMPLEMENT THIS SECTION.

Sec. 3752.10. THE DIRECTOR OF ENVIRONMENTAL PROTECTION, IN ACCORDANCE WITH CHAPTER 119 OF THE REVISED CODE, MAY ADOPT, AMEND AND RESCIND RULES TO IMPLEMENT, ADMINISTER, AND ENFORCE THIS CHAPTER.

Sec. 3752.11. THE DIRECTOR OF ENVIRONMENTAL PROTECTION MAY ISSUE, MODIFY, OR REVOKE ORDERS IN ACCORDANCE WITH CHAPTER 3745 OF THE REVISED CODE TO ENFORCE ANY SECTION OF THIS CHAPTER OR A RULE ADOPTED UNDER IT. NOTWITHSTANDING SECTION 119.06 OF THE REVISED CODE, ALL ORDERS ISSUED UNDER

BFG15059

21549011

THIS SECTION, OR ANY OTHER SECTION OF THIS CHAPTER, SHALL BE ISSUED WITHOUT HOLDING AN ADJUDICATION HEARING IN CONNECTION WITH THE ORDER AND WITHOUT FIRST ISSUING A PROPOSED ACTION UNDER SECTION 3745.07 OF THE REVISED CODE.

Sec. 3752.12. (A) NO PERSON SHALL VIOLATE OR FAIL TO PERFORM ANY DUTY IMPOSED BY ANY SECTION OF THIS CHAPTER OF THE REVISED CODE OR A RULE ADOPTED OR ORDER ISSUED UNDER IT.

(B) NO PERSON SHALL KNOWINGLY SUBMIT FALSE INFORMATION OR RECORDS OR FAIL TO SUBMIT INFORMATION OR RECORDS REQUIRED BY THIS CHAPTER OF THE REVISED CODE OR A RULE ADOPTED OR ORDER ISSUED UNDER IT.

(C) FOR VIOLATIONS OF SECTION 3752.03 OF THE REVISED CODE, EACH EXPOSURE CONSTITUTES A SEPARATE VIOLATION.

(D) FOR VIOLATIONS OF ALL OTHER SECTIONS OF THIS CHAPTER OF THE REVISED CODE, OR RULES ADOPTED OR ORDERS ISSUED THEREUNDER, EACH DAY OF VIOLATION CONSTITUTES A SEPARATE OFFENSE.

Sec. 3752.13. THE ATTORNEY GENERAL OR THE PROSECUTING ATTORNEY OF THE COUNTY, CITY DIRECTOR OF LAW OF THE CITY, OR VILLAGE SOLICITOR OF THE VILLAGE WHERE A VIOLATION HAS OCCURRED OR IS OCCURRING MAY, AND UPON THE WRITTEN REQUEST OF THE DIRECTOR OF ENVIRONMENTAL PROTECTION OR THE BOARD OF HEALTH OF THE HEALTH DISTRICT HAVING TERRITORIAL JURISDICTION, AS APPROPRIATE, SHALL PROSECUTE TO TERMINATION OR BRING AN ACTION FOR INJUNCTION AGAINST ANY PERSON WHO HAS VIOLATED OR IS VIOLATING ANY SECTION OF THIS CHAPTER, OR A RULE ADOPTED OR ORDER ISSUED UNDER IT. THE COURT OF COMMON PLEAS IN WHICH AN ACTION FOR INJUNCTION IS FILED HAS JURISDICTION TO AND SHALL GRANT PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF UPON A SHOWING THAT THE PERSON AGAINST WHOM THE ACTION IS BROUGHT HAS VIOLATED OR IS VIOLATING ANY SECTION OF THIS CHAPTER, OR A RULE ADOPTED OR ORDER ISSUED UNDER IT.

Sec. 3752.14. (A) ANY PERSON WHO VIOLATES ANY SECTION OF THIS CHAPTER OR A RULE ADOPTED OR ORDER ISSUED UNDER IT SHALL PAY A CIVIL PENALTY OF NOT MORE THAN TWENTY-FIVE HUNDRED DOLLARS. THE ATTORNEY GENERAL OR PROSECUTING ATTORNEY OF THE COUNTY, CITY DIRECTOR OF LAW OF THE CITY, OR VILLAGE SOLICITOR OF THE VILLAGE WHERE A VIOLATION HAS OCCURRED OR IS OCCURRING MAY, AND UPON THE WRITTEN REQUEST OF THE DIRECTOR OF ENVIRONMENTAL PROTECTION OR THE BOARD OF HEALTH OF THE HEALTH DISTRICT HAVING TERRITORIAL JURISDICTION, AS APPROPRIATE, SHALL BRING AN ACTION UNDER THIS SECTION AGAINST ANY PERSON WHO HAS VIOLATED OR IS VIOLATING ANY SECTION OF THIS CHAPTER OR A RULE ADOPTED OR ORDER ISSUED UNDER IT. ANY ACTION UNDER THIS

BFG15060

21549012

SECTION IS A CIVIL ACTION, GOVERNED BY THE OHIO RULES OF CIVIL PROCEDURE AND OTHER RULES OF PRACTICE AND PROCEDURE APPLICABLE TO CIVIL ACTIONS.

(B) MONIES COLLECTED AS CIVIL PENALTIES UNDER DIVISION (A) OF THIS SECTION SHALL BE CREDITED TO THE FOLLOWING FUNDS IN THE FOLLOWING PRIORITY:

(1) TO REIMBURSE THE ATTORNEY GENERAL, PROSECUTING ATTORNEY OF THE COUNTY, CITY DIRECTOR OF LAW, VILLAGE SOLICITOR, DIRECTOR OF ENVIRONMENTAL PROTECTION, AND BOARD OF HEALTH, AS APPROPRIATE, FOR THE REASONABLE COSTS INCURRED IN INVESTIGATING, PREPARING AND LITIGATING THE CASE;

(2) TO THE TOXIC CHEMICAL RIGHT-TO-KNOW FUND CREATED IN SECTION 3752.17 OF THE REVISED CODE.

