April 10, 2013

Ms. Monet Vela  
Office of Environmental Health Hazard Assessment  
P.O. Box 4010, MS-23B  
Sacramento, California 95812-4010  
1001 I Street  
Sacramento, California 95814  
P65Public.Comments@oehha.ca.gov

Dear Ms. Vela:

On behalf of the Natural Resources Defense Council (NRDC), which has 1.3 million members and activists, 250,000 of whom are Californians, we are writing to comment on the proposed Maximum Allowable Dose Level (MADL) of 290 micrograms per day for exposures to bisphenol A (BPA).

On July 15, 2009, NRDC filed a petition to OEHHA requesting the listing of BPA on the Proposition 65 list. The listing has been delayed nearly five years since the 2008 report on BPA published by the National Toxicology Program’s Center for the Evaluation of Risks to Human Reproduction, on which the listing relies. Therefore, we strongly support the timing of proposing this MADL, simultaneous with the proposed Proposition 65 (Safe Drinking Water and Toxic Enforcement Act) listing of BPA.

We write in strong support of the comment letter on the MADL submitted by 22 scientists, led by Dr. Theo Colborn, which reviews recent research on the low dose effects of BPA exposure. We agree that recent research on the developmental effects of exposure to low doses of BPA warrant a lower MADL that is more protective of human health.

We also note that the regulations state that a NOEL “shall be based on evidence and standards of comparable scientific validity to the evidence and standards which form the scientific basis for the listing of a chemical as known to the state to cause reproductive toxicity.” 27 Cal. Code Regs. § 25801(a) (emphasis added). We believe that the articles listed in the letter submitted by Dr. Colborn and others constitute evidence of comparable scientific validity and meet comparable standards of science, and thus are appropriate for OEHHA to consider in setting a MADL.
Thank you for considering these comments.

Sincerely,

Sarah Janssen, MD, PhD, MPH
Senior Scientist

Avinash Kar, JD
Staff Attorney

Natural Resources Defense Council
111 Sutter Street, 20th floor
San Francisco, CA 94104