

Environmental Health Services Division

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Cheryl Niemi
Department of Ecology
Hazardous Waste & Toxics Reduction Program
360-338-2913
ChemActionPlans@ecy.wa.gov

November 7, 2022

Dear Ms Niemi,

PHSKC thanks the Washington State Department of Ecology (ECY) for the opportunity to comment on the draft Phthalates Chemical Action Plan (CAP) recommendations presented to the Phthalates CAP advisory group. At this time, it is not possible for us to meet the 6-day comment period deadline. PHSKC will provide comments as soon as possible given staff capacity and agency review processes.

However, PHSKC would like to note for the record, that ECY has not given adequate time to comment on the proposed draft recommendations for the Phthalates CAP. As a resourced agency with subject matter experts familiar with phthalates, four business days is a challenging deadline to meet. PHSKC is concerned that the challenge is even greater for the public at large. Providing only four business days to submit comments on recommendations that may have significant impacts for certain communities, poses serious equity concerns. Communities and individuals impacted by chemical exposures in WA state who may want to comment will need time to confer with stakeholders within their communities and consider their risks.

Public comment is part of community engagement, and PHSKC encourages EYC to establish a required and reasonable period for public comment in their draft community engagement plan that is part of the Healthy Environment for All (HEAL) Act requirements. While we recognize that ECY is under tight time restraints for the Phthalates CAP, this should not be at the expense of public engagement and feedback. Creative approaches or restructured timelines should be explored to ensure proper feedback from stakeholders on major activities that impact Washington State residents, particularly overburdened communities, and individuals.

Thank you for consideration of our concerns. Please do not hesitate to reach with questions related to these comments.

Respectfully,

Shirlee Tan

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