Sec. 3752.15. (A) EXCEPT AS FOR PROVIDED IN DIVISION (B) OF THIS SECTION, ANY PERSON MAY COMMENCE A CIVIL ACTION ON HIS OR HER OWN BEHALF:

(1) AGAINST ANY PERSON WHO IS ALLEGED TO BE IN VIOLATION OF ANY SECTION OF THIS CHAPTER OR A RULE ADOPTED OR ORDER ISSUED UNDER IT;

(2) AGAINST THE DIRECTOR OF ENVIRONMENTAL PROTECTION WHERE THERE IS ALLEGED A FAILURE OF THE DIRECTOR TO PERFORM ANY ACT OR DUTY UNDER THIS CHAPTER WHICH IS NOT DISCRETIONARY WITH THE DIRECTOR.

(B) NO ACTION CAN BE COMMENCED UNDER DIVISION (A) OF THIS SECTION PRIOR TO SIXTY DAYS AFTER THE PLAINTIFF HAS GIVEN NOTICE OF THE ALLEGED VIOLATION TO THE DIRECTOR OF ENVIRONMENTAL PROTECTION, THE ATTORNEY GENERAL AND THE ALLEGED VIOLATOR.

(C) NO ACTION CAN BE COMMENCED UNDER DIVISION (A) OF THIS SECTION IF THE ATTORNEY GENERAL OR PROSECUTING ATTORNEY OF THE COUNTY, CITY DIRECTOR OF THE CITY, OR VILLAGE SOLICITOR OF THE VILLAGE WHERE THE VIOLATION HAS OCCURRED OR IS OCCURRING, HAS COMMENCED AND IS DILIGENTLY PROSECUTING A CIVIL OR CRIMINAL ACTION TO REQUIRE COMPLIANCE WITH THE SECTION OF THIS CHAPTER OR THE RULE OR ORDER IN QUESTION, BUT IN ANY SUCH ACTION, ANY PERSON MAY INTERVENE AS A MATTER OF RIGHT.

(D) IF THE DIRECTOR IS NOT A PARTY IN ANY ACTION COMMENCED UNDER THIS SECTION, HE MAY INTERVENE AS A MATTER OF RIGHT.

BFG15061

21549013

(E) AN ACTION AUTHORIZED BY DIVISION (A) OF THIS SECTION MAY BE BROUGHT ONLY IN THE COURT OF COMMON PLEAS IN THE COUNTY IN WHICH THE ALLEGED VIOLATION HAS OCCURRED OR IS OCCURRING. THE COURT SHALL HAVE JURISDICTION TO ENFORCE THE PROVISIONS OF THIS CHAPTER OR A RULE ADOPTED OR AN ORDER ISSUED UNDER IT, AND TO APPLY ANY APPROPRIATE CIVIL PENALTIES.

(F) THE COURT, IN ISSUING ANY FINAL ORDER IN ANY ACTION BROUGHT PURSUANT TO THIS SECTION, MAY AWARD COSTS OF LITIGATION (INCLUDING REASONABLE ATTORNEY AND EXPERT WITNESS FEES) TO A PLAINTIFF WHO PREVAILS OR SUBSTANTIALLY PREVAILS IN THE ACTION.

(G) NOTHING IN THIS SECTION SHALL RESTRICT ANY RIGHT WHICH ANY PERSON (OR CLASS OF PERSONS) MAY HAVE UNDER ANY STATUTE OR COMMON LAW TO SEEK ENFORCEMENT OF ANY SECTION OF THIS CHAPTER OR RULE ADOPTED OR ORDER ISSUED UNDER IT, OR TO SEEK ANY OTHER RELIEF.

Sec. 3752.16. NOTHING IN THIS CHAPTER SHALL ALTER OR DIMINISH ANY LEGAL OBLIGATION OTHERWISE REQUIRED IN COMMON LAW OR BY STATUTE OR REGULATION, AND NOTHING IN THIS CHAPTER SHALL CREATE OR ENLARGE ANY DEFENSE IN ANY ACTION TO ENFORCE SUCH LEGAL OBLIGATION. PENALTIES AND SANCTIONS IMPOSED UNDER THIS CHAPTER SHALL BE IN ADDITION TO ANY PENALTIES OR SANCTIONS OTHERWISE PRESCRIBED BY LAW.

Sec. 3752.17. THERE IS HEREBY CREATED IN THE STATE TREASURY THE TOXIC CHEMICAL RIGHT-TO-KNOW FUND. THE FUND SHALL CONSIST OF THE MONIES CREDITED TO IT UNDER SECTION 3752.19 AND DIVISION (B) OF SECTION 3752.14 OF THE REVISED CODE. THE DIRECTOR OF ENVIRONMENTAL PROTECTION SHALL USE ONE-HALF OF THE MONIES CREDITED TO THE FUND FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING, AND ENFORCING THIS CHAPTER AND THE RULES ADOPTED AND ORDERS ISSUED UNDER IT. THE DIRECTOR SHALL USE THE REMAINDER OF THE MONIES CREDITED TO THE FUND TO MAKE GRANTS UNDER SECTION 3752.18 OF THE REVISED CODE.

Sec. 3752.18. (A) THE DIRECTOR OF ENVIRONMENTAL PROTECTION MAY MAKE GRANTS AVAILABLE TO ANY GROUP OF INDIVIDUALS WHO RESIDE OR ARE EMPLOYED AT LOCATIONS WITHIN A TWO-MILE RADIUS OF PREMISES THAT ARE THE SUBJECT OF AN ORDER ISSUED UNDER SECTION 3752.07 OF THE REVISED CODE. GRANT MONIES PROVIDED UNDER THIS SECTION SHALL BE USED EXCLUSIVELY TO OBTAIN TECHNICAL ASSISTANCE REGARDING THE HAZARDS TO HUMAN HEALTH POSED BY EXPOSURE TO TOXIC CHEMICAL SUBSTANCES THAT MAY BE RELEASED INTO THE ENVIRONMENT FROM THOSE PREMISES. NO SUCH GRANT SHALL EXCEED \$50,000. THE DIRECTOR SHALL MAKE ONLY ONE GRANT REGARDING ANY SUCH PREMISES UNLESS HE OR SHE FINDS THAT RENEWAL OF A GRANT IS NECESSARY TO ACHIEVE THE PURPOSES OF THE SECTION.

