



Hazardous Waste Management Program

201 S. Jackson Street, Suite 5600, Seattle, WA 98104
www.kingcountyhazwastewa.gov

January 24, 2023

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

Support for Draft Rule – Chapter 173-337 WAC

Dear Ms. Callaway:

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 Draft Rule, Chapter 173-337 WAC, Safer Products Restrictions and Reporting.

The Haz Waste 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 2.3 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 strongly supports the language in the draft regulations, with one exception. We ask for elimination of the exemption in WAC 173-337-055(b) that enables secondhand stores to continue selling the restricted consumer products if they were manufactured before the effective date of the rule.

As a Program charged with protecting both human and environmental health, we believe that it is vital these products be taken off the market, including the secondhand market. The exemption in WAC 173-337-055(b) means that Washington residents will continue to be exposed, including the underserved and vulnerable populations that often shop at secondhand markets.


While we recognize that this current set of priority products may be unlikely to be sold at secondhand retailers, we still believe that the exemption should be removed. Ecology needs authority to prohibit the secondhand sale of these products should they learn that it is occurring. Products that are more likely to be sold on the secondhand market may be added to the rule in the future.

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Leaving the exemption in place puts a second generation of users at risk of exposure to hazardous materials. Additionally, if secondhand marketplaces are more likely to serve low income and other historically marginalized populations, this exemption may perpetuate disproportionate exposures to toxics in consumer products. It must be removed, and Ecology should provide education and outreach to secondhand retailers.

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 Policy and Planning Advisor Ashley Evans, Hazardous Waste Management Program, at ashley.evans@kingcounty.gov or 206-263-3777.

Sincerely,

DocuSigned by:

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Maythia Airhart
Interim Director
Hazardous Waste Management Program

