



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

November 27, 2018

Kara Steward

Hazardous Waste and Toxics Reduction Program

Washington State Department of Ecology

P.O. Box 47600

Olympia, WA 98504-7600

Washington State Department of Ecology PFAS Food Packaging Alternatives Assessment

Dear Ms. Steward:

Thank you for your ongoing work with per- and polyfluoralkyl substances (PFAS) and the continued dialogue between the Washington State Department of Ecology (Ecology) and the Local Hazardous Waste Management Program in King County (LHWMP).

As requested by your November 6, 2018, email, LHWMP and its partner agencies have prepared comments regarding the PFAS Food Packaging Alternatives Assessment Project Summary. As written, the project summary has several good aspects including Ecology's use of the Interstate Chemicals Clearinghouse (IC2) alternatives assessments guide, treatment of PFAS as a class, support for stakeholder information sharing, and a required external review. However, LHWMP and its partner agencies have raised some concerns about the project summary's language. For your consideration, please see the list below for comments and questions related to the PFAS Alternatives Assessment Project Summary:

- On Page 5, Paragraph 2: Under the interested parties the contractor will engage with, Ecology should explicitly state parties related to the end-of-use, or disposal, of PFAS products. Some examples include solid waste, compost, and wastewater treatment professionals.
- On Page 7, Paragraph 3: Containing unintentionally added PFAS, in addition to intentionally added PFAS, should exclude a product as a suitable alternative. Under certain conditions, PFAS can be added unintentionally as a by-product of the manufacturing process – despite one's ability to avoid the chemical. Whether PFAS are intentionally or unintentionally added in products will not change how the public or environment are impacted. Identifying suitable alternatives should focus on controllability (e.g., ensuring PFAS is neither part of nor a by-product of a product's manufacturing process) rather than intent.

- On Page 9, Safer Alternative Determination: The peer review process should focus on whether the alternatives assessment followed the IC2 guide and meets accepted scientific standards. Furthermore, peer reviewers should not have any financial or other conflicts of interest with products that contain or replace PFAS chemicals or the companies involved in their manufacture. Peer reviewers that Ecology should consider for external peer review include organizations like the Toxics Use Reduction Institute (TURI) or members of the newly formed Association for the Advancement of Alternatives Assessments (A4). These organizations are nationally recognized for their expertise in conducting alternatives assessments. Lastly, a list of potential reviewers should be produced for public comment to solicit input on potential conflicts of interest.
- On Page 1, Paragraph 3: How has the “pre-approved” list of contractors been decided? What are the qualifications that Ecology uses to determine this list?
- Ecology should provide more information on the bid and contracting process for its contractor(s), specifically, the number of contractors the bid wants to hire, the methodology used to choose its contractor(s), and exact measures of accountability that will be used to determine if the contractor(s) are following the IC2 guidelines. The contractor(s) that Ecology hires will have a considerable role in shaping the alternatives assessment. Without a process for stakeholders to review how Ecology’s contractor(s) will be picked and evaluated, it is unclear whether the contractor(s) will provide a robust, scientifically driven report.
- All comments on the PFAS Food Packaging Alternatives Assessment should be made available for stakeholders and the public to review.
- Improving racial equity and addressing social justice should be explicitly stated as a positive factor in finding a suitable alternative. To further LHWMP’s Equity and Social Justice Strategy, and commitment to decrease racial inequities, Ecology should consider how its alternatives assessment will either uphold or decrease institutional racism.
- The summary should detail which IC2 levels will be used in the alternatives assessment. Based on the need for an efficient assessment, and the need to review as many products as possible, Ecology and its contractor(s) should use Level 1, which makes use of qualitative, readily available information to gauge performance, cost, and availability. Quantitative tests are not necessary to gauge performance that meets the needs of users. Using readily available and qualitative information, as described in the IC2 guide, can be very useful in providing an efficient and comprehensive assessment.
- Hazard reduction is a key principle of an alternatives assessment. A Level 1 exposure assessment, as described in the IC2 guide, to compare exposures should be sufficient to reduce risk if the hazard module has identified less hazardous alternatives.

Thank you for undertaking this important work and gathering stakeholder input on the PFAS Food Packaging Alternatives Assessment Project Summary. The alternatives assessment is an

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important step in ensuring that the best science available will be used to inform policy towards improving the health and environment of King County and Washington State residents.

If you have any questions, please contact LHWMP Policy Liaison Matthew Bangcaya at 206-477-4764 or mbangcaya@kingcounty.gov.

Sincerely,

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

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