

Welcome to the webinar for Safer Products for WA Cycle 2

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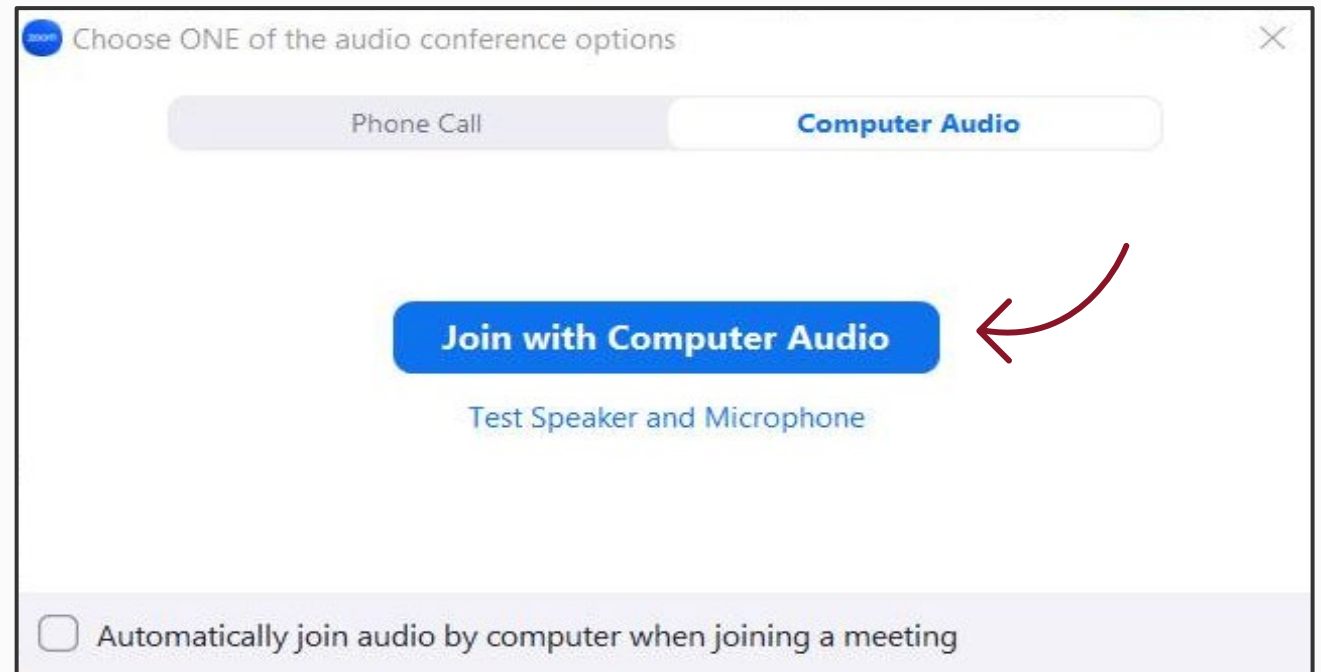
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Cycle 2: Overview of Draft Priority Products Report

Safer Products
for Washington

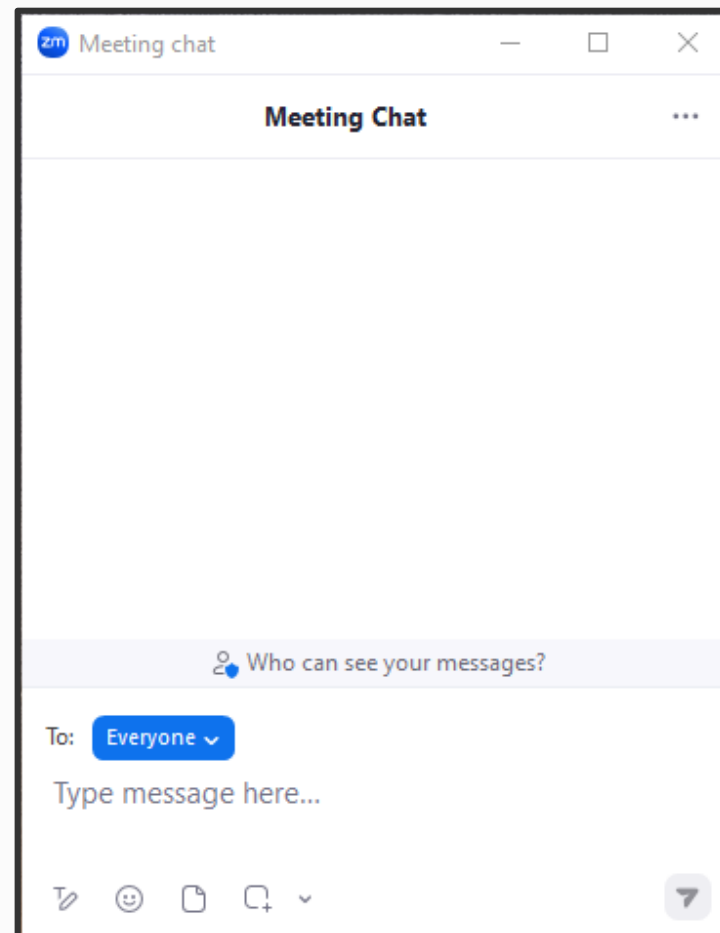
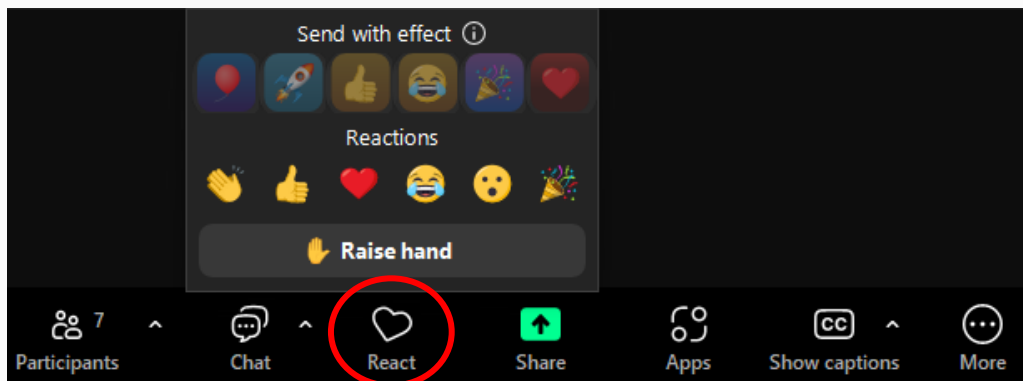
Nov. 14, 2024



