



Information About Proposition 65 Signs

By Tony Maggie

Your tenants may have noticed signs being changed or installed in several locations throughout your community and may have questions. These signs are required in order to comply with the law known as Proposition 65. Below are some of the commonly asked questions and their answers which should provide some insight into this law and the signs.

Q: Did something change at my community that caused the signs to be put up? Was there a toxic spill? Is there a new hazard?

A: No. No. No. The only change has been in the signs. There was nothing that occurred in or around your community that triggered the change or installation of the signs other than a new interpretation of a law known as Proposition 65.

Q: What is Proposition 65?

A: Proposition 65, as it is commonly known, is really the “California Safe Drinking Water and Toxic Enforcement Act of 1986.” The law’s primary purposes are to maintain a list of chemicals that the state considers to be hazardous, prohibit the discharging of the listed chemicals into any source of drinking water, and require anyone who knows of the presence of any of these chemicals to disclose that knowledge.

Q: Why are there signs on my community?

A: A recent interpretation of the intent of the law has determined that

just like the corner supermarket or your place of employment, your apartment community must provide a warning to all residents and guests of the presence of any of the over 800 chemicals on the state’s list.

Many of the chemicals in ques-



tion are commonly found in original building materials or products, pesticides, paints and other materials that we may periodically use to maintain your community. Some of these chemicals, like lawn mower smoke or wall paint, are extremely common. Others like lead and asbestos are rarely used in building operations but may be present from construction or previous operations.

In addition to building operations, certain resident, guest and employee activities also cause Proposition 65 chemicals to be emitted. Some common examples are motor vehicle exhaust, tobacco smoking, barbecue smoke, and activities or hobbies using solvents and paints. As you can see, it doesn’t take much to emit a Proposition 65-listed chemical. However,

because of the presence of these listed chemicals, we want you and your guests to be aware.

Q: Couldn’t you have just notified the residents?

A: The law requires everyone who knows of the presence of a Proposition 65 chemical, including you, to notify anyone that might come into its presence. The only way to do this is to provide the warning signs on the property. While this may seem unattractive, it is the only way for all of us to comply with the law.

Q: Where can I get more information?

A: The posted signs and your rental documents will contain additional information. For more detailed information about Proposition 65, contact the California Office of Environmental Health Hazard Assessment Web site: www.oehha.org. A complete and current list of the chemicals can be downloaded from the site, many local libraries have Internet-ready computers available for use.

Thank you for your understanding about this law at your community. If you look around, you will see more and more of the Proposition 65 warning signs appearing in your neighborhood. The signs, just like street signs and “No Dumping—Drains to Ocean” warnings, are becoming more commonplace. Please help us know if you notice a missing or defaced sign. Removing or defacing a Proposition 65 sign is a criminal offense.