

L Irinia Makarow

Chemicals

Department of Ecology

RE: AWB Comment on Phthalate Chemical Action Plan

The Association of Washington Business (AWB) appreciates the opportunity to provide additional input on the work completed by the phthalate chemical action plan stakeholder process. AWB represents over 7,000 Washington state businesses and the majority of our membership employs under 50 employees. As both a representative of the state business community on the advisory council and for our members, we appreciate the stakeholder work that has been conducted to help provide input on the scoping of this chemical action plan.

The process has been straightforward and open and the format for the discussion is appreciated. Being able to hear from a wide number of stakeholders across multiple industries and perspectives has been useful and the tight focus on specific areas brought important clarity on the discussion. As the Department moves forward on future actions, we hope this format will be continued.

Based on the discussion and topics presented during the advisory council meetings, AWB does not believe there is sufficient reason to conduct a full chemical action plan. Some of the areas discussed (FDA regulated medical equipment and FIFRA regulated agriculture products) lay outside of the state, and therefore the Department's, regulatory authority. The other topic areas do fall under existing state authority, however the use of phthalates in these products serves many important purposes which enhance product performance, consumer safety and environmental protection. The risk of phthalate exposure by any of these products must be examined carefully and weighed against the risks posed by removing or banning their use in these products. By carefully evaluating the risks and benefits posed by phthalate use, the Department can ensure that the goals laid out at the start of this process of reducing exposure in the environment and protecting vulnerable populations.

As the purpose of this advisory council process was to identify and outline potential action to be taken by the Department to limit sources of these chemicals, AWB believes the best course would be for the relevant chemicals to move through the existing Safer Products for Washington Process. The Safer Products Process grants Ecology the authority to review these chemicals and uses the same criteria as the CAP for evaluating action. The process also requires an alternatives assessment be undertaken before any regulatory action is taken, to ensure that the benefits and risks are considered.

AWB and our members greatly appreciate the work Ecology staff have done to engage the stakeholder community. However, based on the scope of issues identified during this phase, we believe the best path for managing phthalates is to pursue them through the existing Safer Products Process.

Thank you,

Peter Godlewski

Government Affairs Director for Energy Environment and Water

Association of Washington Business