



Local Hazardous Waste Management Program

Serving Seattle, King County, Cities, and Tribes throughout King County

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Solid Waste Division

Water and Land
Resources Division

Public Health

Seattle and King County

Seattle

Public Utilities

Sound Cities Association

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Snoqualmie

Snoqualmie Tribe

Tukwila

Woodinville

Yarrow Point

May 2, 2017

Kara Steward
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

RE: Children's Safe Products Reporting Rule Update (Chapter 173-334 WAC)

Dear Ms. Steward:

Thank you for the opportunity to comment on the Washington State Department of Ecology's (ECY) proposed update to the rule requiring manufacturers to report certain chemicals of high concern found in children's products.

The Local Hazardous Waste Management Program in King County (LHWMP) is working hard to reduce our community's exposure to toxics, and that work starts with knowing where toxics are found in our daily lives and in the products we use. The Children's Safe Products Reporting Rule results in valuable information that we rely on to pinpoint efforts to reduce our community's exposure to toxics, and yet, the community still needs much more information. Thus, **we applaud ECY's proposal to add 21 chemicals** to the Chemicals of High Concern to Children (CHCC) list for mandatory reporting.

The LHWMP is a multi-jurisdictional program that works to protect and enhance public health and environmental quality in King County. We do this by reducing the threat posed by the production, use, storage and disposal of hazardous materials. LHWMP coalition members include King County, the City of Seattle, suburban cities within King County, and tribes. On behalf of LHWMP program members, I offer several suggestions I believe will further strengthen your proposed rule.

- 1. Please require manufacturers to report the product name.** As LHWMP commented in 2011 during the original rulemaking process, manufacturers should be required to report the product name that the item is marketed under, in addition to the product category. A product name is critical for consumers who want to identify products with certainty, as intended by the Children's Safe Products Act.
- 2. Please add the following additional substances to the CHCC list:**

[Ms. Kara Steward]

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- **Lead.** LHWMP wishes to reiterate its 2011 request that lead be added to the CHCC list. Scientific evidence demonstrating the toxicity of lead is indisputable, especially if exposures occur during fetal development or early childhood. Lead is restricted in children's toys under federal law, but other restricted or banned substances do appear on the CHCC list and, despite being banned, do continue to be reported by manufacturers. This shows that continued reporting is necessary. A case in point, LHWMP recently documented a case of childhood lead poisoning in King County where the likely source was a toy.
 - **TCE.** Several chlorinated solvents appear on the current CHCC list, including perchloroethylene, methylene chloride, and vinyl chloride. TCE is in the same chemical class as these chemicals, listed under the Toxic Substances Control Act, is prevalent in industry, and carcinogenic by every route of exposure. Yet TCE is notably missing.
 - **DIPP, DEMP, DIOP.** These phthalates are notably missing from the list. They are in wide use, known to be in found in children's products, and have documented impacts on reproduction and development. Public reporting on these chemicals is warranted, given the public's widespread exposure to phthalates in the U.S. and the high level of public concern about phthalates in many children's products.
 - **Perfluorinated chemicals, including PFOA.** We appreciate ECY's proposed addition of PFOA to the CHCC list. However, the many related chemicals that break down to form PFOA should also be included. Listing PFOA alone creates a false sense of security. PFOA-related chemicals are used in non-stick and stain-resistant products and have wide-ranging impacts on human health. Like phthalates, PFOA exposure is widespread in the U.S., as is public awareness. The CHCC list should include the entire perfluorinated chemical family in order to provide full and accurate public information about the potential for PFOA exposure in children's products.
3. **Please keep D4 on the CHCC list.** D4 is an endocrine disruptor linked to developmental problems. More data is needed about D4's prevalence in children's products, however keeping D4 on the reporting list furthers efforts to better understand its impacts on children's and overall human health. Removing it would be a step backward.

I applaud ECY for proposing additional chemicals for reporting under the Children's Safe Products Reporting Rule. Thank you for considering these comments that aim to further strengthen ECY's proposed rule. Please contact Erika Kinno, an LHWMP Policy Liaison, at erika.kinno@kingcounty.gov or 206.477.0942 for further information about our suggestions or the LHWMP program.

Sincerely,



Lynda Ransley

Program Director

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