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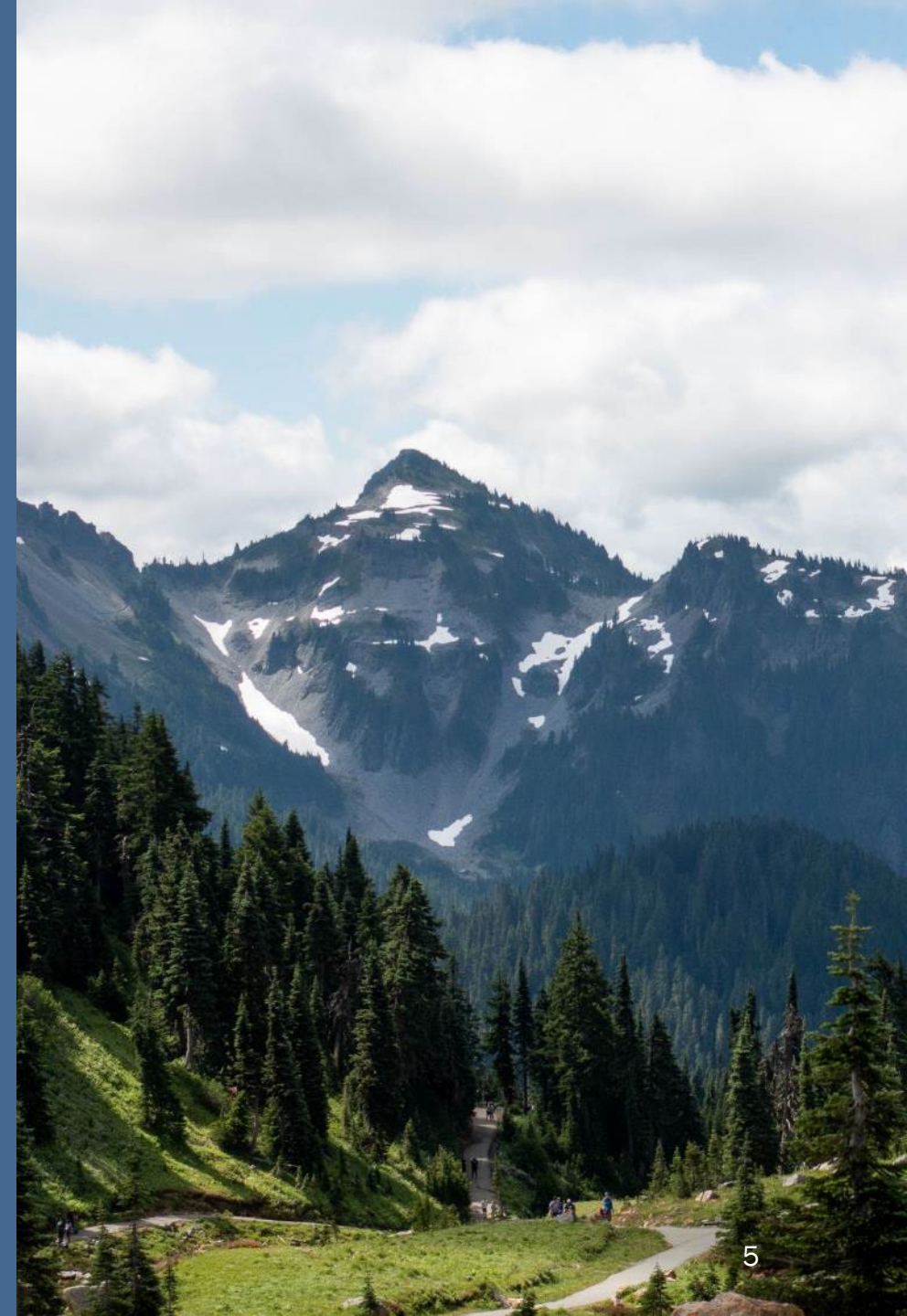


Agenda

- Overview of Safer Products for Washington
- Process for identifying products for cycle 2
- Designation of cycle 2 priority products
- Timeline and Feedback Opportunities
- Question and Answer



Overview of Safer Products for Washington



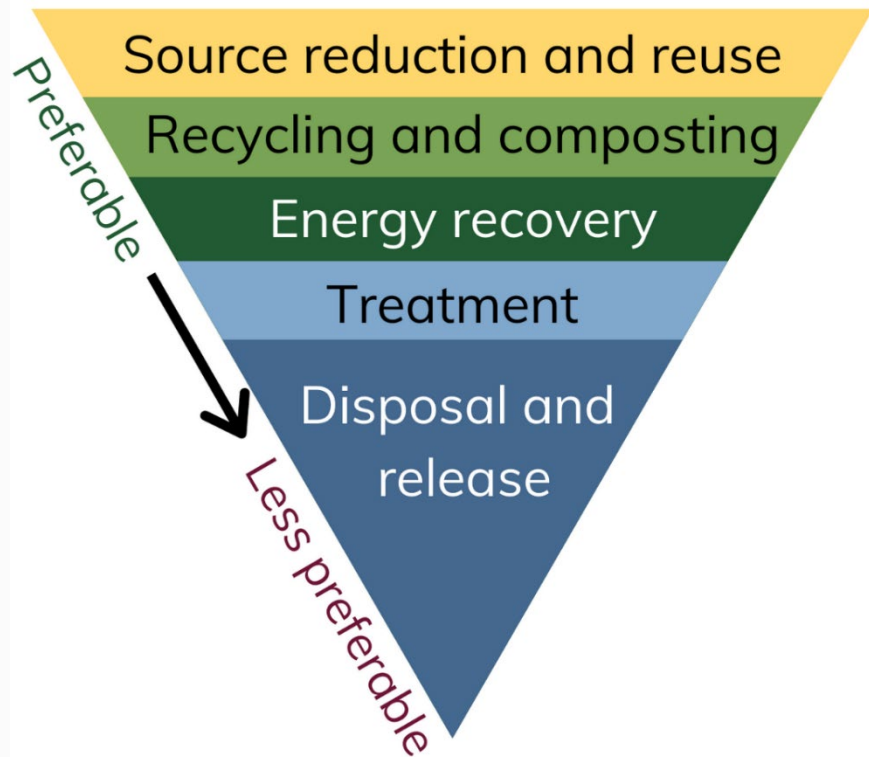
Safer Products for Washington

- Cyclical process for systematically regulating classes of chemicals in consumer products
 - Statute: Chapter 70A.350 RCW
 - Rule: Chapter 173-337 WAC
- Equitably reduce exposure to toxic chemicals from consumer products
- Prevent releases of toxic chemicals into the environment



