Alaska Community Action on Toxics

Please see our comments as an attached pdf document.

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Comments on Safer Products for Washington Proposed Rule

Alaska Community Action on Toxics (ACAT) is a non-profit environmental health and justice research and advocacy organization based in Anchorage, Alaska. We believe everyone has a right to clean air, clean water, and toxic-free food. Driven by a core belief in environmental justice, ACAT empowers communities to eliminate exposure to toxics through collaborative research, shared science, education, organizing, and advocacy. We work to achieve health protective policies at the local, state, national, and international levels. Since 2005, I have served as a principal investigator for community-based research projects addressing toxic chemical exposure in Indigenous communities in Alaska, supported by the National Institute of Environmental Health Sciences ("NIEHS"). I have also authored or co-authored numerous papers concerning our community-based participatory research, which have been published in peer-reviewed scientific literature, including investigations concerning presence and effects of organohalogen flame retardants and PFAS.

ACAT supports the proposed Safer Products for Washington rule (Chapter 173-337 WAC) because it will lead to reduced exposures for wildlife and people, provide protections for the health of vulnerable populations, and provide incentives for manufacturers to stop the use of hazardous chemicals in products. Exposures to organohalogen flame retardants pose heightened risks to infants and children—who tend to inhale and ingest more of the chemical in their homes and schools and are more vulnerable to its health effects—as well as Indigenous and other communities that practice subsistence fishing and hunting, communities where products containing OHFRs are processed or disposed of, and workers who manufacture or work with products that contain these chemicals. Exposure to OHFRs can result in adverse health outcomes including neurodevelopmental harm, endocrine disruption (particularly the thyroid axis), and certain cancers. It is time to stop the use of organohalogen flame retardants in electronics and other applications in order to prevent further harm to present and future generations. Phase-outs of organohalogen flame retardants will also avoid the recycling of plastics containing organohalogens in electronics into other household products. Fire safety without the use of additive organohalogen flame retardants can be achieved through better product design and use of safer materials.

We are particularly concerned about disproportionate exposures in Indigenous populations because of their reliance on traditional foods for physical, cultural, and spiritual sustenance.

Because OHFRs are not chemically bound to the materials in products, they can easily migrate out of products and into the surrounding environment. Use and disposal of OHFRs disproportionately affects Indigenous peoples, including Tribal Nations in Washington State, as well as Canada's First Nations and Alaska's northern and Arctic Indigenous Nations, because OHFRs migrate on atmospheric and water currents and accumulate in fish and marine mammals that are vital and traditional food sources for Indigenous peoples. Northern and Arctic ecosystems are hemispheric sinks for persistent and bioaccumulative chemicals such as OHFRs. The harvest and consumption of traditional foods is central to the nutritional, cultural, and economic health of Indigenous peoples. In the indoor environment, OHFRs migrate from consumer products into household dust, which can then be breathed in, ingested, or dermally absorbed. In cold environments such as the Pacific Northwest and Alaska, household exposures are likely higher because of the greater time that people spend indoors, and with homes that are insulated against the cold and less well ventilated. Landfills are also an important source of contamination from the disposal of household electronics and other products and may be upgradient from water and food sources.

As a crucial environmental justice issue, the proposed rule must take into consideration the disproportionate exposures through traditional foods as well as household products and harmful effects of OHFRs on Indigenous populations in Washington as well as those of more northern Indigenous populations. As one of our board members, Violet Yeaton (Sugpiaq) states: "We don't eat just one chemical, we eat the whole fish." Indigenous peoples are exposed to a range of legacy and currently used chemicals, including OHFRs, such that cumulative and synergistic exposures and effects must be taken into account when finalizing the proposed rule.

We support proposed the restrictions on OHFRs in electronics as well as in recreational polyurethane foam products. We also support the proposed restrictions on the use of PFAS in carpets, rugs, indoor furnishings, and stain- and water-resistant treatments. It is important to eliminate all non-essential uses of the chemicals included in this proposed rule. We urge the Washington Department of Ecology to enact the proposed rule in an expeditious manner. It will set a precedent for other states as well as protect vulnerable populations within Washington as well as outside its borders. Chemicals don't respect political boundaries.

For further information, please contact Pamela Miller, Executive Director of Alaska Community Action on Toxics, pamela@akaction.org.

Published papers of our community-based research team:

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- Byrne, SC, PK Miller, S Seguinot-Medina, V. Waghiyi, CL Buck, FA von Hippel, DO Carpenter. 2017. Associations between serum polybrominated diphenyl ethers and thyroid hormones in a remote Alaska Native population. Environmental Pollution 231 (2017) 387-305.
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