

Ms. Stacey Callaway
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Submitted via: [Safer Products for Washington Cycle 1.5 PFAS Rulemaking Formal Public Comment Period](#)

RE: Support for Safer Products for Washington Cycle 1.5 PFAS Proposed Draft Rule

Dear Ms. Callaway,

The City of Vancouver's water utilities groups appreciate the opportunity to provide comments to Ecology's proposal to revise Chapter 173-337 WAC: Safer Products Restrictions and Reporting (Cycle 1.5: PFAS). We commend Washington Department of Ecology (Ecology) with their consultation with Washington Department of Health (Health) in pursuing implementation of Phase 3 in Chapter 70.350 RCW as amended in 2022 by the Washington State Legislature, which directed Ecology to make regulatory determinations for additional products containing per- and polyfluoralkyl substances (PFAS) under the Safer Products for Washington program. Restricting intentionally-added PFAS to some of Ecology's list of priority products will effectively reduce human exposures to PFAS in homes, businesses and institutional facilities such as schools, and furthermore reduce PFAS from entering sewer systems, wastewater treatment facilities, surface waters, groundwater and the environment. We encourage Ecology, Health, product manufacturers, researchers continue to work together and with local communities to pursue restrictions on the full list of priority pollutants.

About Vancouver's Water Utilities

The City of Vancouver owns and operates the largest drinking water and wastewater utilities in Southwest Washington, serving approximately 270,000 people. The Group A drinking water system is supplied by groundwater in aquifers and has concentrations of PFAS compounds regulated by the EPA's National Primary Drinking Water Regulations. The wastewater utility is a separated sewage system with two secondary activated sludge treatment plants regulated under NPDES wastewater discharge permits issued by Ecology. The city also manages and maintains surface water and stormwater systems under Ecology's NPDES MS4 Phase II General Permit for Western Washington. Vancouver also has over 5,000 legacy onsite sewage systems that discharge contaminants from consumer products into the environment. The value of the avoided cost of PFAS detection, treatment, removal and disposal is considerable for our ratepayers both now and in the long term. Our systems strive to protect the environment and human health but preventing these compounds from being added to consumer products is an essential first step.

Statewide Product Programs are Most Effective

The flow of consumer products throughout Washington lends to statewide policies and actions to restrict chemicals and materials that provide known adverse health and environmental effects, rather than by cities and counties which simply do not have the technical, policy and

enforcement resources. State legislation and Ecology have achieved successful programs to effectively restrict hazardous substances in products through the Safer Products for Washington Act, the Safe Cosmetics Act and the Children's Safe Products Act, among other laws. Furthermore, Washington's PFAS Chemical Action Plan has provided a comprehensive roadmap to guide policy and regulations in a media containing PFAS. We encourage Ecology to continue its leadership in pursuing these actions.

Ecology Should Include Commercial Products as Well as Consumer Products (service products used in hotels, schools, hospitals etc)

While Ecology clearly establishes restrictions and reporting of intentionally added PFAS in consumer and commercial products, we encourage Ecology to establish programs to monitor and receive information for products sold to distributors and direct service providers such as dry cleaning, carpet cleaning and floor wax stripping businesses.

WAC 173-337-025 Acronyms and Definitions: Definition of "Extreme and extended use" should be "Gear for extreme and extended use"

The definition item should be "Gear for extreme and extended use" means outdoor apparel and accessories, and gear for recreation and travel designed to retain water-proofness when exposed to weather precipitation or immersed in water (or other liquids). By expanding the definition this subsection would require manufacturers to report on items other than apparel such as dry bags and inflatable floating devices. Ecology should be collecting notices from manufacturers of gear beyond just apparel and beyond just items that are designed to be immersed in water.

Again, the City of Vancouver appreciates the opportunity to provide comments on the proposed draft rule for Cycle 1.5 of Safer Products for Washington, and we recognize and applaud the tremendous work Ecology staff is conducting to address health and environmental concerns stemming from PFAS in consumer and commercial products. Please reach out to Frank Dick, Wastewater Treatment Engineering Manager (frank.dick@cityofvancouver.us) with any questions.

Respectfully,

Kris Olinger

Kris Olinger, PE, Utility Engineering Manager
Public Works