



November 17, 2017

Kara Steward
Hazardous Waste & Toxics Reduction Program
Washington State Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Re: Perfluorinated Alkyl Substances Chemical Action Plan Chapters

Dear Ms. Steward,

Thank you for considering the Association of Washington Business's (AWB) comments on the preliminary published chapters of the Perfluorinated Alkyl Substances (PFAS) Chemical Action Plan (CAP). AWB is Washington's oldest and largest statewide business association, and includes nearly 7,000 members representing 700,000 employees. AWB serves as both the state's chamber of commerce and the manufacturing and technology association.

AWB appreciates the opportunity to represent the business community at large throughout the PFAS CAP process. The Association spans every range of business sector in Washington state and beyond; many of which are subject to the findings of this CAP.

Uses

The Uses chapter lists several dozen modern and historic applications for PFASs, including the chemistries' important roles as industrial surfactants and commercial stain-repellents. AWB members believe that the chapters do not, however, describe why those chemistries' properties are specifically demanded for those applications. First responders and medical personnel, for example, need PFAS chemistry to create a health and safety barrier between public servants and trauma victims. Likewise, the surfactant properties of PFASs allow for friction in industrial applications, which abates heat formation and fire potential. PFASs used in fire-retardant applications protect vulnerable facilities and their workers. As part of the CAP process, the public should have a clear understanding not only of the modern applications of PFASs, but also their importance to a broad spectrum of businesses.

Health

The inclusion of short-chain PFASs as a considered chemistry potentially poses a regulatory question for the Department of Ecology. Because short-chain PFASs are not persistent, bioaccumulative toxins (PBTs) as defined in Chapter 173-333 Washington Administrative Code, the exposure-based Health chapter should not pertain to this class of chemistry. And while

Chapter 173-333-420(1)(b) allows for examination of “sources [which] may include other chemicals or products that are known or suspected to degrade to the chemical included on the PBT list,” short-chain PFASs are not precursors to PBTs central to the exposure-based language which authorized the use of CAPs in 2004 Executive Order 04-01:

1. The Department of Ecology, in consultation with the Department of Health, shall:
 - a. Move forward immediately in developing a chemical action plan that identifies actions the state may take to **reduce threats posed by persistent, toxic chemicals** found in flame retardants, known as polybrominated diphenyl ether (PBDEs), and recommend actions by December 1, 2004 (emphasis added).

Environment

PFAS CAP chapters should limit discussion of analytical results to Environmental Protection Agency-approved and well-researched test methods. The Environment chapter describes how Liquid Chromatography- Quadrupole Time of Flight Mass Spectrometry, for example, returned new findings of Perfluorobutane Sulfonamide in fish (Chu et. al. 2016), but LC-Q-ToF-MS is a method still available for research opportunity at EPA. As such, LC-Q-ToF-MS is not a listed method approved for Clean Water Act microbiological testing at Code of Federal Regulations 40 CFR Part 136 and should not be referenced in the CAP process. We ask that PFAS CAP chapters include research results of EPA-approved methods only.

Thank you for accepting AWB’s preliminary comments, and for continuing the CAP dialogue with the regulated employer community. We look forward to continued discussion with the Hazardous Waste and Toxics Reduction Program as the CAP moves forward.

Sincerely,

Gary Chandler



Vice President, Government Affairs
Association of Washington Business