Reducing use of hazardous chemicals

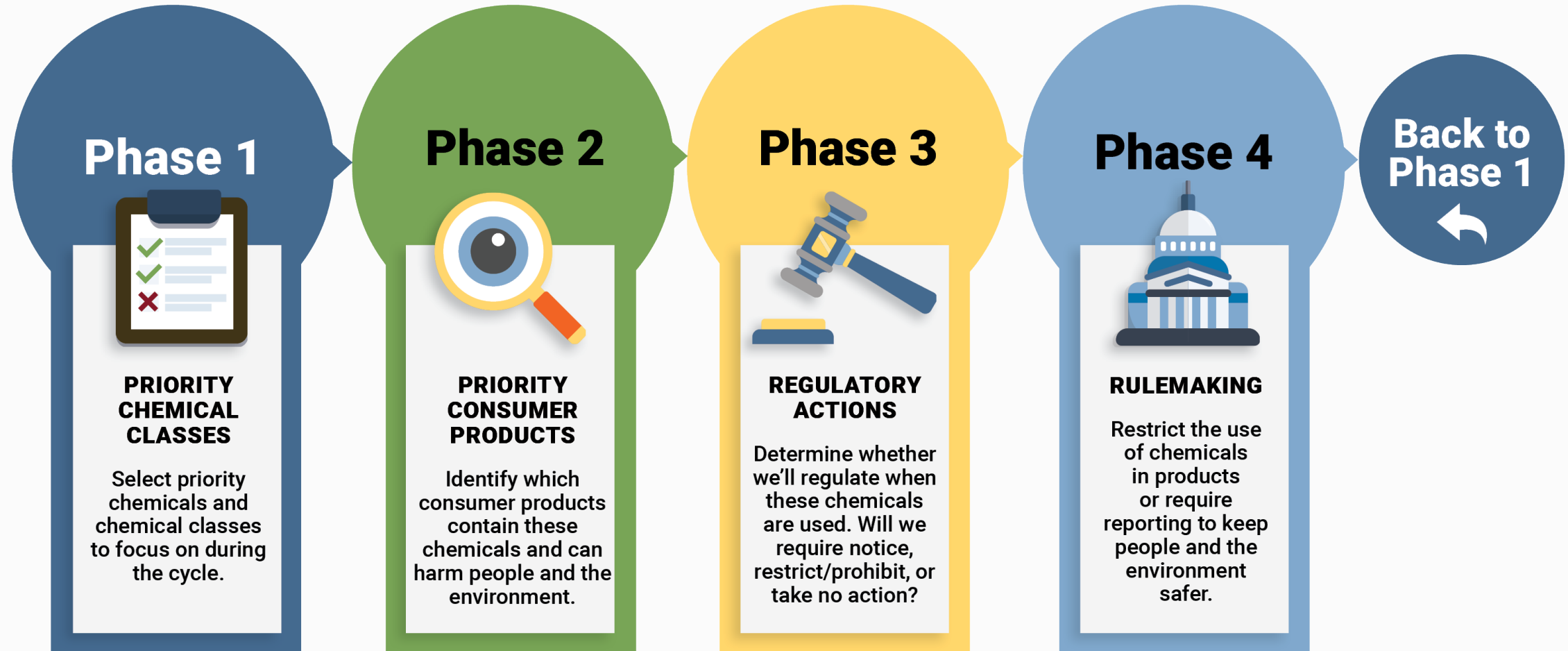
Waste Management Hierarchy



- Focus on reducing risk by avoiding the use of hazardous chemicals.
- Healthier for people and the environment.
- Avoids monetary and environmental costs associated with hazardous chemical cleanups.

$$\downarrow \text{Hazard} \quad \times \quad \text{Exposure} \quad = \quad \downarrow \text{Risk}$$

Safer Products for Washington Implementation Process



Other concurrent Safer Products work

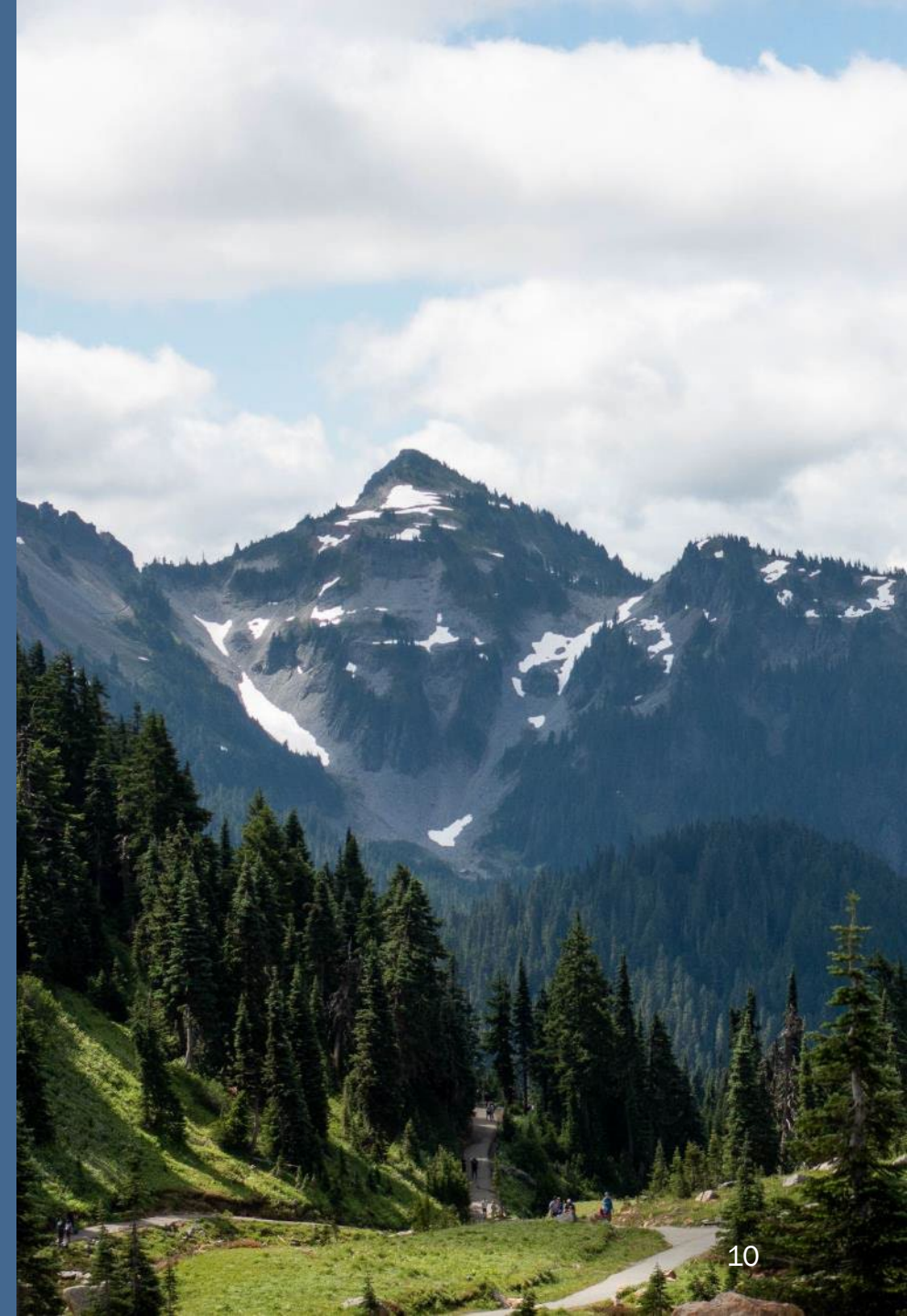
Cycle 1: Ongoing compliance support for rules adopted on May 31, 2023 (Chapter 173-337 WAC)

Cycle 1.5: Current rulemaking for PFAS in products identified in our PFAS Chemical Action Plan

- Deadline to adopt rules is December 2025.

