

January 26, 2022

Cheryl Niemi
Hazardous Waste and Toxics Reduction Program
Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7696

Support for Draft Regulatory Determinations for Safer Products for Washington

Dear Ms. Niemi:

The Hazardous Waste Management Program (Haz Waste Program) would like to thank the Washington State Department of Ecology (Ecology) for the opportunity to comment on Ecology's November 2021 Draft Regulatory Determinations for the Safer Products for Washington Program (draft report).

The Hazardous Waste Management Program is a coalition of local governments comprised of King County, the City of Seattle, 37 other cities, and two tribes, all located in King County. Together the Program represents more than 2.2 million Washington State residents. The Haz Waste Program works to protect and enhance public health and environmental quality by reducing the threat posed by the production, use, storage, and disposal of hazardous materials, many of which are found in common household products and small businesses.

The Haz Waste Program supports Ecology's efforts to identify hazardous chemicals and products and promote the adoption of safer alternatives. The Safer Products for Washington law (Chapter 70A.350 RCW) is consistent with the goals of the Haz Waste Program and we look forward to collaborating with Ecology on future work in the area.

We strongly support the recommendations in the draft regulatory determinations. The selected priority chemical classes have entered into virtually every facet of our lives; in our food, our water, our homes, our bodies, and our built and natural environments, with disturbing effects on human and ecosystem health. From a management perspective, they represent some of the most vexing and troublesome toxics to manage due to their persistence and ubiquity. The public bears the end-of-life costs of these persistent toxic chemicals; in collection, disposal,

wastewater treatment, waste management, and public health. Legacy contaminants such as DDT, PCBs, and certain flame retardants are still present in mammals, birds, fish, and other wildlife, decades after their use has ceased. The chemical classes identified in Ecology's recommendations add to that growing list of "forever chemicals," toxics for which there is no foreseeable end.

The priority products identified in the draft report include many of the pathways by which these persistent chemicals find their way into food, homes, and businesses. These common products exist in virtually every home. The first step in reducing human exposure is to shut down those pathways. The next step is to remove legacy contaminated products from homes.

To that end, we request Ecology's support and expertise to develop ways for residents, the Haz Waste Program, and second-hand retailers to identify specifically which products (e.g., brand, model, year of sale) contain each of the priority chemical classes. For residents to make informed decisions whether to replace existing products and furnishings to keep their families safe, they need good information. The Haz Waste Program offers its support to that end but cannot do it alone. It must be a collective effort.

We also request that Ecology pay particular attention to the needs of traditionally underserved and vulnerable populations. For some families, a decision to replace carpeting or a sofa to keep their children safe is a choice. For others that choice does not exist. We encourage Ecology to engage our communities early and often – empowering them to participate in driving the process, rather than merely seeking advice and periodic review.

The Haz Waste Program thanks you for this opportunity. We look forward to future collaboration on this important topic. If you have questions regarding the comments above, please contact our toxicologist Dr. Steve Whittaker at steve.whittaker@kingcounty.gov or 206-263-8499.

Sincerely,



Lynda Ransley
Program Director
Hazardous Waste Management Program