

From: [Melna Skillingstead](#)
To: [Tamboer, Lauren \(ECY\)](#)
Subject: Re: Public comment period on draft regulatory actions + starting rulemaking
Date: Monday, December 13, 2021 11:36:34 PM

Hi Safer Team:
Here is my follow up from my earlier email.

This is feedback that I have about the formatting in the report. Some are formatting suggestions/examples. I am looking for consistency and ease to understand the complex chemical names and listings throughout the report. I didn't check all the links or read the whole report. It is a LOT to wade through - is a legislator going to read for understanding the whole report?

Please call me so we can chat if you have any questions. 425-766-0309

Thank you for all you are doing!

My best,
Melna Skillingstead

Background section

Page 17

Flame Retardants is not a priority chemical class. It should be listed consistently by the chemical name and acronym like the other chemicals are listed. It can have flame retardant at the end of the chemical description

See text from report below with examples or suggested changes in red.

"The first set of priority consumer products, organized by the priority chemical class they contain, are:

- Organohalogen Flame Retardants (HFRs) and
- Organohalogen Flame Retardants (OPFRs)

and flame retardants identified in RCW 70A.430.01011)

OR

- Organohalogen (HFRs) and Organophosphate (OPFRs) Flame Retardants

o Electric and electronic enclosures (plastic device casings) (HFRs) (~~organohalogen flame retardants~~).

o Recreational polyurethane foam (~~organohalogen flame retardants~~ OPFRs and flame retardants identified in RCW 70A.430.01011).

OR

- Organohalogen Flame Retardants (HFRs) and

o Electric and electronic enclosures (plastic device casings). (~~organohalogen flame retardants~~)-

- Organohalogen Flame Retardants (OPFRs) and flame retardants identified in RCW 70A.430.01011)

o Recreational polyurethane foam. (~~organohalogen flame retardants and flame retardants identified in RCW 70A.430.01011~~);

- Per- and polyfluoroalkyl substances (PFAS)
- o Aftermarket stain- and water-resistance treatments.
- o Carpets and rugs. o Leather and textile furnishings. •
- Polychlorinated biphenyls (PCBs)
- o Paints and printing inks. •
- Phenolic compounds
- o Laundry detergent.
- o Thermal paper.
- o Food and drink cans (linings). •
- Phthalates
- o Personal care and beauty products (fragrances).
- o Vinyl flooring"

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Consistency in naming chemicals and using acronyms and what does TMBPF stand for?

"Priority chemical or chemical class Priority product Phase 3 draft regulatory determination

HFRs Flame retardants Electric and electronic equipment (plastic device casings) Restriction on organohalogen flame retardants (HFRs) in external plastic device casings for electric and electronic products.

OPFRs Flame retardants Recreational polyurethane foam products Restriction on HFRs and organophosphate flame retardants (OPFRs) listed in RCW 70A.430 in polyurethane uncovered foam, covered floor mats, covered flooring, and outdoor recreational products. Reporting of HFRs and OPFRs listed in RCW 70A.430 in covered wall padding.

PCBs Paints and printing inks Restriction on PCBs in household paints for indoor and outdoor use, spray paints, children's paints, and road paints. Restriction on PCBs in cyan, magenta, yellow, and black printing inks.

PFAS Carpet and rugs Restriction on PFAS in carpets and rugs. PFAS Leather and textile furnishings Restriction on PFAS in leather and textile furnishings. PFAS Aftermarket stain- and water-resistance treatments Restriction on PFAS in aftermarket treatments for fabric upholstery and furniture, as well as carpets.

Phenolic compounds (bisphenols) Food and drink cans (can linings) Restriction on most bisphenols in drink can linings (excluding TMBPF). Reporting of most bisphenols in food can linings (excluding TMBPF).

Phenolic compounds (bisphenols) Thermal paper Restriction on bisphenols in thermal paper. Phenolic compounds (alkylphenol ethoxylates) Laundry detergent Restriction on APEs in laundry detergent.

