



# Phthalates Action Plan – Advisory Committee Meeting

The meeting will begin shortly.





# Phthalates Action Plan

Advisory Committee Meeting

December 7, 2023





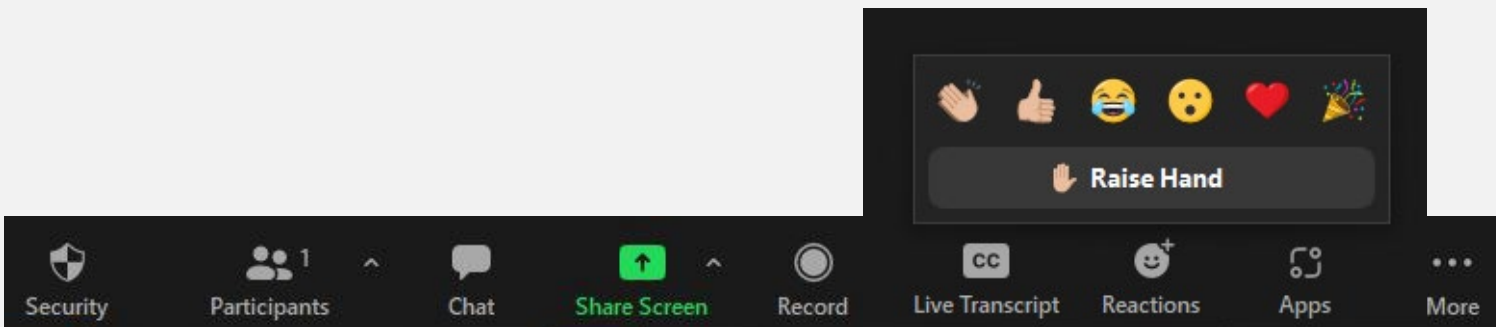
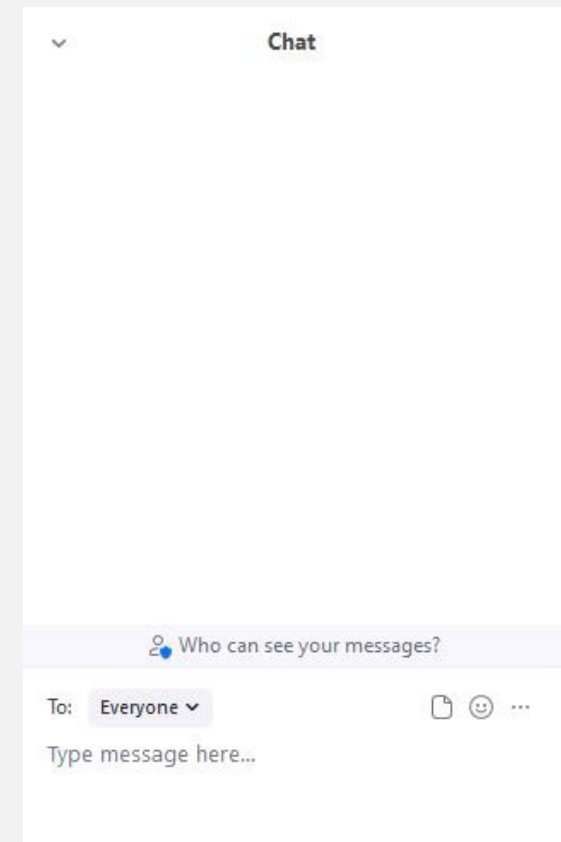
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# Zoom controls

- Send technical issues to the **host** in chat.
- Send questions, comments, and discussion to **everyone** in chat.
- Participants muted until we get to discussion.



# Publication information

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# Today's goals and agenda

- 1 Where we are now
- 2 Comments overview
- 3 Changes to Action Plan
- 4 Questions

# Development timeline

2021

## Recruiting and scoping

- Assemble team
- Assemble advisory committee
- Compile research

2022

## Scoping and drafting the AP

- Scope the plan
- Develop recommendations
- Incorporate feedback
- Draft Action Plan (AP)

2023

## Final AP

- Compile draft AP
- Economic analysis
- Reviews
- 45-day public comment  
(May 1–June 14, 2023)
- AC meeting, public workshops
- Incorporate comments
- Respond to comments
- Publish final AP—December 2023

# Public comments



**16**  
commenters



**12 lengthy**  
comment  
letters



**189**  
comments to  
respond to



**79**  
comment  
responses



# Commenters

## Organizations:

- American Chemistry Council
- BASF Corporation
- The Coalition for Clean Water
- Discovery Clean Water Alliance
- Food Northwest
- Friends of Miller Peninsula State Park
- King County Wastewater Treatment Division
- Public Health – Seattle & King County
- Seattle Public Utilities – Hazardous Waste Program
- Toxic-Free Future
- Washington Association of Sewer and Water Districts
- Washington Refuse and Recycling Association
- Washington State Potato Commission
- Zero Waste Washington

## Individuals:

- CarolLee Braithwait
- Wendy Ferrell

# Disclaimer

The following slides are a high-level overview of comments received and changes made to the action plan.







