

# California Proposition 65 Regulatory Compliance Notice and Plan

**Business:** Wakefield Thermal

**Location:** Pelham, NH; Nashua, NH; Withee, WI; Raleigh, NC

**Date:** 4/10/2024

## Regulatory Summary


Proposition 65 requires businesses to provide warnings to Californians about significant exposures to chemicals that cause cancer, birth defects or other reproductive harm. These chemicals can be in the products that Californians purchase, in their homes or workplaces, or that are released into the environment. By requiring that this information be provided, Proposition 65 enables Californians to make informed decisions about their exposures to these chemicals. The California Office of Environmental Health Hazard Assessment (OEHHA) administers and maintains the Prop 65 List, which is updated at least once annually and presently contains approximately 900 chemicals. Costs for non-compliance in terms of fines, legal costs and business disruption can be significant so immediate steps to comply with the requirements detailed below is necessary.

## Regulatory Compliance Requirements


Corporate EH&S has reviewed the products at the Wakefield Thermal facilities and determined that the products listed below require the following warnings for compliance with Prop 65.

Product Component	Prop 65 Chemical(s)					Type of Warning	Warning Language
Aluminum Alloys 6060 and 6061	Nickel					Cancer	1
Aluminum Alloy 6063	Nickel	Lead				Both (lead)	2
DeltaCOATE 151	Ethylbenzene					Cancer	3
Chromate Plating MIL-DTL-5541	Hexavalent Chromium					Both	4
Tin Plating ASTM B545	Hexavalent Chromium	Arsenic	Cadmium	Nickel	Lead	Both (lead)	2 or 4
Ebonized Plating MIL-F-495	Lead	Nickel				Both (lead)	2
Nickel Plating ASTM B733	Nickel					Cancer	1


### 1. Chemical listed as Carcinogen

 **WARNING:** This product can expose you to chemicals including Nickel, which are known to the State of California to cause cancer. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).


### 2. Chemical that is listed as both a Carcinogen and a Reproductive toxicant

 **WARNING:** This product can expose you to chemicals including Lead, which are known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

### 3. Chemical listed as Carcinogen

 **WARNING:** This product can expose you to chemicals including Ethylbenzene, which are known to the State of California to cause cancer. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

### 4. Chemical that is listed as both a Carcinogen and a Reproductive toxicant

 **WARNING:** This product can expose you to chemicals including Hexavalent Chromium, which are known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to [www.P65Warnings.ca.gov](http://www.P65Warnings.ca.gov).

#### Warnings must be displayed in one of the following three methods

1. Warning displayed on the product label.
2. The warning provided on a posted sign, shelf tag, or shelf sign, for the product at each point of display of the product.
3. The warning provided via any electronic device or process that automatically provides the warning to the purchaser prior to or during the purchase of the product, without requiring the purchaser to seek out the warning.

#### Warning requirements for internet or catalog purchases

If customers can purchase prop 65 regulated products using the internet or a catalog, the following compliance measures must be implemented:

1. For internet purchases, the above warnings must be provided by prominently displaying it to the purchaser prior to completing the purchase.
2. For catalog purchases, the above warnings must be provided in the catalog in a manner that clearly associates it with the product being purchased.

#### Warning language translations

1. Include translations of all the above warnings to those languages used in consumer information such as packaging materials, owner's manual, etc.

#### Resources

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- Regulation <https://oehha.ca.gov/proposition-65/law/proposition-65-law-and-regulations>
- Corporate EH&S – Rich Deshaies – [rdeshaies@wakefieldthermal.com](mailto:rdeshaies@wakefieldthermal.com)