

2021 Comments on WA DOE DRAFT Regulatory Determinations Report to the Legislature
Safer Products for WA Implementation Phase 3- [LINK to document](#)
2022_0110

General comments: In general, this work shows great leadership once again by Washington state. I am proud to live in this state and I think Ken Zarker would be very proud of this work. It is thorough and fair and clear and defensible. Specifically, I like the structure of each section with the 1) chapter overview, 2) scope of priority chemical class 3) associated hazards, 4) priority product, 5) determination of whether or not safer alternatives are available, 6) whether or not a restriction would reduce significant use/source, and 7) draft regulatory determination.

Comments specific to ChemFORWARD

1. There are currently 15 plasticizers and 20 non halogenated flame retardants for which ChemFORWARD has full chemical hazard assessments available. If the assessment results for some of these are not currently in your report but represent additional viable alternatives, then we recommend adding them to your report and including the hazard band results assigned in ChemFORWARD.
2. P 248: The C2CC Material Health Assessment Methodology (MHAM) is now updated and is being used for both the v3.1 and v4.0 C2CC standard. You may want to update p 248 to say that the most current version of C2CC standard is now v4.0 and that **both v3.1 and v4.0 use the updated MHAM criteria.**
 - a. P 284. Please note that the **C2CC MHAM is independent of the version of the standard.** So ChemFORWARD uses the most up to date version of the MHAM which is used now for both v3.1 and v4.0. Section should read, "The ChemFORWARD guidance references the C2CC Material Health Assessment Method to score individual endpoints and chemicals. (no need to reference the standard version)"
 - b. Section 8.6. Should say ChemFORWARD uses the C2CC Material Health Assessment Methodology. (no need to reference the standard)
3. In your description of the C2CC MHAM, you can mention that full CHAs using the C2CC MHAM method are available in ChemFORWARD.
4. As an example, On page 257, pls refer to ChemFORWARD bands as ChemFORWARD **hazard** bands
5. P 285; Section 8.4: ChemFORWARD changed its validity period from 3 **to 5 years.**
6. **ChemFORWARD SAFER.** ChemFORWARD launched in Jan 2022 a program called ChemFORWARD SAFER (CF SAFER). <https://www.chemforward.org/market-safer-ingredients>. The CF SAFER program is designed to evaluate trade name raw materials used in products. Because ingredients as sold are typically not pure substances, it is useful to obtain full disclosure of constituents in trade name **ingredients** and to ensure that all constituents, including those intentionally added and those that are present as impurities or residuals, are identified and assessed. CF SAFER is designed to support the claims of chemical suppliers who produce inherently low hazard trade name ingredients, and to help product manufacturers and suppliers identify inherently low hazard and fully assessed ingredients for use in their products. The idea is to make it easier to find

“greener” building blocks based on rigorous review. A trade name ingredient may achieve CF SAFER if every constituent achieves ChemFORWARD hazard band of C or higher. The hazard bands associated with each constituent in a trade name ingredient are displayed as part of the product entry. Trade name ingredients that are CF SAFER will at a minimum meet the Washington minimum criteria for safer. Other trade name ingredients may also meet the additional criteria for safer. Washington would need to look at the breakdown of constituents and hazard bands disclosed in ChemFORWARD to make this determination. But either way, any ingredient identified by trade name with CF SAFER status could be a good alternative candidate for SPWA initiatives.