Phthalates Vinyl flooring Restriction on phthalates in vinyl flooring.

Phthalates Personal care and beauty products (fragrance) Restriction on phthalates used in fragrances in personal care and beauty products."

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Consistency in naming chemicals-see Flame Retardant* alternative listings above

Organohalogen (HFRs) and Organophosphate (OPFRs) "Flame retardants The Legislature identified organohalogen flame retardants as a class and five organophosphate flame retardants" -should all five of these be listed here??

Page 22-29

Have the bold product line (currently in a different and slightly smaller font) Be differentiated from the Chemical class title by either reducing font size AND indenting or bullet the product name so it stands out

Page 25

Consistency in naming chemicals - spell out names of both

"Per- and polyfluoroalkyl substances (PFAS) [listed this way - the Per- was confusing]

Instead can be: **Perfluoroalkyl** ~~Per-~~ and polyfluoroalkyl substances (PFAS) [consider P2FAS?]

RCW 70A.350.01022 defines perfluoroalkyl and polyfluoroalkyl substances as a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom."

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What is a Nonylphenol - is this the correct spelling? It looks weird to me

"Phenolic compounds—alkylphenol ethoxylates RCW 70A.350.01027 defines phenolic compounds as bisphenols and alkylphenol ethoxylates (APEs). Nonylphenol ethoxylates and octylphenol ethoxylates are the most commonly used and well-studied APEs."

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When the word safer is used to refer to the Safer Products Washington - should it be capitalized - Safer? To differentiate it from the word safer - meaning the product is safer.

"1 chemicals (Healthy Building Network [HBN], 2021). In total, 94 of 161 HFRs score as either BM-1 or LT-1 using GreenScreen®, or as red using Scivera GHS+. As such, we determined that 94 of 161 HFRs do not meet our minimum criteria for ~~safer~~ Safer based on hazard assessments or presence on authoritative lists."

On Nov 17, 2021, at 3:29 PM, Safer Products for WA team
<lauren.tamboer@ECY.WA.GOV> wrote:

Safer Products for Washington stakeholders,

In partnership with Department of Health, today we released our [draft report to the Legislature on regulatory determinations](#). Today we're also starting the rulemaking process for our program—you'll hear more on this soon!

What we need from you: Feedback on the draft report

Please [share your feedback](#) on our [draft report](#) within the 60-day comment period from November 17, 2021, to January 14, 2022. We welcome all input and encourage you to focus on:

- Whether you're concerned about harmful chemicals in products you purchase or use.
- Whether the safer alternatives we identified will work for the intended purpose in the products you manufacture, sell, or use.
- How these draft determinations could be implemented if we finalize them—time for compliance, existing product stocks, concentration limits, testing methods, etc.

Why we made these draft determinations (to restrict or require reporting)

If our draft determination is a restriction, that means we identified safer alternatives to priority chemicals that are feasible to use in the product and that are available on the commercial market. If we didn't identify a safer alternative meeting these criteria for feasibility and availability, we proposed a draft reporting requirement.

What comes next: Final report to the Legislature

After we receive your feedback during the comment period, we will finalize this report and submit it to the Legislature by June 1, 2022. In 2022, we will use the [rulemaking process](#) to collaborate with the public and stakeholders and develop these potential

regulatory actions.

Thank you for your involvement with our [Safer Products for Washington program](#). We appreciate your feedback as we finalize the report. Reach out to us at SaferProductsWA@ecy.wa.gov if you have questions or concerns.

Thank you,

Safer Products for WA team
Implementation program for RCW [70A.350](#)
SaferProductsWA@ecy.wa.gov

Comuníquese con nosotros a hwtrpubs@ecy.wa.gov o al 360-999-7566 si usted necesita ayuda con servicios de interpretación o materiales traducidos a otro idioma.

Hãy liên lạc chúng tôi qua điện thư hwtrpubs@ecy.wa.gov hoặc gọi 360-999-7566 nếu quý vị cần trợ giúp thông dịch hoặc tài liệu dịch sang tiếng Việt.

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