



Local Hazardous Waste Management Program

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

King County

Solid Waste Division

Water and Land
Resources Division

Public Health

Seattle and King County

Seattle

Public Utilities

Sound Cities Association

Participating Cities and Tribes:

Algona
Auburn
Beaux Arts
Bellevue
Black Diamond
Bothell
Burien
Carnation
Clyde Hill
Covington
Des Moines
Duvall
Enumclaw
Federal Way
Hunts Point
Issaquah
Kenmore
Kent
Kirkland
Lake Forest Park
Maple Valley
Medina
Mercer Island
Muckleshoot Tribe
Newcastle
Normandy Park
North Bend
Pacific
Redmond
Renton
Sammamish
SeaTac
Shoreline
Skykomish
Snoqualmie
Snoqualmie Tribe
Tukwila
Woodinville
Yarrow Point

May 25, 2018

Kara Steward

Washington State Department of Ecology
Hazardous Waste and Toxics Reduction Program
P.O. Box 47600
Olympia, WA 98504-7600

Interim PFAS Chemical Action Plan

Dear Ms. Steward:

Thank you for sharing with us your planned immediate actions that are underway to address problems with per- and poly-fluorinated alkyl substances (PFAS) as you continue working on the PFAS Chemical Action Plan (CAP). We understand that you consider the document final and any comments on the interim CAP will not be incorporated until the draft final PFAS CAP is completed. We urge you to consider our comments as you implement actions as part of the interim CAP. In addition, we recommend that the Washington State Department of Ecology (Ecology) clarify the purpose of the interim CAP as it is not defined in WAC 173-333. To better justify the recommendations included in the interim CAP, we suggest incorporating into the interim CAP the chapters with supporting technical information and data that the advisory committee reviewed and commented on during 2017.

The Local Hazardous Waste Management Program in King County (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 provides services to 1.9 million residents and 60,000 businesses throughout King County, the most populous county in the state. LHWMP coalition members include King County, the City of Seattle, suburban cities within King County, and tribes.

We commend several actions that are being taken by Ecology and Washington State Department of Health (DOH). We are pleased to see that you are addressing concerns around drinking water contamination and the need for soil and groundwater cleanup standards. We also support how you plan to implement the two new state laws regarding PFAS. We commend the laws' progressive approach to the challenges associated with regrettable substitutes for PFAS in food packaging and firefighting foam.

As in our earlier comment letter, we continue to request that PFAS are addressed as a class of chemicals, impacts are addressed through the lens of equity and social justice, and regrettable substitutes are avoided. We encourage Ecology to incorporate equity and social justice into their recommended actions, and acknowledge how different solutions may impact vulnerable communities.

We encourage Ecology and DOH to treat all PFAS as a chemical class, including long-chain compounds, short-chain compounds, and polymers. There are several examples in the interim PFAS CAP where it is unclear as to whether the departments are addressing only PFOS and PFOA, long-chain compounds, or PFAS as a class:

- Page 2 refers to replacing stockpiles of AFFF that contain PFOS and PFOA, while actions on Page 17 recommends developing outreach materials on stockpiles containing the entire class of PFAS.
- Page 17 refers to finding sources of long-chain PFAS and similarly on Page 18 identifying likely remaining sources of only PFOA and PFOS.
- Page 19 talks about short chains as alternatives, instead of non-PFAS alternatives.

We are particularly interested in implementation of the new law on PFAS in food contact paper (HB2658), which includes a ban after Ecology determines safer alternatives are available. There is information available on safer alternatives, such as reports by the Center for Environmental Health, Clean Production Action, and other information that was presented during the public hearings. The law requires Ecology to determine whether safer alternatives to PFAS exist by conducting an alternatives assessment as part of the PFAS CAP. LHWMP has been participating in the PFAS CAP advisory committee process and we request that the department utilize interested members of the advisory committee in a similar role as the CAP, providing stakeholder input and expertise through a consultative process. This includes consulting the committee on the scope of the planned alternatives assessment, updating them on progress, consulting the committee on the draft, and briefing the advisory committee when the determination has been made.

We suggest that Ecology develop their technical information and evidence supporting the focus on certain products (firefighting foam, cosmetics, and textiles) for additional alternatives assessments. The interim CAP does not mention non-fluorinated alternatives and we encourage Ecology to evaluate non-fluorinated alternatives since short-chain PFAS compounds and fluoropolymers are also very persistent and may have similar toxicity.

We encourage Ecology and DOH to include more applicable research, studies, and data to support their recommended actions and enhance the draft chapters based on comments provided previously by the advisory committee.

Please contact Lauren Cole, an LHWMP Policy Liaison, at lauren.cole@kingcounty.gov or 206-477-5270 for further information about our comments or the LHWMP program.

Kara Steward
May 25, 2018
Page 3

We look forward to continuing our work with Ecology and DOH regarding these important issues in order to advance our common goals of reducing the impact of persistent bioaccumulative toxic chemicals, such as PFAS, on human health and the environment.

Sincerely,

A handwritten signature in cursive script that reads "Lynda Ransley".

Lynda Ransley
Program Director
Local Hazardous Waste Management Program in King County