

December 31, 2024

Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Re: Draft Identification of Priority Products Report to the Legislature: Safer Products for Washington Cycle 2

To Whom It May Concern:

The Chlorine Panel of the American Chemistry Council¹ appreciates the opportunity to provide comments on the Washington State Department of Ecology's (DOE) Draft Identification of Priority Products Report for Cycle 2 Implementation Phase 2. The Chlorine Panel² represents manufacturers and users of chlorine chemistry across a wide range of critical industrial processes. The Panel promotes the essential role of chlorine and its derivatives in supporting industrial, commercial, and public health applications, including the provision of safe drinking water, sanitation, and advanced manufacturing processes.

The Critical Role of Chlorine Chemistry

The Ecology report identifies organochlorine substances as priority chemicals in product categories, such as plastic packaging and toilet deodorizers, but it does not fully address the critical benefits of chlorine chemistry. These include providing safety and performance through durable materials like polyvinyl chloride (PVC)³ and minimizing risks via modern manufacturing controls that reduce residual organochlorines. PVC packaging is specifically designed for durability and long-term use, helping reduce material waste and offering a reliable solution for preserving and transporting goods safely. By overlooking these distinctions, the report risks applying broad regulatory measures that fail to differentiate between high-risk and low-risk uses.

¹ The American Chemistry Council (ACC) represents over 190 companies engaged in the business of chemistry—an innovative, economic growth engine that is helping to solve the biggest challenges facing our country and the world. The business of chemistry is a cornerstone of the U.S. economy, generating \$633 billion annually. The industry supports a quarter of U.S. gross domestic product (GDP) and creates more than half a million skilled, good-paying American jobs. U.S. chemical exports totaled \$164 billion, accounting for 10% of the nation's goods exports. ACC members are among the largest investors in research and development, with \$12.7 billion invested in R&D. Safety and security have always been primary concerns of ACC members. Through Responsible Care®, ACC members have committed to improved environmental, health, and safety performance. They work closely with government agencies to enhance security measures and defend against threats to the nation's critical infrastructure. <https://www.americanchemistry.com/>

² Chlorine Panel. <https://www.americanchemistry.com/industry-groups/chlorine>

³ Vinyl Institute. *8 Reasons PVC is a Sustainable Choice*. <https://www.vinylinfo.org/news/8-reasons-pvc-vinyl-is-a-sustainable-choice/>



Advancements in Chlorine Chemistry

Advancements in chlorine chemistry have significantly improved environmental safety⁴. These advancements have made chlorine-based materials more sustainable and better aligned with evolving environmental goals. The environmental benefits of these materials align with growing sustainability goals, making them a more responsible choice for many applications⁵.

The Need for Comprehensive Alternatives Assessments

While the report highlights the importance of safer alternatives, it does not adequately explore the trade-offs of replacing chlorine-based products. Alternatives to PVC often lack comparable durability and performance, potentially increasing environmental impacts¹. A comprehensive evaluation of alternatives should include their lifecycle impacts, performance, and safety to avoid unintended consequences².

Alignment with Existing Regulatory Frameworks

Chlorine-based products are already subject to rigorous oversight under federal frameworks. These include the Resource Conservation and Recovery Act (RCRA), which governs waste management⁶, and EPA's TSCA risk evaluations, which address exposure scenarios comprehensively⁷. To prevent duplication and maintain consistency with national standards, Ecology should align its regulatory efforts with these existing frameworks and incorporate life-cycle assessments into its evaluations.

Conclusion

The Chlorine Panel appreciates the opportunity to comment on the Department's Draft Report to the Legislature and looks forward to additional opportunities during the regulatory process to discuss with Ecology the characteristics of specific chlorine-based products. If you have questions or need clarification, please contact me at LeaAnne_Forest@americanchemistry.com or 202-249-6706.

Thank you,

LeaAnne Forest

LeaAnne Forest
Manager, Chemical Products & Technology
American Chemistry Council

⁴ U.S. Environmental Protection Agency (EPA). *Design for the Environment Alternatives Assessment*. Retrieved from <https://www.epa.gov/saferchoice/design-environment-alternatives-assessments>

⁵ World Chlorine Council. *Sustainability*. <https://worldchlorine.org/sustainability/>

⁶ U.S. Environmental Protection Agency (EPA). *Resource Conservation and Recovery Act (RCRA) Overview*. <https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-overview>

⁷ U.S. Environmental Protection Agency (EPA). *Toxic Substances Control Act (TSCA) Overview*. <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/learn-about-toxic-substances-control-act-tsca>

