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April 24, 2015

VIA ELECTRONIC MAIL (P65Public.Comments@oehha.ca.gov)

Ms. Monet Vela
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California 95812-4010

Re: Comments on Notice of Intent to List Styrene Under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health & Safety Code § 25249.5 *et seq.*)

Dear Ms. Vela:

Ashland Inc. (Ashland), appreciates the opportunity to submit comments concerning the above-referenced Notice of Intent to list styrene as a substance known to the state of California to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65). Ashland is a participating member of the American Chemistry Council (ACC) and its Responsible Care® program, the Styrene Information & Research Center (SIRC), and the American Composites Manufacturers Association, among other industry organizations.

Ashland strongly recommends against OEHHA listing styrene as a substance known to the state of California to cause cancer. By way of background, Ashland utilizes styrene to manufacture unsaturated polyester resins, vinyl ester resins, and gel coats. These substances are used in a wide variety of industries and applications, including transportation, wind energy, and boating. Ashland manufactures these substances in facilities throughout North and South America, Europe and Asia.

Ashland understands OEHHA's Notice of Intent is based on a 2011 listing of styrene as Reasonably Anticipated to be a Human Carcinogen by the National Toxicology Program (NTP) in the 12th edition of its *Report on Carcinogens* (2011 NTP Report). The 2011 NTP Report serves as an inappropriate basis by which to list styrene. In particular, OEHHA's reference to the 2011 NTP Report alone does not satisfy the data sufficiency requirements of the "authoritative bodies" listing mechanism (see Cal. Health & Safety Code §§ 25249.8(b) and 23506).

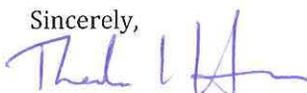
This is particularly true given that subsequent studies - which by definition NTP did not consider as part of the 2011 NTP Report - contradict the findings detailed in the 2011 NTP Report, on which OEHHA exclusively relies. Specifically:

- The human studies on styrene's carcinogenicity referenced in the 2011 NTP Report have been updated in the past two years on several occasions. Each of these updates showed a lack of carcinogenicity, undermining the 2011 NTP Report's conclusions.
- Several subsequent studies that NTP could not have considered indicate that the animal studies on which the 2011 NTP Report relied are irrelevant to determining human cancer risk concerning styrene.

For a more detailed analysis of these subsequent studies, please refer to comments recently filed with your office by SIRC and the ACC in response to this Notice to Intent. Ashland supports the positions taken by SIRC and ACC in their comments.

Thank you for the opportunity to comment. Please feel free to contact me should you have any questions regarding these comments.

Sincerely,



Theodore L. Harris
TLH/njn