This presentation doesn't cover all received comments, responses, or changes we made to the action plan.



# General changes

- Fixed typos and made corrections to clarify language.
- Added figures and graphics.
  - Note the new figures on phthalates in foods and phthalate exposures.
- Re-numbered recommendations (1–30).
- Added an economic analysis.
- Added section headings.
- Updated references.
- Added expectation management language to executive summary and introduction.
  - Some comments asked for things that are out of scope (detailed implementation plans, prioritization, specific timelines, bans or new regulations).

# Equity and environmental justice

-  Many comments asked us to improve.
-  Office of Environmental Justice and Equity and HWTR's EJ/Equity workgroup provided input—identified areas to research and discuss during implementation.
-  Re-organized for consistency.
-  Added clarifying language.
-  Changed some terms to align with Ecology standards.
-  Added a statement to clarify use of gender terms and point out potential for disproportionate impacts to LGBTQ+ individuals.

# Phthalates

## A class approach

- Several comments questioned the approach of addressing phthalates as a class rather than individually.
  - We didn't make any changes to recommendations or approach.
  - We adjusted language to clarify messaging.

## Phthalates in the environment

- A commenter questioned the relevance of a discussion of algal degradation of phthalates.
  - Discussion was removed as it wasn't necessary to the action plan as a whole.

# Consumer products and building materials



## Consumer products

Added a short section addressing phthalates use in air fresheners. Updated to address the 2023 Toxic-Free Cosmetics Act (House Bill 1047).



## Building materials

Added language to Recommendation #11 to include county-owned buildings to ensure no public housing facilities were mistakenly excluded.

# Food contact and health care products

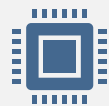
## Food contact articles

- Added language to highlight children's vulnerability to exposures via food.
- Clarified that the uses of phthalates eliminated by FDA in May 2022 had been previously abandoned by industry.

## Health care products

- Commenters wanted more information about DEHP-free products.
  - We added that alternatives are available for some health care uses.
  - We added health education for patients as an aim for implementation.

# Childcare facilities



Expanded rationale that children are vulnerable and susceptible.



Clarified language for the vinyl flooring swap out program, to ensure support for participants and replacement with safer substitutes.



Added language to be inclusive of unlicensed childcare facilities, family, neighborhood care, and low-income communities.



# Childcare facilities continued...



Included language on coordination with Department of Children Youth and Families (DCYF) to incorporate phthalate guidance and mitigation options in training and licensing materials.



Added language that supports exploring a cooperative purchasing program for childcare facilities that choose to select phthalate-free cleaning and other materials.



Clarified language about how we will coordinate with DCYF and local programs using existing statutory authority.

# Human exposure and health background



Expanded discussion of cumulative exposure and potential impacts.



Added a new introductory section to more clearly describe our approach to hazard evaluation and consulted sources.



Edited our interpretation of toxicity or epidemiological study results to more clearly state limitations or applicability.

# Human exposure and health background continued...



Expanded our discussion of female reproductive toxicity potential.



Expanded and edited our summary of occupational and disproportionate exposure potential.



Revised our discussion of DINP potential to cause cancer, based on EPA's updated draft Technical Review.

# Biosolids part 1

Commenter suggested we:

Expand scope to assess phthalates in all agricultural amendments (pesticides, seeds, irrigation water, storage, and application method).

We emphasized testing control soils to account for phthalates present in media from non-biosolids sources in Recommendations 17 and 18.

Merge biosolids Recommendation 19 with non-biosolids compost Recommendation 21.

We adjusted language in Recommendation 19 to suggest comparison with results of Recommendation 21 (Compost).

# Biosolids part 2

Commenters suggested we:

Rename or add an agricultural section.

We renamed the section to “Solid Waste and Biosolids.”

Make a publicly available map showing biosolids land application sites across the state.

No changes were made to the plan itself. This is an effort currently underway within the Ecology biosolids program.

# Biosolids part 3

Commenters suggested we:

Develop non-regulatory phthalate monitoring and reporting mechanism for biosolids facilities.

Ecology doesn't have the regulatory authority under current WAC to require phthalate monitoring in biosolids.

- Provide context about exposure potential from biosolids.
- Clarify language to accurately describe biosolids as a passive receiver and not a source of phthalates.
- Focus efforts on source reduction.

We updated the language in the background portion of the biosolids section.



# Q & A

## Contact:

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## Public comments page:

[https://hwtr.ecology.commentinput.com  
/comment/extra?id=haD3V](https://hwtr.ecology.commentinput.com/comment/extra?id=haD3V)

## Project webpage:

<https://bit.ly/phthalates-AP>