21549014

RFG15062

(B) WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DIRECTOR SHALL ADOPT AND MAY AMEND AND RESCIND RULES ESTABLISHING PROCEDURES FOR APPLYING FOR GRANTS TO BE PROVIDED UNDER THIS SECTION, CRITERIA FOR DETERMINING ELIGIBILITY FOR THOSE GRANTS, AND SUCH OTHER REQUIREMENTS AS THE DIRECTOR CONSIDERS NECESSARY OR APPROPRIATE FOR IMPLEMENTING AND ADMINISTERING THIS SECTION.

Sec. 3752.19. (A) FOR THE PURPOSE OF PROVIDING FUNDING FOR THE IMPLEMENTATION, ADMINISTRATION AND ENFORCEMENT OF CHAPTER 3752 OF THE REVISED CODE AND FUNDING GRANTS UNDER SECTION 3752.18 OF THE REVISED CODE, EACH OWNER OR OPERATOR OF A FACILITY REQUIRED TO FILE ONE OR MORE TOXIC CHEMICAL RELEASE FORMS UNDER SECTION 3751.03 OF THE REVISED CODE SHALL PAY A FEE OF ONE CENT PER POUND OF TOXIC CHEMICALS SHOWN ON ANY SUCH FORM TO HAVE BEEN RELEASED OR TRANSFERRED TO AN OFF-SITE LOCATION IN THE CALENDAR YEAR TO WHICH THE FORM APPLIES. EACH OWNER OR OPERATOR SHALL REMIT THE AMOUNT OF THE FEE DUE UNDER THIS DIVISION TO THE DIRECTOR OF ENVIRONMENTAL PROTECTION WITH THE TOXIC CHEMICAL RELEASE FORMS SO FILED.

(B) IF PAYMENT OF A FEE UNDER DIVISION (A) OF THIS SECTION IS LATE, THE OWNER OR OPERATOR SHALL PAY AN ADDITIONAL TEN PERCENT OF THE AMOUNT OF THE FEE DUE FOR EACH MONTH THAT THE PAYMENT IS LATE.

(C) IF THE DIRECTOR DETERMINES THAT THE FEES LEVIED BY THIS SECTION WILL SUBSTANTIALLY EXCEED \$3,000,000 ANNUALLY, HE OR SHE SHALL ADOPT AND MAY AMEND AND RESCIND RULES REDUCING THE AMOUNT OF THE FEE TO BE PAID UNDER DIVISION (A), SUCH THAT THE FEES LEVIED BY THIS SECTION SHALL EQUAL \$3,000,000.

Sec. 3752.20. IF ANY PROVISION OF THIS CHAPTER OF THE APPLICATION THEREOF IS HELD INVALID, THAT INVALIDITY SHALL NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THE CHAPTER WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION AND TO THIS END THE PROVISIONS OF THIS CHAPTER ARE SEVERABLE.

Sec. 3752.21. (A) BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, THE INITIAL LIST OF TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER OR REPRODUCTIVE TOXICITY SHALL INCLUDE THE FOLLOWING:

(1) TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE CANCER

<u>SUBSTANCES</u>	<u>CAS NUMBER</u>
A-ALPHA-C (2-AMINO-9H-PYRIDO (2,3-8) INDOLE	26148685
XACETALDEHYDE .11.19	75070
ACETAMIDE	60355

BFG15063

21549015

ACETOCHLOR	34256821
2-ACETYLAMINOFLUORENE	53963
ACIFLUORFEN	62476599
XACRYLAMIDE 308, 346, 356, 1607, 2207, 4320, 4597	79061
XACRYLONITRILE 151, 177, 281, 352, 359, 493, 497, 498, 913, 815, 846, 1548, 1621, 4309	107131
ACTINOMYCIN D	50760
ADRIAMYCIN (DOXORUBICIN HYDROCHLORIDE)	23214928
AF-2: [2- (2-FURYL) -3- (5-NITRO-2-FURYL)]	
ACRYLAMIDE	3688537
AFLATOXINS	
ALACHLOR	15972608
ALCOHOLIC BEVERAGES, WHEN ASSOCIATED WITH	
ALCOHOL ABUSE	
ALDRIN	309002
XALLYLCHLORIDE 822	107051
2-AMINOANTHRAQUINONE	117793
P-AMINOAZOBENZENE	60093
ORTHO-AMINOAZOTOLUENE	97563
4-AMINOBIIPHENYL (4-AMINODIPHENYL)	92671
3-AMINO-9-ETHYLCARBAZOLE HYDROCHLORIDE	6109973
1-AMINO-2-METHYLANTHRAQUINONE	82280
2-AMINO-5- (5-NITRO-2-FURYL) -1,3,4-THIADIAZOLE	712685
AMITROLE	61825
ANALGESIC MIXTURES CONTAINING PHENACETIN	
XANILINE 1179	62533
ORTHO-ANISIDINE	90040
ORTHO-ANISIDINE HYDROCHLORIDE	134292
XANTIMONY OXIDE (ANTIMONY TRIOXIDE) 36, 45, 576, 1270, 1271, 1272	1309644
ARAMITE	140578
XARSENIC (INORGANIC ARSENIC COMPOUNDS) 576,	
ASBESTOS	1332214
AURAMINE	492808
AZASERINE	115026
AZATHIOPRINE	446866
AZOBENZENE	103333
BENZ (A) ANTHRACENE	58553
XBENZENE 220, 267, 431, 459, 862, 868, 1121,	71432
BENZIDINE (AND ITS SALTS)	92875
BENZO (B) FLUORANTHENE	205992
BENZO (J) FLUORANTHENE	205823
BENZO (K) FLUORANTHENE	207089
BENZOFURAN	271896
BENZO (A) PYRENE	50328
BENZOTRICHLORIDE	98077
BENZYL CHLORIDE	100447
BENZYL VIOLET 48	1694093
XBERYLLIUM AND BERYLLIUM COMPOUNDS 1957, 2180,	
BETEL QUID WITH TOBACCO	
BIS (2-CHLOROETHYL) ETHER	111444

