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Sent: Thursday, February 20, 2020 3:40 PM

To: Zarker, Ken (ECY) <kzar461@ECY.WA.GOV>; Davies, Holly G (DOH) <holly.davies@doh.wa.gov>

Subject: PFAS Food Packaging AA: the case for no base case assessment of a PFAS

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Dear Ken and Holly,

We at Clean Production Action reviewed the most recent proposal related to the AA for PFAS in Food Service Ware. We are very supportive of your choice to use a standardized hazard assessment methodology and in particular GreenScreen.

We also strongly urge reconsideration of spending time and money on assessing a "base case" PFAS chemical or polymer. As you know, the legislature has already declared the entire PFAS class as essentially equivalent to a chemical of high concern by restricting the entire class (pending finding safer alternatives). Thus we recommend defining all PFAS as equivalent to GreenScreen Benchmark-1, and a safer alternative as a GreenScreen Benchmark-2 or higher.

Note that this approach is consistent with the approaches taken by the Oregon Health Authority in its proposed rulemaking for the Oregon Toxic Free Kids Act and by TCO Certified for flame retardants:

- The Oregon Health Authority in its proposed rule for Hazard Assessment (HA), on our suggestion, has proposed the following:
 - o “For a HA submitted with an assessment from a Licensed GreenScreen Profiler:
 - (a) A HPCCH [High Priority Chemical of Concern for Children's Health] is considered by the Authority to be comparable to a chemical that has a GreenScreen Benchmark score of 1.
 - (b) A substitute chemical is considered to be inherently less hazardous if it is assigned a GreenScreen Benchmark score of 2, 3 or 4, and is in compliance with section (3) of this rule.”
 - o WA State could do something similar and state that all PFAS are equivalent to GreenScreen Benchmark-1.
- Similarly, TCO Certified, a sustainability standard for electronics products, bans all organohalogen flame retardants (FRs) and requires the use of safer FRs. TCO did not evaluate any organohalogen FR as part of its decision to ban all organohalogens. Instead TCO considers all organohalogens FRs as the equivalent of a GreenScreen Benchmark-1, and

requires alternative FRs to be assessed using GreenScreen and be Benchmark-2 or higher.

By taking this proposed approach the Departments of Ecology and Health would create a clear process for assigning chemicals of high concern (GreenScreen Benchmark-1) as well as safer alternatives (Benchmark-2 or higher). Eliminating base case assessment has the additional benefit of saving funds that could be used to evaluate additional chemicals.

We'd be glad to discuss this approach further. And we recommend discussing this approach with Justin Waltz at the Oregon Health Authority.

Thank you for your considering eliminating the base case analysis of a PFAS.

Best regards,

Mark

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