

Safer Products for Washington + Spokane River Regional Toxics Task Force

Lauren Tamboer, Communications and outreach lead

APRIL 28, 2021



What I'll cover

1. Safer Products for Washington background
2. What is safer?
3. What we're working on now
4. Opportunities for input
5. Questions and comments





Section 1. Safer Products for WA background



Safer Products for WA background

- Implementation program
- Law signed in May 2019
- Aiming to reduce toxic chemicals in consumer products
- Trying to protect:
 - People
 - Sensitive populations and species
 - Our environment

Safer Products for WA Implementation Process





Priority chemical classes

Law outlined first set of chemicals:

- PFAS
- Phthalates
- Flame retardants
- PCBs
- Phenolic compounds
 - Alkylphenol ethoxylates
 - Bisphenols



Why these chemicals?

- Some in each class are associated with:
 - Endocrine disruption.
 - Reproductive and developmental toxicity.
 - Cancer.
 - Organ system toxicity.
 - Ecotoxicity.
- Some are persistent or bioaccumulative.
- Almost everyone is exposed.

Phase 2 priority products

Priority chemical or chemical class	Priority product in the report
Flame retardants	Electric and electronic equipment
Flame retardants	Recreational polyurethane foam
PCBs	Paints and printing inks
PFAS	Carpet and rugs
PFAS	Aftermarket stain and water resistance treatments
PFAS	Leather and textile furnishings
Phenolic compounds (alkylphenol ethoxylates)	Laundry detergent
Phenolic compounds (bisphenols)	Thermal paper
Phenolic compounds (bisphenols)	Food and drink cans
Phthalates	Flooring
Phthalates	Personal care products

Phase 3

Regulatory actions

Determine whether to require notice, restrict/prohibit, or take no action.

Phase 3: Determine regulations

- Take no action
- Implement a reporting requirement
- Restrict a chemical in a product

June 1, 2022



**DO WE NEED
TO REGULATE
WHEN THESE
CHEMICALS ARE
USED?**



When can we restrict chemicals?

- Safer alternatives must be **feasible** and **available**.
- The restriction must:
 - Reduce a significant source or use of the chemical(s).

OR

- Be necessary to protect sensitive species or sensitive populations.



Section 2. What is safer?

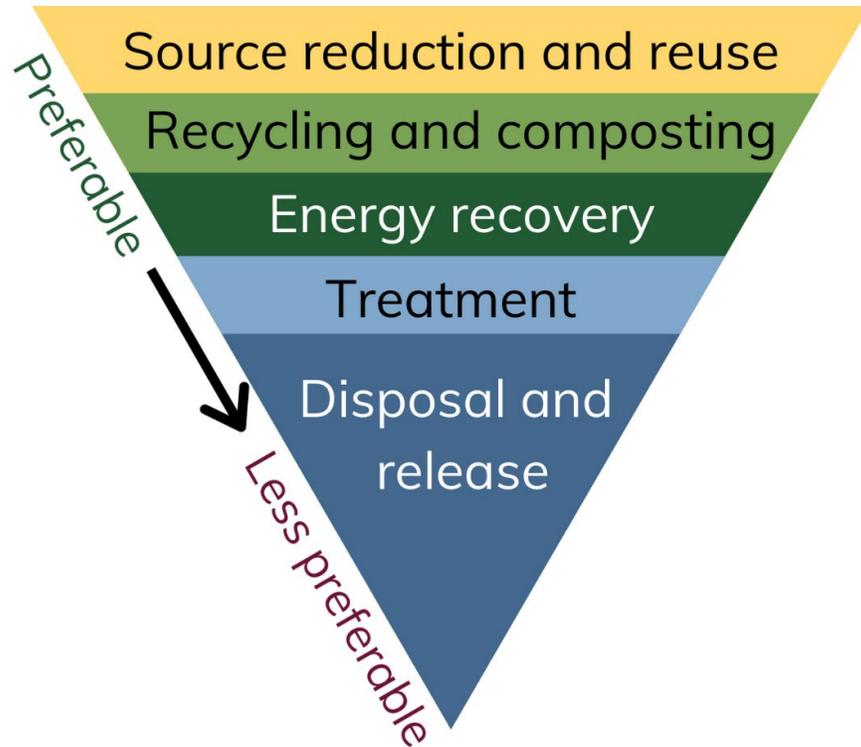


Safer in the law

- Safer is defined in the law as “less hazardous to humans or the environment than the existing chemical or process.”
- A safer alternative could be:
 - A chemical substitute
 - A change in materials or design

Reducing risks from toxic chemicals

Waste Management Hierarchy



- Reducing risk by reducing hazardous chemicals.
- Healthier for people and the environment.
- Avoids costs and environmental impacts of cleanup sites.

$$\downarrow \text{Hazard} \times \text{Exposure} = \downarrow \text{Risk}$$



Section 3. What we're working on now



2021 is our biggest year yet

- We're looking for alternatives that:
 - Are safer
 - Work in the product
 - Are available on the market
- Then we'll determine potential regulations



Stakeholder and public input

- Community input matters to us
 - **Toxic chemicals are another environmental justice issue**
 - We're setting up a new program, there's a lot of room for feedback to contribute to decisions
- Stakeholders have expertise we need
- We'll make better decisions when you weigh in



Section 4. Opportunities for input



Get involved with our Phase 3 process

- Join our email list!
- Do you know other groups that would benefit from hearing this presentation?
- Attend an upcoming webinar.
- Share your input throughout our process, and during formal comment periods.



Stakeholder involvement next steps

- Discussing our criteria.
- Product-specific webinars (Spring – Fall 2021).
 - Two webinars focused on products with PCBs.
 - **Paints:** Tentatively June 1
 - **Inks:** Tentatively Aug. 31 or Sept. 14
 - 9:30 a.m. to 2:30 p.m.
- Formal public comment period on draft regulatory actions report (Fall 2021 – Winter 2022).

Reducing Toxic Threats

Programs in Hazardous Waste

Alternatives Assessments

PFAS in food packaging

Children's Safe Products Act

Chemicals of high concern to children

Safer Products for Washington

- Flame retardants
- PCBs
- PFAS
- Phthalates
- Phenolic compounds

Chemical Action Plans

- Phthalates
- PCBs
- PFAS

Product Replacement Program

- PERC
- PFAS



Questions? Comments?

Thank you for having me!



lauren.tamboer@ecy.wa.gov | SaferProductsWA@ecy.wa.gov



ecology.wa.gov/Safer-Products-WA



bit.ly/SaferProductsWA (Find links to everything here!)



Chapter 70A.350 RCW (formerly 70.365)



End of presentation.

Safer Products for WA Implementation Process

The implementation process for Safer Products for Washington involves **four major phases**.

1. Phase 1. May 8, 2019: What chemicals are we most concerned about?

- The first five priority chemical classes are PFAS, PCBs, phthalates, phenols, and flame retardants.

2. Phase 2. June 1, 2020: What consumer products contain these chemicals?

- This phase identifies priority consumer products that are significant sources of exposure to people and the environment.

3. Phase 3. June 1, 2022: Do we need to regulate when these chemicals are used?

- This phase determines regulatory actions—whether to require notice, restrict/prohibit, or take no action.

4. Phase 4. June 1, 2023: What rules do we need to keep people and the environment safe?

- This phase includes restrictions on the use of chemicals in products or reporting requirements. Restrictions take effect one year after rule adoption.

After these four phases are completed, the **5-year cycle repeats**, and we return to Phase 1 to identify a new set of priority chemical classes.