N.N-BIS (2-CHOROETHYL) - 2NAPHTHYLAMINE (CHLORNAPAZINE)	494031
BISCHLOROETHYL NITROSOUREA (BCNU) (CARMUSTINE)	154938
BIS (CHLOROMETHYL) ETHER	542881
BITUMENS, EXTRACTS OF STEAM-REFINED AND AIR REFINED	
BRACKENFERN	
BROMODICHLOROMETHANE	75274
X 1,3-BUTADIENE 151, 281, 329, 331, 339, 352, 359, 683, 710, 813, 815, 1548, 1621, 4309	106990
1,4-BUTANEDIOL DIMETHANESULFONATE (BUSULFAN)	55981
BUTYLATED HYDROXYANISOLE	25013165
BETA-BUTYROLACTONE	3068880
X CADMIUM AND CADMIUM COMPOUNDS 442, 443, 450, 452, 863, 905, 1029, 1155, 1371, 2180, 3065	
CAPTAFOF	2425061
CAPTAN	133062
X CARBON TETRACHLORIDE 256	56235
X CARBON-BLACK EXTRACTS 435, 444, 944, 1150, 1151, 1245, 1265, 1279, 1773, 1949, 2140, 2162	
CERAMIC FIBERS (AIRBORNE PARTICLES OF RESPIRABLE SIZE)	
CERTAIN COMBINED CHEMOTHERAPY FOR LYMPHOMAS	
CHLORAMBUCIL	305033
CHORAMPHENICOL	56757
CHLORDANE	57749
CHLORDECONE (KEPONE)	143500
CHLORDIMEFORM	6164963
CHLORENDIC ACID	115286
CHLORINATED PARAFFINS (AVERAGE CHAIN LENGTH, C12; APPROXIMATELY 60% CHLORINE BY WEIGHT)	106171262
CHLORODIBROMOMETHANE	124481
CHLOROETHANE	75003
1- (2-CHLOROETHYL) - 3-CYCLOHEXLL-1-NITROSOUREA (CCNU) (LOMUSTINE)	13010474
1- (2-CHLOROETHYL) - 3- (4-METHYLCYCLOHEXYL) - 1- NITROSOUREA (METHYL-CCNU)	13909096
X CHLOROFORM 256, 1200	67683 67-66-3
CHLOROMETHYL METHYL ETHER (TECHNICAL GRADE)	107302
3-CHLORO-2-METHYLPROPENE	563473
4-CHLORO-ORTHO-PHENYLENEDIAMINE	95830
P-CHLORO-O-TOLUIDINE	95692
CHLOROTHALONIL	1897456
X CHROMIUM (HEXAVALENT COMPOUNDS) 445, 578, 919, 1833, 1838, 1839, 1841, 1842, 1845, 1957	
CHRYSENE	218019
C.I. BASIC RED 9 MONOHYDROCHLORIDE	569619
CINNAMYL ANTHRANILATE	87296
CISPLATIN	15663271
CITRUS RED NO. 2	6358538
COKE OVEN EMISSIONS	
CONJUGATED ESTROGENS	

BFG15065

21549017

CREOSOTES	
PARA-CRESIDINE	120718
CUPFERRON	135206
CYCASIN	14901087
CYCLOPHOSPHAMIDE (ANHYDROUS)	50180
CYCLOPHOSPHAMIDE (HYDRATED)	6055192
D&C ORANGE NO. 17	3468631
D&C RED NO. 8	2092560
D&C RED NO. 9	5160021
D&C RED NO. 19	81889
DACARBAZINE	4342034
DAMINOZIDE	1596845
DAUNOMYCIN	20830813
DDD (DICHLORODIPHENYLDICHLOROETHANE)	72548
DDE (DICHLORODIPHENYLDICHLOROETHYLENE)	72559
DDT (DICHLORODIPHENYLTRICHLOROETHANE)	50293
DDVP (DICHLORVOS)	62737
NN-DIACETYL BENZIDINE	613354
2.4-DIAMINOANISOLE	615054
2.4-DIAMINOANISOLE SULFATE	39156417
4.4'-DIAMINODIPHENYL ETHER (4.4-OXYDIANILINE)	101804
2.4-DIAMINOTOLUENE	95807
DIAMINOTOLUENE (MIXED)	
DIBENZ (A, H) ACRIDINE	226368
DIBENZ (A, J) ACRIDINE	224420
DIBENZ (A, H) ANTHRACENE	53703
7H-DIBENZO (C, G) CARBAZOLE	194592
DIBENZO (A, E) PYRENE	192654
DIBENZO (A, H) PYRENE	189640
DIBENZO (A, I) PYRENE	189559
DIBENZO (A, L) PYRENE	191300
1.2-DIBROMO-3-CHLOROPROPANE (DBCP)	96128
P-DICHLOROBENZENE	106467
X 3.3'-DICHLOROBENZIDINE 573	91941
1.4-DICHLORO-2-BUTENE	764410
3.3'-DICHLORO-4.4-DIAMINODIPHENYL ETHER	28434868
1.1-DICHLOROETHANE	75343
X DICHLOROMETHANE (METHYLENE CHLORIDE) 63, 1927, 1967, 2475	75092
1.2-DICHLOROPROPANE	78875
1.3-DICHLOROPROPENE	542756
DIELDRIN	60571
DIENESTROL	84173
DIEPOXYBUTANE	1464535
DIESEL ENGINE EXHAUST	
X DI (2-ETHYLHEXYL) PHTHALATE 51, 512, 2105	117817
1.2-DIETHYLHYDRAZINE	1615801
DIETHYL SULFATE	64675
DIETHYLSTILBESTROL (DES)	56531
DIGLYCIDYL RESORCINOL ETHER (DGRE)	101906