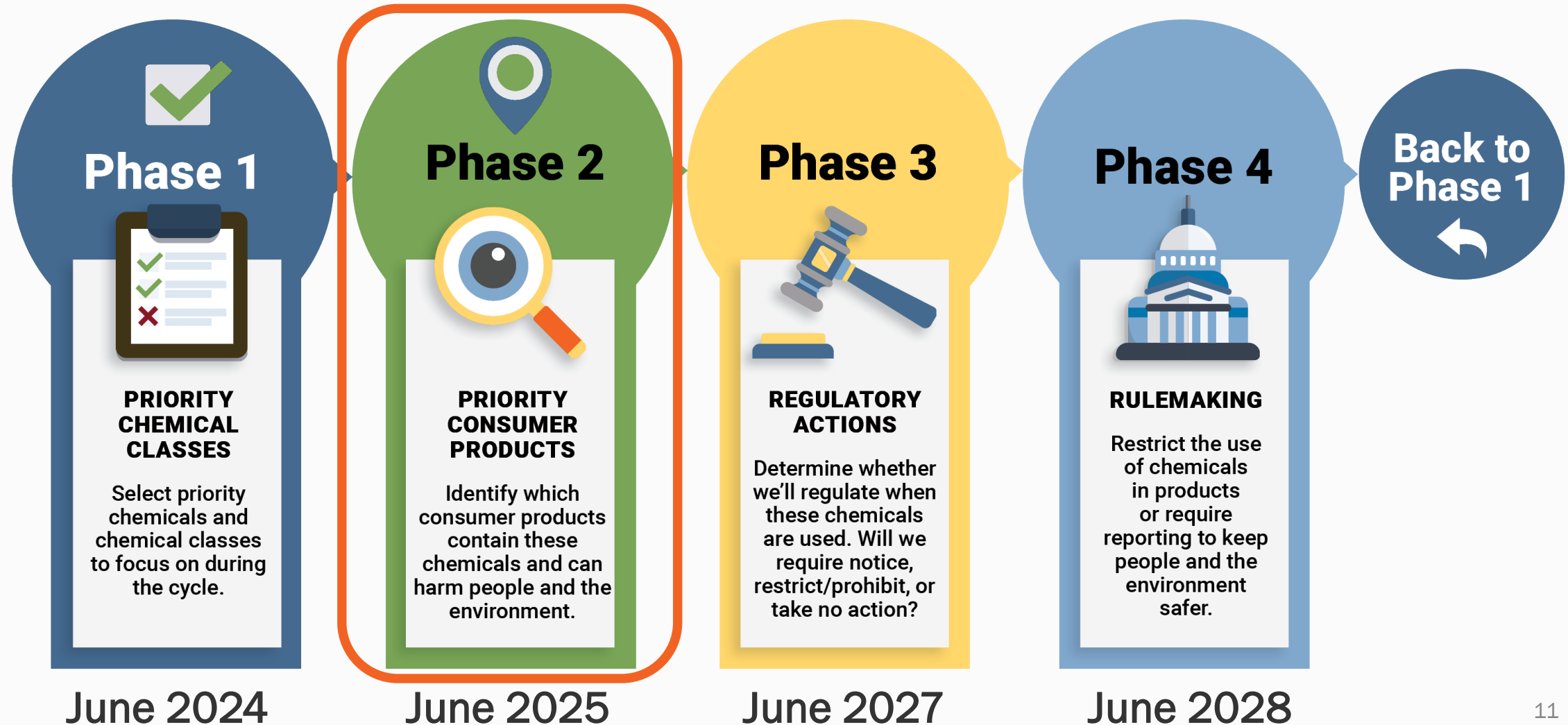


Draft Priority Products Report Overview: Process and Draft Products



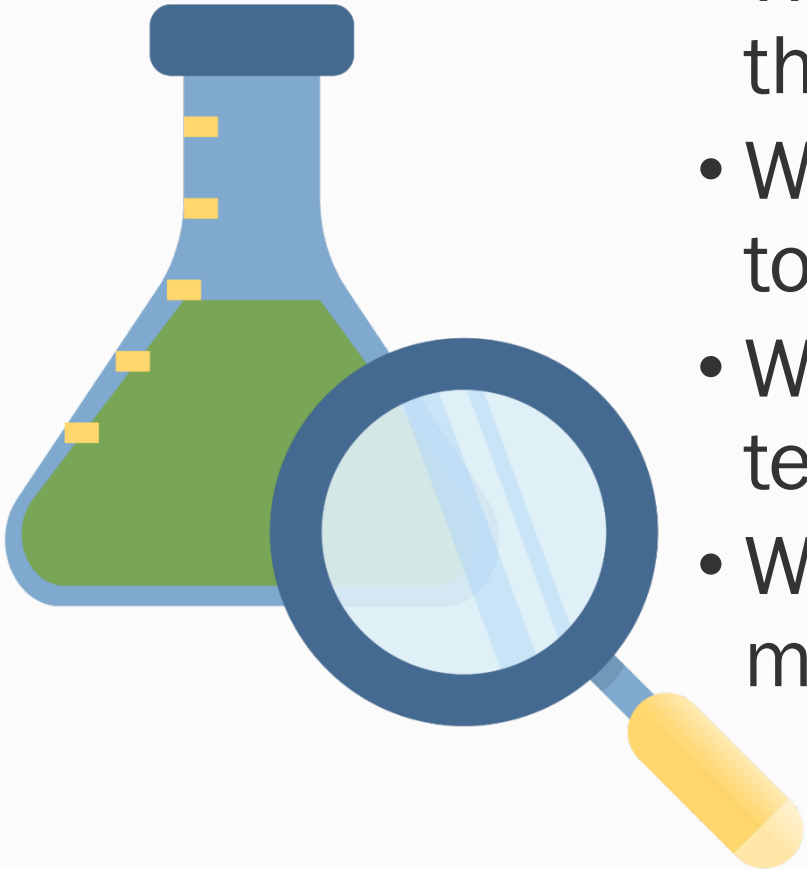
Safer Products for Washington

Current Implementation Phase



Cycle 2, Phase 2 – guiding principles

- We base decisions on science and public input.
- We communicate our approach and process to the public.
- We prioritize equitable reduction of exposure to toxic chemicals in people.
- We prioritize protection of aquatic and terrestrial ecosystems in Washington.
- We must demonstrate that priority products meet the criteria in the law.



What's required by the law?

- “(b) By June 1, 2025, and every five years thereafter, the department must **identify priority consumer products that contain any new priority chemicals...consistent with RCW 70A.350.030.**”
- Priority products must be **significant sources or uses of priority chemicals.**
- RCW 70A.350.030 lists factors the department must consider, including:
 - Volume.
 - **Potential for exposure in sensitive populations and species.**
 - **Potential for environmental contamination.**
 - Feasibility and availability of safer alternatives.
 - Regulations in other jurisdictions.

