

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
**OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**  
**SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986**  
**(PROPOSITION 65)**

**NOTICE OF INTENT TO LIST CHEMICALS BY THE LABOR CODE MECHANISM:  
TETRAHYDROFURAN; 2-ETHYLHEXYL ACRYLATE; METHYL ACRYLATE; AND  
TRIMETHYLOLPROPANE TRIACRYLATE, TECHNICAL GRADE**

**JUNE 11, 2021**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to list the following chemicals as known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65<sup>1</sup>):

- Tetrahydrofuran (CAS RN 109-99-9)
- 2-Ethylhexyl acrylate (CAS RN 103-11-7)
- Methyl acrylate (CAS RN 96-33-3)
- Trimethylolpropane triacrylate, technical grade

This action is being proposed pursuant to the "Labor Code" listing mechanism<sup>2</sup>. OEHHA has determined that each of these substances meets the criteria for listing by this mechanism.

**Background on listing by the Labor Code mechanism:** Health and Safety Code section 25249.8(a) incorporates California Labor Code section 6382(b)(1) into Proposition 65. The law requires that certain substances identified by the International Agency for Research on Cancer (IARC) be listed as known to cause cancer under Proposition 65. Labor Code section 6382(b)(1) refers to substances identified as human or animal carcinogens by IARC. OEHHA has adopted regulations concerning these listings in Title 27, Cal.Code of Regs., section 25904. As the lead agency for the implementation of Proposition 65, OEHHA evaluates whether a chemical's listing is required.

**OEHHA's determination:** *Tetrahydrofuran, 2-ethylhexyl acrylate, methyl acrylate, and trimethylolpropane triacrylate, technical grade* meet the requirements for listing as known to the state to cause cancer for purposes of Proposition 65.

IARC has published on its website "IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 119. Some Chemicals That Cause Tumours of

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<sup>1</sup> Health and Safety Code section 25249.5 *et seq.*

<sup>2</sup> Health and Safety Code section 25249.8(a) and Title 27, Cal.Code of Regs., section 25904.

the Urinary Tract in Rodents," (IARC, 2019a) and "IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 122. Isobutyl Nitrite,  $\beta$ -picoline, and Some Acrylates," (IARC, 2019b). IARC concluded that *tetrahydrofuran*, *2-ethylhexyl acrylate*, *methyl acrylate*, and *trimethylolpropane triacrylate, technical grade* are "possibly carcinogenic to humans" (Group 2B) based on sufficient evidence of carcinogenicity in animals (IARC, 2019a; IARC 2019b).

**Opportunity for comment:** OEHHA is providing this opportunity to comment as to whether the chemicals identified above meet the requirements for listing as causing cancer specified in Health and Safety Code section 25249.8(a), Labor Code section 6382(b)(1), and Title 27, Cal. Code of Regs., section 25904(b). Because these are ministerial listings, comments should be limited to whether IARC has identified the specific chemical or substance as a human or animal carcinogen. Under this listing mechanism, OEHHA cannot consider scientific arguments concerning the weight or quality of the evidence considered by IARC when it identified these chemicals and will not respond to such comments if they are submitted (Title 27, Cal. Code of Regs., section 25904(c)).

**Written comments must be received by Monday, July 26, 2021 to be considered.** This comment period has been extended by an additional 15 days due to the COVID-19 Emergency.

Because of limited in-office staffing during the COVID-19 emergency, OEHHA strongly recommends that comments be submitted electronically through our website at <https://oehha.ca.gov/comments>, rather than in paper form.

Comments submitted in paper form may still be mailed or delivered in person to the address below. Please be aware that CalEPA and OEHHA employees are working remotely due to the COVID-19 emergency, so receipt of materials that are mailed or delivered in person may be delayed.

Tyler Saechao  
Office of Environmental Health Hazard Assessment  
1001 I Street  
P.O. Box 4010, MS-12B  
Sacramento, California 95812-4010

Telephone: (916) 445-6900

Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period.

OEHHA encourages all commenters to submit their comments in a format compliant with Section 508 of the federal Rehabilitation Act, Web Content Accessibility Guidelines

2.0<sup>3</sup> and California Government Code sections 7405 and 11135, so that they can be read using screen reader technology and those with visual impairments are able to listen to them.

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address and e-mail may be available to third parties.

If you have any questions, please contact Tyler Saechao at [Tyler.Saechao@OEHHA.ca.gov](mailto:Tyler.Saechao@OEHHA.ca.gov) or at (916) 445-6900.

## References

International Agency for Research on Cancer (IARC, 2019a). IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 119. Some Chemicals That Cause Tumours of the Urinary Tract in Rodents. IARC, World Health Organization, Lyon, France. Available from: <https://publications.iarc.fr/575>

International Agency for Research on Cancer (IARC, 2019b). IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 122. Isobutyl Nitrite,  $\beta$ -picoline, and Some Acrylates. IARC, World Health Organization, Lyon, France. Available from: <https://publications.iarc.fr/583>

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<sup>3</sup> <https://www.w3.org/WAI/standards-guidelines/wcag/>