BFG15066

DIHYDROSAFROLE	94586
3.3'-DIMETHOXYBENZIDINE (ORTHO-DIANISIDINE)	119904
3.3'-DIMETHOXYBENZIDINE DIHYDROCHLORIDE (ORTHO-DIANISIDINE DIHYDROCHLORIDE)	20325400
DIMETHYL SULFATE	77781
4-DIMETHYLAMINOAZOBENZENE	60117
TRANS-2-(DIMETHYLAMINO)METHYLIMINO)-5-2- (5-NITRO-2-FURYL)VINYL)-1.3.4-OXADIAZOLE	55738540
7.12-DIMETHYLBENZ(A)ANTHRACENE	57976
3.3'-DIMETHYLBENZIDINE (ORTHO-TOLIDINE)	119937
DIMETHYLCARBAMOYL CHLORIDE	79447
1.1-DIMETHYLHYDRAZINE	57147
1.2-DIMETHYLHYDRAZINE	540738
DIMETHYLVINYLCHLORIDE	513371
1.6-DINITROPYRENE	42397648
1.8-DINITROPYRENE	42397659
2.4-DINITROTLUENE	121142
X 1.4-DIOXANE 170, 1119, 1282, 1566, 1673, 2438, 4133, 4477	123911
DIPHENYLHYDANTOIN (PHENYTOIN)	57410
DIPHENYLHYDANTOIN (PHENYTOIN), SODIUM SALT	630933
DIRECT BLACK 38 (TECHNICAL GRADE)	1937377
DIRECT BLUE 6 (TECHNICAL GRADE)	2602462
DIRECT BROWN 95 (TECHNICAL GRADE)	16071866
DISPERSE BLUE 1	2475458
X EPICHLORODHYDRIN 317, 897, 1322	106898 106898
ERIONITE	12510428
ESTRADIOL 17BETA	50282
ESTRONE	53167
ETHINYLESTRADIOL	57636
X ETHYL ACRYLATE 157, 784, 795	140885
ETHYL METHANESULFONATE	62500
ETHYL-4.4-DICHLOROBENZILATE	510156
ETHYLENE DIBROMIDE	106934
X ETHYLENE DICHLORIDE (1.2-DICHLOROETHANE) 754	107062
X ETHYLENE OXIDE 23, 170, 481, 535, 565, 1055, 1119, 1146, 1301, 1419	75218
ETHYLENE THIOUREA	96457
ETHYLENEIMINE	151564
FOLPET	1330073
X FORMALDEHYDE (GAS) 308, 379, 908, 939, 2298, 2991, 4133, 4284, 4610	50000
2-(2-FORMYLHDRAZION)-4-(5-NITRO-2-FURYL) THIAZOLE	3570750
FURAZOLIDONE	67458
FURMECYCLOX	60568050
X GASOLINE ENGINE EXHAUST (CONDENSATES/ EXTRACTS) 365/1093	
GLASSWOOL FIBERS (AIRBORNE PARTICLES OF RESPIRABLE SIZE)	

BFG15067

21549019

GLU-P-1 (2-AMINO-6-METHYLDIPYRIDO 1.2-A:3',2'-DJIMIDAZOLE)	67730114
GLU-P-2 (2-AMINODIPYRIDO (1.2-A:3',2'-DJIMIDAZOLE)	67730103
GLYCIDALDEHYDE	765344
X GLYCIDOL 4498	556525
GRISEOFULVIN	126078
GYROMITRIN (ACETALDEHYDE METHYLFORMYLHYDRAZONE)	16568028
HC BLUE 1	2784943
HEPTACHLOR	76448
HEPTACHLOR EPOXIDE	1024573
HEXACHLOROBENZENE	118741
HEXACHLOROCYCLOHEXANE (TECHNICAL GRADE)	
HEXACHLORODIBENZODIOXIN	34465468
HEXACHLOROETHANE	67721
HEXAMETHYLPHOSPHORAMIDE	680319
X HYDRAZINE 1046, 1717	302012
HYDRAZINE SULFATE	10034932
HYDRAZOBENZENE (1.2-DIPHENYLHYDRAZINE)	122667
INDENO (1.2.3-CD) PYRENE	193395
IQ (2-AMINO-3-METHYLIMIDAZO (4,5-F) QUINOLINE)	76180966
IRON DEXTRAN COMPLEX	9004664
ISOSAFROLE	120581
LACTOFEN	77501634
LASIOCARPINE	303344
LEAD ACETATE	301042
LEAD PHOSPHATE	7446277
LEAD SUBACETATE	1335326
LINDANE AND OTHER HEXACHLOROCYCLOHEXANE ISOMERS	
MANCOZEB	8018017
MANEB	12427382
ME-A-ALPHA-C (2-AMINO-3-METHYL-9H-PYRIDO (2,3-8) (INDOLE)	68006837
MEDROXYPROGESTERONE ACETATE	71589
MELPHALAN	148823
MERPHALAN	531760
MESTRANOL	72333
8-METHOXYPsorALEN WITH ULTRAVIOLET A THERAPY	298817
5-METHOXYPsorALEN WITH ULTRAVIOLET A THERAPY	484208
2-METHYLAZIRIDINE (PROPYLENEIMINE)	75558
METHYLAZOXYMETHANOL	590965
METHYLAZOXYMETHANOL ACETATE	592621
3-METHYLCHOLANTHRENE	56495
5-METHYLCHRYSENE	3697243
4.4'-METHYLENE BIS (2-CHLOROANILINE)	101144
4.4'-METHYLENE BIS (N,N-DIMETHYL) BENZENAMINE	101611

BFG15068

21543020

4.4'-METHYLENE BIS (2-METHYLANILINE)	838880
4.4'-METHYLENEDIANILINE	101779
4.4'-METHYLENEDIANILINE DIHYDROCHLORIDE	13552448
METHYL IODIDE	74884
METHYL METHANESULFONATE	66273
2-METHYL-1-NITROANTHRAQUINONE (OF UNCERTAIN PURITY)	129157
N-METHYL-N'-NITRO-N-NITROSOGUANIDINE	70257
XN-METHYLOLACRYLAMIDE 308.	924425
METHYLTHIOURACIL	56042
METIRAM	9006422
METRONIDAZOLE	443481
MICHLER'S KETONE	90948
MIREX	2385855
MITOMYCIN C	50077
MONOCROTALINE	315220
5-(MORPHOLINOMETHYL)-3-[(5-NITRO-FURFURYLIDENE)-AMINO]-2-OXALOLIDINONE	139913
MUSTARD GAS	505602
NAFENOPIN	3771195
1-NAPHTHYLAMINE	134327
2-NAPHTHYLAMINE	91598
XNICKEL AND CERTAIN NICKEL COMPOUNDS 1838, 474, 1833, 1839, 1841, 1842, 1845, 1846, 1849, 1957, 2180, 4593, 217.	13463393
NICKEL CARBONYL	13463393
NICKEL REFINERY DUST FROM THE PYROMETALLURGICAL PROCESS	
NICKEL SUBSULFIDE	12035722
NIRIDAZOLE	61574
XNITRILOTRIACETIC ACID 219	139139
NITRILOTRIACETIC ACID, TRISODIUM SALT MONOHYDRATE	18662538
5-NITROACENAPHTHENE	602879
5-NITRO-O-ANISIDINE	99592
4-NITROBIPHENYL	92933
6-NITROCHRYSENE	7496028
NITROFEN (TECHNICAL GRADE)	1836755
2-NITROFLUORENE	607578
NITROFURAZONE	59870
1-[(5-NITROFURFURYLIDENE)-AMINO]-2-IMIDAZOLIDINONE	555840
N-[4-(5-NITRO-2-FURYL)-2-THIAZOLYL]ACETAMIDE	531828
NITROGEN MUSTARD (MECHLORETHAMINE)	51752
NITROGEN MUSTARD HYDROCHLORIDE (MECHLORETHAMINE HYDROCHLORIDE)	55867
NITROGEN MUSTARD N-OXIDE	126852
NITROGEN MUSTARD N-OXIDE HYDROCHLORIDE	302705
2-NITROPROPANE	79469
1-NITROPYRENE	5522430