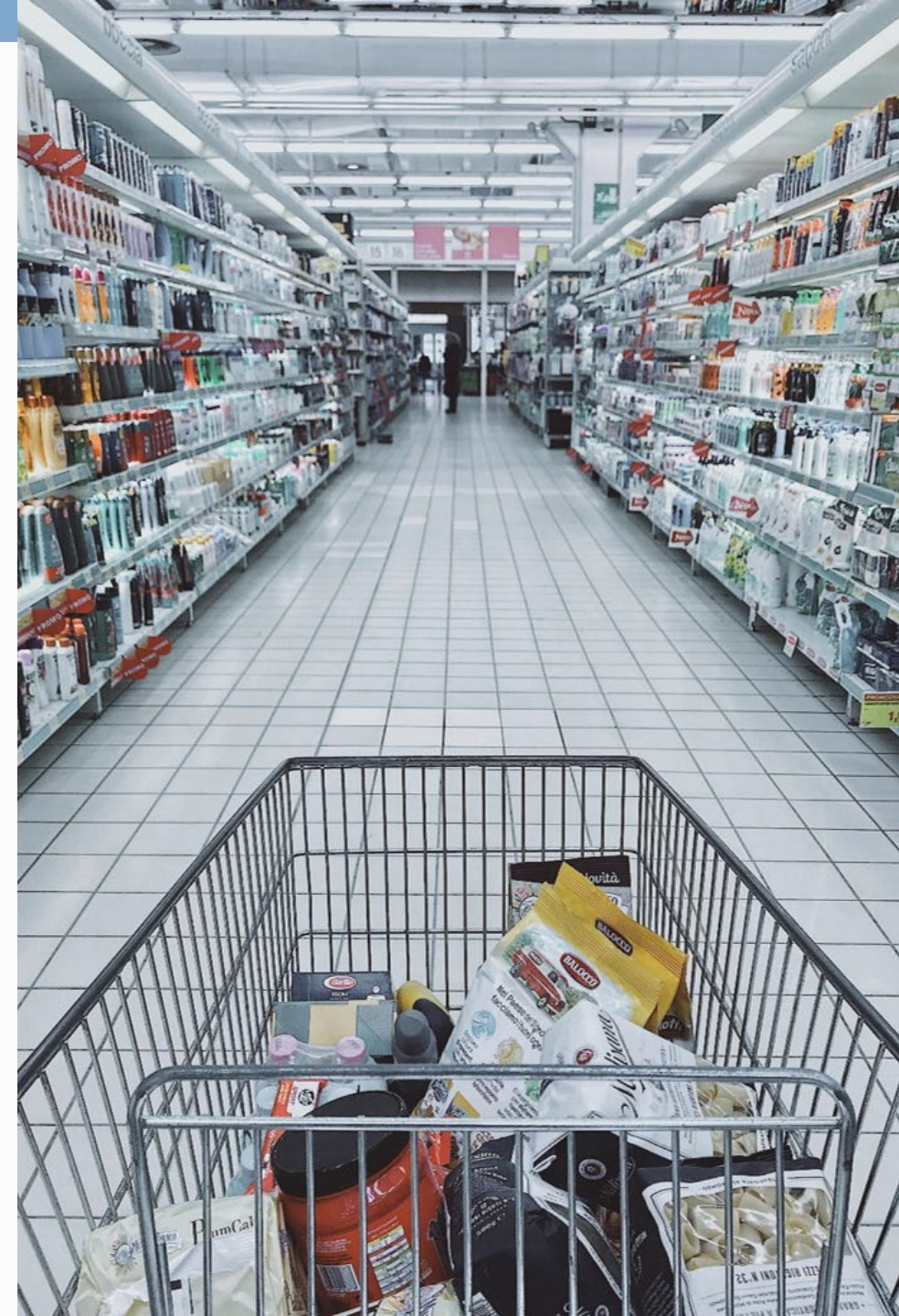
Requirements from 2024 legislative session

- SSB 5931 became effective June 6, 2024
 - Identified **motorized vehicle tires containing 6PPD** as a priority consumer product.
 - Requires Ecology to determine regulatory actions and adopt rules consistent with existing implementation process with consideration of effect on driver and passenger safety.

Choosing consumer products

Draft product list informed by:

- Research on products
- Public and community input
- Input from others at Ecology and Health
- Requirements and considerations in the statute (70A.350 RCW)



Priority chemicals and chemical classes

Cycle 2

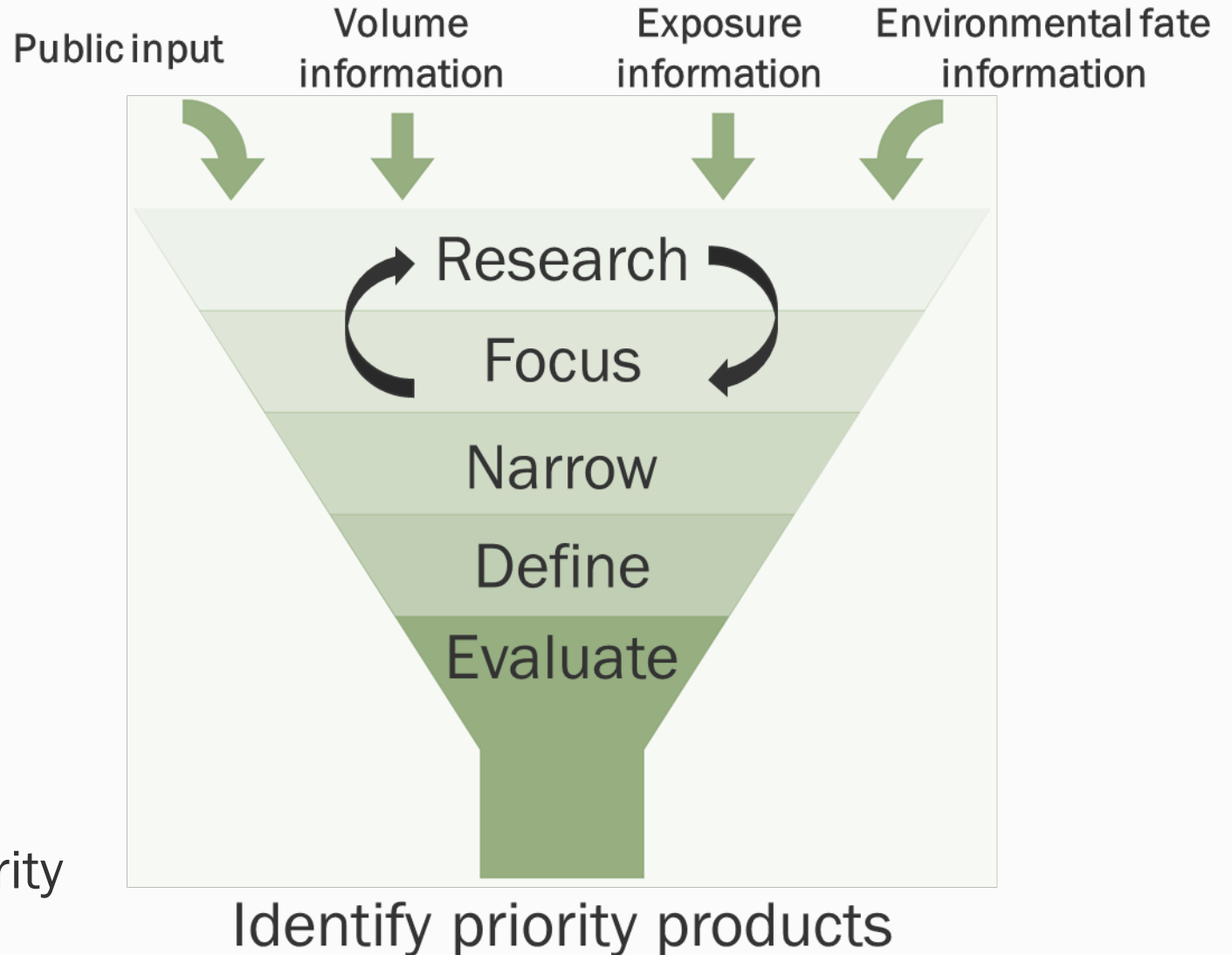
- Cadmium and cadmium compounds
- Lead and lead compounds
- Benzene, toluene, ethylbenzene, and xylenes (BTEX) substances
- Cyclic volatile methylsiloxanes (cVMS)
- Formaldehyde and formaldehyde releasers
- Organobromine and/or organochlorine substances
- 6PPD