BFG15069

21549021

4-NITROPYRENE	57835924
N-NITROSODI-N-BUTYLAMINE	924163
N-NITROSODIETHANOLAMINE	1116547
N-NITROSODIETHYLAMINE	55185
N-NITROSODIMETHYLAMINE	62759
P-NITROSODIPHENYLAMINE	156105
N-NITROSODIPHENYLAMINE	86306
N-NITROSODI-N-PROPYLAMINE	621647
N-NITROSO-N-ETHYLUREA	759739
3-(N-NITROSOMETHYLAMINO) PROPIONITRILE	60153493
4-(N-NITROSOMETHYLAMINO)-1-(3-PYRIDYL) 1-BUTANONE	64091914
N-NITROSOMETHYLETHYLAMINE	10595956
N-NITROSO-N-METHYLUREA	684935
N-NITROSO-N-METHYLURETHANE	615532
N-NITROSOMETHYLVINYLAMINE	4549400
N-NITROSOMORPHOLINE	59892
N-NITROSONORINICOTINE	16543558
N-NITROSOPIPERIDINE	100754
N-NITROSOPYRROLIDINE	930552
N-NITROSOSARCOSINE	13256229
NORETHISTERONE (NORETHINDRONE)	68224
OCHRATOXIN A	303479
OIL ORANGE SS	2646175
ORAL CONTRACEPTIVES, COMBINED	
ORAL CONTRACEPTIVES, SEQUENTIAL	
OXYMETHOLONE	434071
PANFURAN S	
X PENTACHLOROPHENOL 1956	87865
PHENACETIN	62442
PHENAZOPYRIDINE	94780
PHENAZOPYRIDINE HYDROCHLORIDE	136403
PHENESTERIN	3546109
PHENOBARBITAL	50066
PHENOXYBENZAMINE	59961
PHENOXYBENZAMINE HYDROCHLORIDE	63923
PHENYL GLYCIDYL ETHER	1675543
O-PHENYLPHENATE, SODIUM	132274
POLYBROMINATED BIPHENYLS	
X POLYCHLORINATED BIPHENYLS 573, 1233	
POLYCHLORINATED BIPHENYLS (CONTAINING 60 OR MORE PERCENT CHLORINE BY MOLECULAR WEIGHT)	
POLYGEENAN	53973981
PONCEAU MX	3761533
PONCEAU 3R	3564098
POTASSIUM BROMATE	7758012
PROCARBAZINE	671169

PROCARBAZINE HYDROCHLORIDE	366701
PROGESTERONE	57830
1,3-PROPANE SULTONE	1120714
BETA-PROPIOLACTONE	57578
XPROPYLENE OXIDE 12.9%,	75569
PROPYLTHIOURACIL	51525
RADIONUCLIDES	
RESERPINE	50555
RESIDUAL (HEAVY) FUEL OILS	
SACCHARIN	81072
SACCHARIN, SODIUM	126449
SAFROLE	94597
SELENIUM SULFIDE	7446346
SHALE-OILS	68306349
SILICA, CRYSTALLINE (AIRBORNE PARTICLES OF RESPIRABLE SIZE)	
X SOOTS, TARS, AND CERTAIN MINERAL OILS 124, 1213, 1750, 2624, 3766, (MINERAL OILS MAY VARY IN COMPOSITION, PARTICULARLY IN RELATION TO THEIR CONTENT OF CARCINOGENIC POLYCYCLIC AROMATIC HYDROCARBONS)	
STERIGMATOCYSTIN	10048132
STREPTOZOTOCIN	18883664
STYRENE OXIDE	96093
SULFALLATE	95067
X TALC CONTAINING ASBESTIFORM FIBERS 496, 59, 256, 583, 655, 813, 1946, 1951, 1948, 1951, 2798, TESTOSTERONE AND ITS ESTERS 376, 459.4	58220
2, 3, 7, 8-TETRACHLORODIBENZO- PARA-DIOXIN (TCDD)	1746016
1, 1, 2, 2-TETRACHLOROETHANE	79345
X TETRACHLOROETHYLENE (PERCHLOROETHYLENE) 1383.	127184
P-ALPHA, ALPHA, ALPHA, TETRACHLOROTOLUENE	5216251
TETRANITROMETHANE	509148
THIOACETAMIDE	62555
4, 4'-THIODIANILINE	139651
THIOUREA	62566
THORIUM DIOXIDE	1314201
TOBACCO, ORAL USE OF SMOKELESS PRODUCTS	
TOBACCO SMOKE	
TOLUENE DIISOCYANATE	26471625
ORTHO-TOLUIDINE	95534
ORTHO-TOLUIDINE HYDROCHLORIDE	636215
PARA-TOLUIDINE	106490
TOXAPHENE (POLYCHLORINATED CAMPHENES)	8001352
TREOSULFAN	299752
2, 4, 6-TRICHLOROPHENOL	88062
X TRICHLOROETHYLENE 182,	79016