Cycle 1

- Polychlorinated biphenyls (PCBs)
- Phthalates
- PFAS
- Organohalogen flame retardants
- Phenolic compounds
 - Alkylphenol ethoxylates
 - Bisphenols

Approach for prioritizing products

- Research consumer products that contain priority chemicals.
- Focus on opportunities to:
 - Reduce disproportionate exposures in people.
 - Reduce contamination of ecosystems.
- Narrow list of potential products.
- Define scope of product categories.
- Evaluate whether product is a significant source or use of the priority chemical or class.



How did we get here?

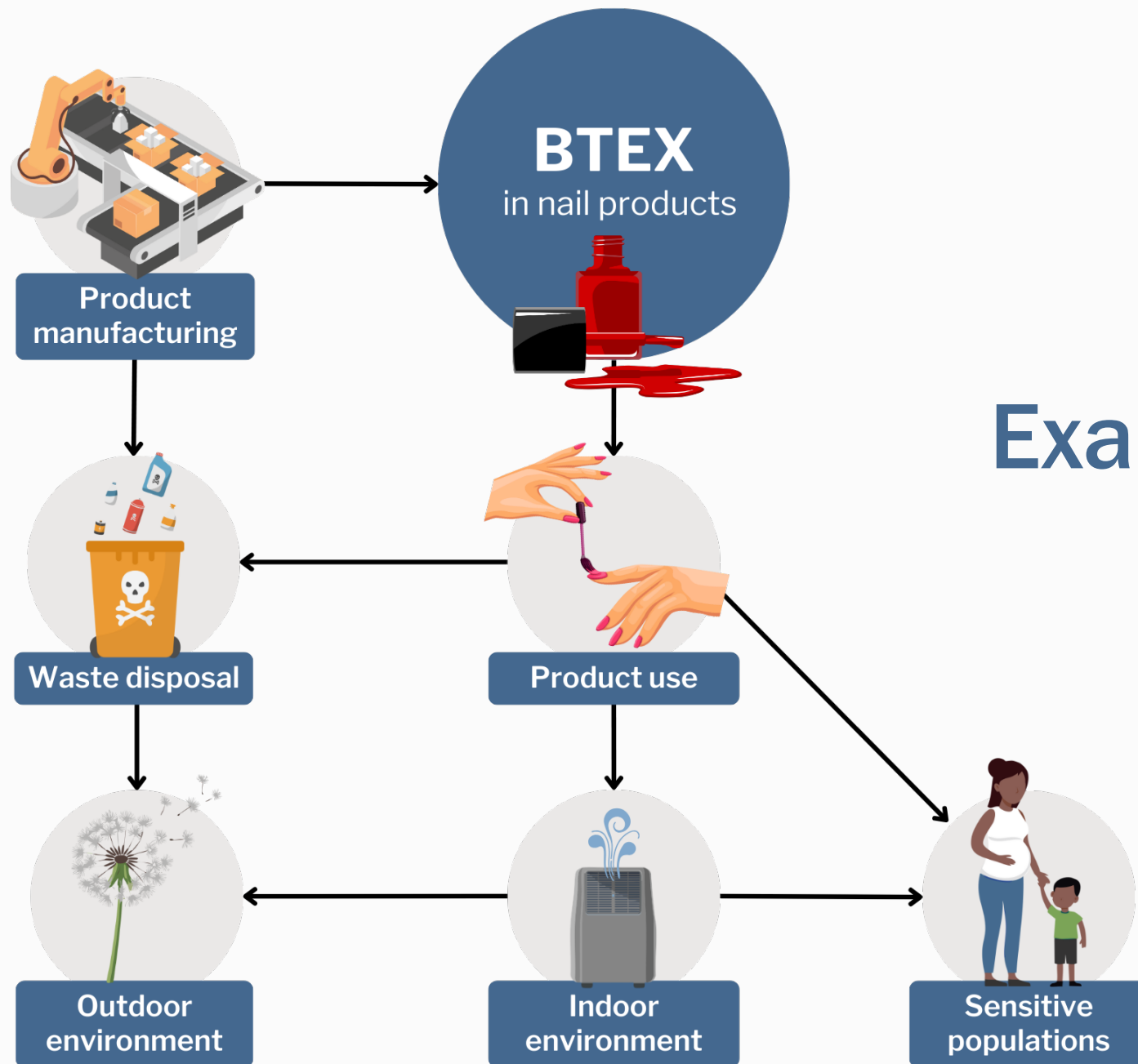
- Input from 2022 Public and Community Survey
- Input from public comment periods during Cycle 1 and 2
- Research from our Cycle 2, Phase 1 priority chemicals report
- Products regulated in other states and nations
- Input from 2024 Public and Community Survey

Equity

- Sensitive populations include:
 - Communities that are highly impacted by toxic chemicals.
 - Persons with occupational exposure.
- Communities and worker populations with:
 - Potential for higher exposures to priority chemicals.
 - Potential for greater susceptibility to hazards of priority chemicals.
- We work to relate this information to products people use and priorities raised in public input.

What is in the draft report?

- Report is divided in two parts.
- Draft legislative report
 - High-level overview of process and products.
- Draft supporting technical report
 - Methods
 - Detail on products and how they meet the criteria in the law:
 - Volume.
 - Potential for exposure in sensitive populations and species.
 - Availability of potential safer alternatives.
 - Exposure pathways figures.



Example of exposure pathways figures

New draft priority products



Artificial turf



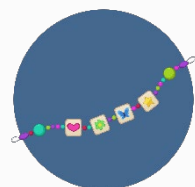
Cleaning and household care products



Cosmetics



Insulation



Jewelry and accessories

New draft priority products, continued



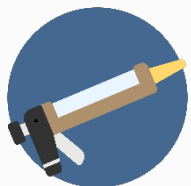
Nail products



Paints—architectural



Plastic packaging



Sealants, adhesives, and caulks



Toilet and bathroom deodorizer

Artificial turf

Priority Chemical Classes:

- PFAS
- 6PPD

Volume:

- At least 100 artificial turf fields in Washington.
- Crumb rubber from 20,000 – 40,000 tires per field.

Sensitive populations

- Recreational activity participants and observers.
- Children and people of childbearing age.

Releases to the environment

- Estimated at 1,778 kg tire particles per field per year.
- 6PPD and 6PPD-quinone contaminate stormwater.



Cleaning and household care

Priority Chemical Classes:

- Ortho-phthalates
- Formaldehyde and formaldehyde releasers

Volume:

- Estimated around \$739 million in revenue in 2024 in Washington.

Workers

- Common occupational exposure in King County workers.

Additional sensitive populations:

- People of childbearing age and children.



Cosmetics

Priority Chemical Class: **Cyclic volatile methylsiloxanes (cVMS)**

Volume:

- Estimated \$2 billion market in Washington.

Sensitive populations:

- Workers
- People of childbearing age
- Children

Releases to the environment:

- Do not naturally occur but are widely detected in the environment.
- Estimated over 90% of releases are from cosmetics.



Insulation

Priority Chemical Class: **Organohalogen flame retardants (OFRs)**

Volume:

- Foam plastic insulation used in around 20% of single-family homes.
- 2 million existing single-family homes in Washington.
- 1.1 million new homes needed over next 20 years.

Sensitive populations:

- Children, people of childbearing age
- Construction workers, firefighters

Releases to the environment:

- Wastewater
- Demolition and construction



Jewelry and accessories

Priority Chemical Classes: **Lead and cadmium**

Volume:

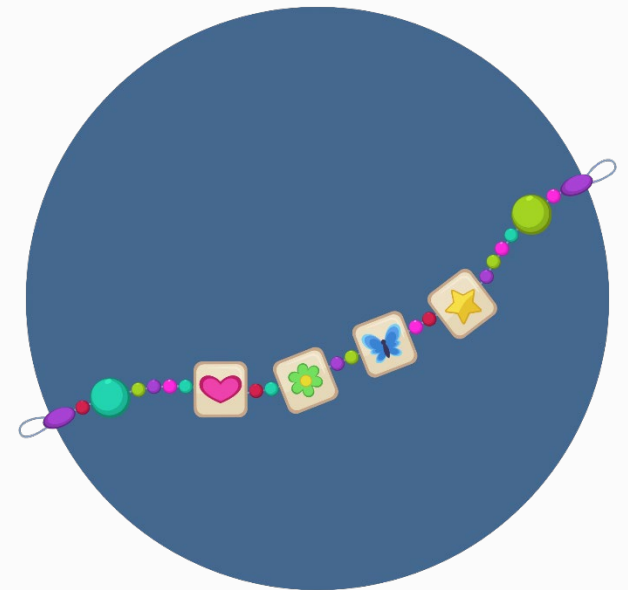
- Costume and novelty jewelry sales of around \$370 million per year in Washington.

Sensitive populations:

- Children, low-income, immigrants, or living near past smelter sites.
- People of childbearing age.

Releases to the environment:

- Landfill leachate



Nail products

Priority Chemical Class: **Benzene, toluene, ethylbenzene and xylene (BTEX) substances**

Volume:

- Estimated around 2 million women use nail products in Washington each year.

Nail salon workers:

- Majority are Asian-American women of childbearing age.
- Most are low-income workers.

Additional sensitive populations:

- People of childbearing age
- Children



Paints–architectural

Priority Chemical Class: **PFAS**

Volume:

- 13.8 million gallons of paint sold in 2023 in Washington.

Sensitive populations

- Workers–professional painters
- Children–potential exposure through dust
- People of childbearing age–individual practitioners

Releases to the environment

- Wastewater – brush washing, laundry, improper paint disposal
- Demolition and construction debris



Plastic packaging

Priority Chemical Class: **Organobromine and or organochlorine substances**

Volume:

- Estimated PVC packaging waste was around 9,000 tons in 2020 in Washington.

Sensitive populations:

- PVC microplastics–detected in human mucus, reproductive, and vascular tissues.
- Children

Releases to the environment:

- Negligible recycling after consumer use.
- Reduces recyclability of other plastics.
- Breaks down into microplastics in landfills.
- Burning releases dioxins.



Sealants, caulks, and adhesives

Priority Chemical Class: Ortho-phthalates

Volume:

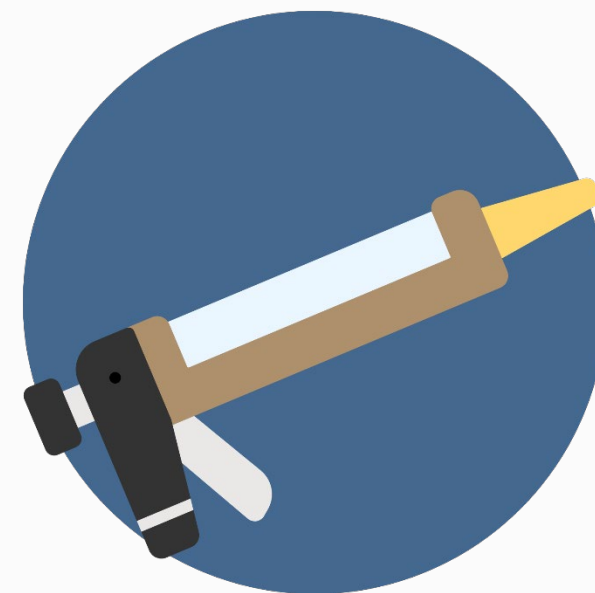
- Estimated around 45 to 133 million pounds in Washington for 2022.

Sensitive populations:

- Workers—construction and building maintenance
- People of childbearing age—individual practitioners
- Children—inadvertent ingestion of dust

Releases to the environment:

- Construction and demolition debris
- Wastewater



Toilet and bathroom deodorizers

Priority Chemical Class: **Organobromine and or organochlorine substances**

- 1,4-dichlorobenzene

Volume:

- Estimated around 280,000 to 720,000 pounds used in Washington in 2018.

Sensitive populations:

- Workers, people of childbearing age, and children.
- Exposure to 1,4-DCB is higher in women of color relative to white women.