TRIS (AZIRIDINYL) - PARA-BENZOQUINONE (TRIAZIUONE)	68768
TRIS (1-AZIRIDINYL) PHOSPHINE SULFIDE (THIOTEPa)	52244
TRIS (2, 3-DIBROMOPROPYL) PHOSPHATE	126727
TRP-P-1 (TRYPTOPHAN-P-1)	62450060
TRP-P-2 (TRYPTOPHAN-P-2)	62450071
TRYPAN BLUE (COMMERCIAL GRADE)	72571
UNLEADED GASOLINE (WHOLLY VAPORIZED)	
URACIL MUSTARD	66751
URETHANE (ETHYL CARBAMATE)	51796
VINYL BROMIDE	593602
X VINYL CHLORIDE 132, 526, 1548	75014
4-VINYL-1-CYCLOHEXENE DIEPOXIDE (VINYL CYCLOMEXENE DIOXIDE)	106876
VINYL TRICHLORIDE (1.1,2-TRICHLOROETHANE)	79005
2.6-XYLIDENE	87627
ZINEB	12122677

(2) TOXIC CHEMICAL SUBSTANCES KNOWN TO CAUSE
REPRODUCTIVE TOXICITY

(A) DEVELOPMENTAL TOXICITY

SUBSTANCES	CAS NUMBER
ACETOHYDROXAMIC ACID	546883
ALL-TRANS RETINOIC ACID	302794
ALPRAZOLAM	28981977
AMIKACIN SULFATE	39831555
AMINOGLUTETHIMIDE	125848
AMINOPTERIN	54626
ASPIRIN (NOTE: IT IS ESPECIALLY IMPORTANT NOT TO USE ASPIRIN DURING THE LAST THREE MONTHS OF PREGNANCY, UNLESS SPECIFICALLY DIRECTED TO DO SO BY A PHYSICIAN BECAUSE IT MAY CAUSE PROBLEMS IN THE UNBORN CHILD OR COMPLICATIONS DURING DELIVERY)	50782
BENZPHETAMINE HYDROCHLORIDE	5411223
BISCHLOROETHYL NITROSOUREA (BCNU) (CARMUSTINE)	154938
BROMOXYNIL	1689845
1, 4-BUTANEDIOL DIMETHYLSULFONATE (BUSULFAN)	55981
X CARBON DISULFIDE 197	75150
CARBON MONOXIDE	630080
CARBOPLATIN	41575944
CHENODIOL	474259
CHLORCYCLIZINE HYDROCHLORIDE	1620219

CHLORAMBUCIL	305033
CHLORDECON (KEPONE)	143500
1 - (2-CHLOROETHYL) - 3-CYCLOHEXTL-1-NITROSOUREA (CCNU) (LOMUSTINE)	13010474
CLOMIPHENE CITRATE	50419
COCAINE	50362
CONJUGATED ESTROGENS	
CYANAZINE	21725462
CYCLOHEXIMIDE	66819
CYCLOPHOSPHAMIDE (ANHYDROUS)	50180
CYCLOPHOSPHAMIDE (HYDRATED)	6055192
CYHEXATIN	13121705
CYTARABINE	147944
DANAZOL	17230885
DAUNORUBICIN HYDROCHLORIDE	23547506
DIETHYLSTILBESTROL (DES)	56531
DINOCAP	39300453
DINOSEB	88857
DIPHENYLHYDANTOIN (PHENYTOIN)	57410
DOXYCYCLINE	564250
ERGOTAMINE TARTRATE	379793
ETHYL ALCOHOL IN ALCOHOLIC BEVERAGES	
X ETHYLENE GLYCOL MONOETHYLEETHER 712	110805
ETHYLENE GLYCOL MONOMETHYLEETHER	109864
ETOPOSIDE	33419420
ETRETINATE	54350480
FLUOROURACIL	51218
FLUOXYMESTERONE	76437
FLUTAMIDE	13311847
HALAZEPAM	23092173
HEXACHLOROBENZENE	118741
IFOSFAMIDE	3778732
IODINE-131	24267569
ISOTRETINOIN	4759482
X LEAD 1838, 1839, 1842, 1957, 2180,	
LITHIUM CARBONATE	554132
LITHIUM CITRATE	919164
LORAZEPAM	846491
MEDROXYPROGESTERONE ACETATE	71589
MEGESTROL ACETATE	595335
MELPHALAN	148823
MENOTROPINS	9002680
MERCAPTOPURINE	6112761
X MERCURY AND MERCURY COMPOUNDS 482	
METHACYCLINE HYDROCHLORIDE	3963959

METHIMAZOLE	60560
METHOTREXATE	59052
METHOTREXATE SODIUM	15475566
METHYL MERCURY	
METHYLTESTOSTERONE	58184
MIDAZOLAM HYDROCHLORIDE	59467968
MISOPROSTOL	62015398
MITROXANTRONE HYDROCHLORIDE	70476823
NEFARELIN ACETATE	86220420
NETILMICIN SULFATE	56391572
NICOTINE	54115
NITROGEN MUSTARD (MECHLORETHAMINE)	51752
NITROGEN MUSTARD HYDROCHLORIDE (MECHLORETHAMINE HYDROCHLORIDE)	55867
NORETHISTERONE (NORETHINDRONE)	68224
NORETHISTERONE (NORETHINDRONE) ETHINYL ESTRADIOL	68224157636
NORETHISTERONE (NORETHINDRONE) MESTRANOL	68224172333
NORGESTREL	6533002
OXYTETRACYCLINE	79572
PARAMETHADIONE	115673
PENICILLAMINE	52675
PENTOBARBITAL SODIUM	57330
PHENACEMIDE	63989
PIPOBROMAN	54911
PLICAMYCIN	18378897
X POLYCHLORINATED BIPHENYLS <i>see page 18</i>	
PROCARBAZINE HYDROCHLORIDE	366701
PROPYLTHIOURACIL	51525
RETINOL/RETINYL ESTERS, WHEN IN DAILY DOSAGES IN EXCESS OF 10,000 IU, OR 3,000 RETINOL EQUIVALENTS. (NOTE: RETINOL/RETINYL ESTERS ARE REQUIRED AND ESSENTIAL FOR MAINTENANCE OF NORMAL REPRODUCTIVE FUNCTION. THE RECOMMENDED DAILY LEVEL DURING PREGNANCY IS 8,000 IU.)	
RIBAVIRIN	36791045
STREPTOMYCIN SULFATE	3810740
TAMOXIFEN CITRATE	54965241
TEMASEPAM	846504
TESTOSTERONE ENANTHATE	315377
TETRACYCLINE HYDROCHLORIDE	64755
THALIDOMIDE	50351
THIOGUANINE	154427
TOBACCO SMOKE (PRIMARY)	
TOBRAMYCIN SULFATE	49842071
X TOLUENE 172, 267, 1813, 1929, 1930, 1938, 1944, 1947, 1948, 2152, 2209,	108883