Releases to the environment:

- Evaporation to air
- Wastewater



Additional work in Cycle 2

6PPD in motor vehicle tires as directed by SB 5931 (2024)

PCBs in printing inks from Cycle 1

PFAS products from Cycle 1.5:

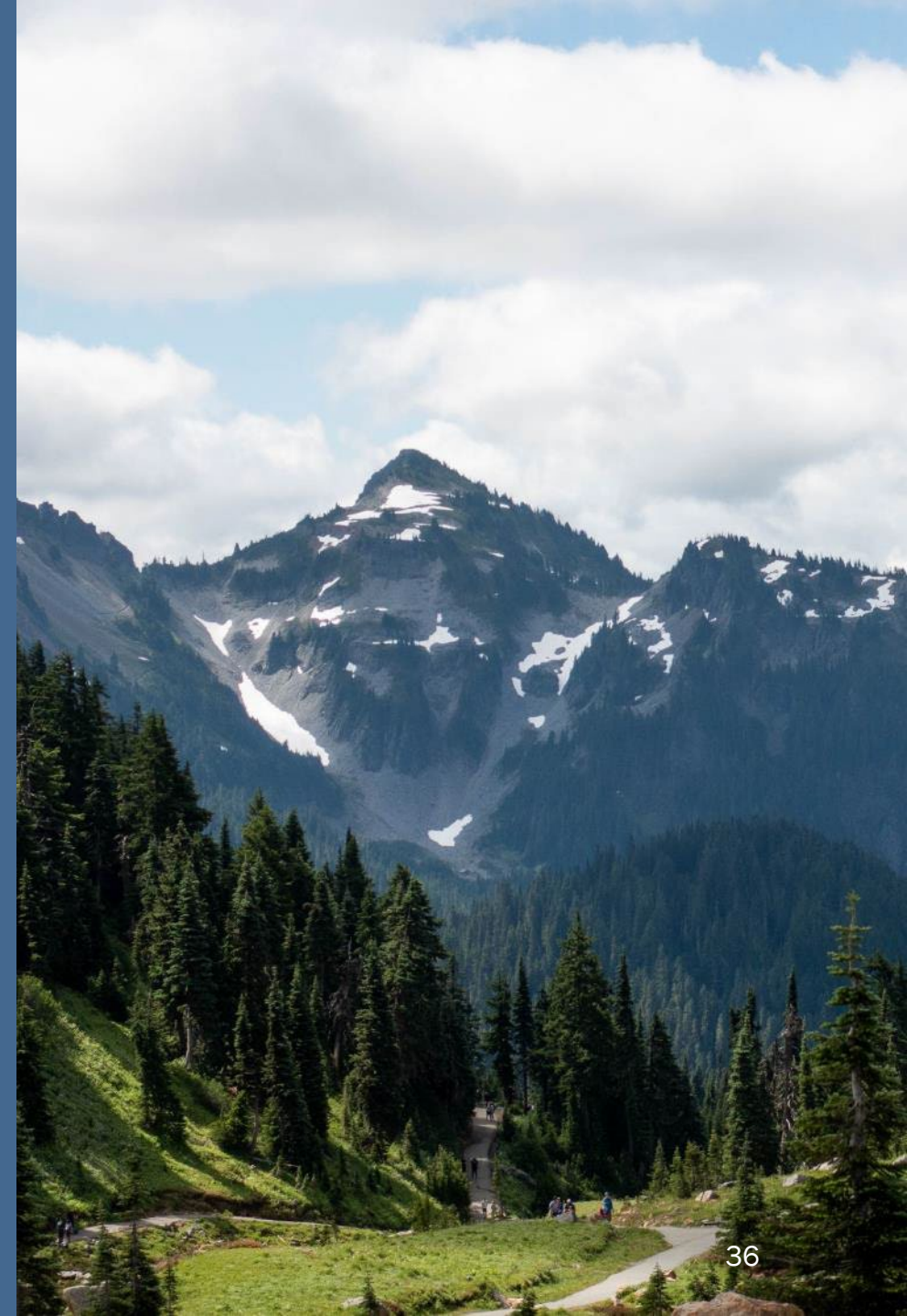
- Hard Surface Sealers
- Cookware and kitchen supplies
- Firefighting PPE
- Floor waxes and polishes

Timeline

- November 1: Released draft priority products report
 - Legislative report–high-level summary and overview
 - Technical report–methods and detailed supporting rationale
- November 1: Begin 45-day public comment period
- November 14: Public webinars (this meeting!)
- December 16: End 45-day public comment period
- By June 1, 2025: Release final priority products report



Questions

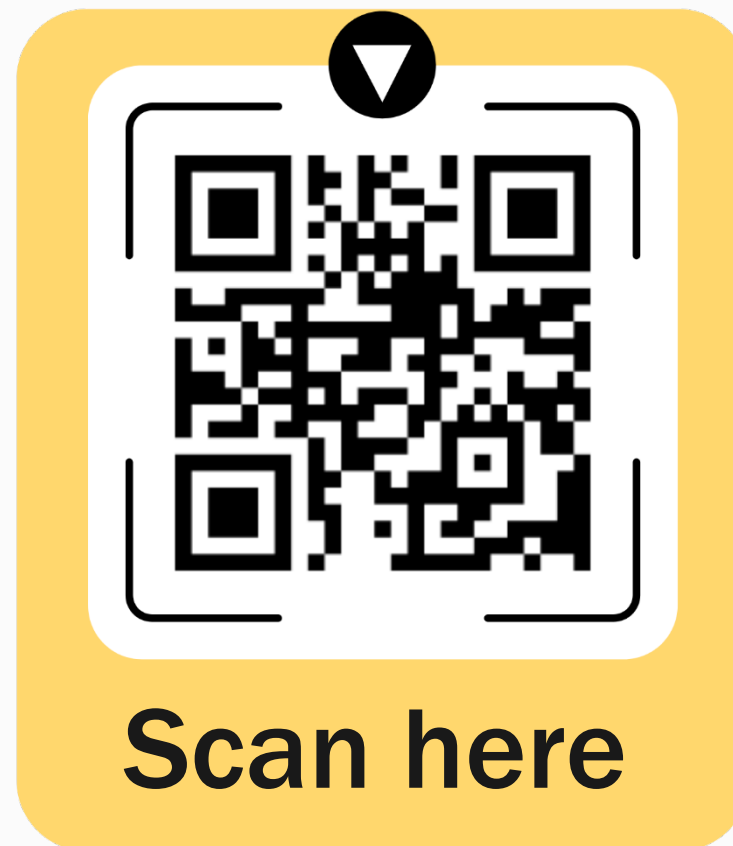


Question & Answer

- What questions do you have for us?

Thank you for joining us!

- Submit comments through our online form or email us at SaferProductsWA@ecy.wa.gov
- Comments may change the final report to be published by June 1, 2025.



Provide Public Comment
<https://hwtr.ecology.commentinput.com/?id=9gHGTCx2EV>

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Figure Description, slide 8

- **Slide 8:** This slide demonstrates the four phases of a standard Safer Products for Washington cycle: priority chemical classes, priority consumer products, regulatory actions, and rulemaking.
- Safer Products for Washington implementation cycle are defined in four phases. Once phase four is complete, it's back to phase 1.
- Phase 1: Priority Chemical Classes in which we select priority chemicals and chemical classes to focus on during the cycle.
- Phase 2: Priority Consumer Products in which we identify which consumer products contain these chemicals and can harm people and the environment.
- Phase 3: Regulatory Actions in which we determine whether we'll regulate when these chemicals are used. Will we require notice, restrict/prohibit, or take no action?
- Phase 4: Rulemaking in which we restrict the use of chemicals in products or require reporting to keep people and the environment safe.

Figure Description, slide 21

- Diagram showing pathways of potential exposure to BTEX from product manufacturing and nail product use. Arrows show the movement of BTEX inhalation and volatilization from product use into an indoor environment leading to potential exposure in sensitive populations. Waste disposal from product manufacturing impacts the outdoor environment.