TRIAZOLAM	28911015
TRILOSTANE	13647353
TRIMETHADIONE	127480
UROFOLLITROPIN	26995915
VALPROATE	99661
VINBLASTINE SULFATE	143679
VINCRIStINE SULFATE	2068782
WARFARIN	81812

(B) FEMALE REPRODUCTIVE TOXICITY

SUBSTANCES	CAS NUMBER
AMINOPTERIN	54626
ANABOLIC STEROIDS	
ASPIRIN (NOTE: IT IS ESPECIALLY IMPORTANT NOT TO USE ASPIRIN DURING THE LAST THREE MONTHS OF PREGNANCY, UNLESS SPECIFICALLY DIRECTED TO DO SO BY A PHYSICIAN BECAUSE IT MAY CAUSE PROBLEMS IN THE UNBORN CHILD OR COMPLICATIONS DURING DELIVERY.)	50782
X CARBON DISULFIDE 197	75150
COCAINE	50362
CYCLOPHOSPHAMIDE (ANHYDROUS)	50180
CYCLOPHOSPHAMIDE (HYDRATED)	8055192
X ETHYLENE OXIDE 23, 170, 481, 535, 565, 1055, 1119, 1146, 1301, 1419, 1621, 1934, 4133, 4477	75218
LEAD 1838, 1839, 1842, 1857, 218d	
TOBACCO SMOKE (PRIMARY)	

(C) MALE REPRODUCTIVE TOXICITY

SUBSTANCES	CAS NUMBER
ANABOLIC STERIODS	
X CARBON DISULFIDE 197	75150
CYCLOPHOSPHAMIDE (ANHYDROUS)	50180
CYCLOPHOSPHAMIDE (HYDRATED)	6055192
1,2-DIBROMO-3-CHLOROPROPANE (DBCP)	96128
DINITROBENZENE	25154545
DINOSEB	88857

X	ETHYLENE GLYCOL MONOETHYL ETHER	7/2	110805
	ETHYLENE GLYCOL MONOMETHYL ETHER		109664
X	LEAD	. . . refer to page 23	
	TOBACCO SMOKE (PRIMARY)		

(B) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION, AND AT LEAST ONCE PER YEAR THEREAFTER, THE DIRECTOR OF ENVIRONMENTAL PROTECTION, IN ACCORDANCE WITH CHAPTER 119 OF THE REVISED CODE, SHALL ADOPT AND MAY AMEND AND RESCIND RULES IDENTIFYING OR LISTING AS TOXIC CHEMICAL SUBSTANCES THOSE SUBSTANCES THAT ARE KNOWN TO CAUSE CANCER OR REPRODUCTIVE TOXICITY. A SUBSTANCE IS KNOWN TO CAUSE CANCER OR REPRODUCTIVE TOXICITY WITHIN THE MEANING OF THIS CHAPTER IF:

(1) IN THE OPINION OF THE DIRECTOR, IT HAS BEEN SHOWN THROUGH SCIENTIFICALLY VALID TESTING ACCORDING TO GENERALLY ACCEPTED PRINCIPLES TO CAUSE OR BE A PROBABLE CAUSE OF CANCER OR REPRODUCTIVE TOXICITY IN HUMANS OR ANIMALS; OR

(2) IT HAS BEEN FORMALLY IDENTIFIED AS CAUSING OR BEING A PROBABLE CAUSE OF CANCER OR REPRODUCTIVE TOXICITY IN HUMANS OR ANIMALS BY THE INTERNATIONAL AGENCY FOR RESEARCH ON CANCER, THE NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH, THE NATIONAL TOXICOLOGY PROGRAM, THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, OR THE UNITED STATES FOOD AND DRUG ADMINISTRATION, UNLESS THE DIRECTOR DETERMINES THAT THE IDENTIFICATION OF ANY SUBSTANCE BY SUCH AGENCIES IS CLEARLY ERRONEOUS.

(C) THE RULES ADOPTED UNDER THIS SECTION SHALL SET FORTH FOR EACH TOXIC CHEMICAL SUBSTANCE WHETHER IT IS KNOWN TO CAUSE CANCER OR REPRODUCTIVE TOXICITY, OR BOTH.

(D) NOT LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION AND AT LEAST ANNUALLY THEREAFTER, THE DIRECTOR SHALL PUBLISH A LIST OF THE SUBSTANCES THAT, AT THE TIME OF PUBLICATION OF THE LIST, ARE REQUIRED BY FEDERAL LAW OR THE LAWS OF THIS STATE TO BE TESTED FOR THEIR POTENTIAL TO CAUSE CANCER OR REPRODUCTIVE TOXICITY BUT THAT THE DIRECTOR FINDS HAVE NOT BEEN ADEQUATELY TESTED IN ACCORDANCE WITH THE REQUIREMENTS WITH THOSE LAWS.

Sec. 3752.99. WHOEVER RECKLESSLY VIOLATES ANY SECTION OF THIS CHAPTER OR ANY RULE ADOPTED OR ORDER ISSUED UNDER IT IS GUILTY OF A FELONY AND SHALL BE FINED NOT LESS THAN \$10,000 NOR MORE THAN \$25,000 OR IMPRISONED NOT LESS THAN 2 OR MORE THAN 4 YEARS, OR BOTH. FOR VIOLATIONS OF SECTION 3752.03 OF THE REVISED CODE, EACH EXPOSURE CONSTITUTES A SEPARATE OFFENSE. FOR VIOLATIONS OF ALL OTHER SECTIONS OF THIS CHAPTER OF THE REVISED CODE, OR RULES ADOPTED OR ORDERS ISSUED THEREUNDER, EACH DAY OF VIOLATION IS A SEPARATE OFFENSE.

11/07/91