

On August 29, 2019 the Washington State Departments of Ecology and Health hosted a webinar to explain the law, how we are working to implement the requirements and to hear questions from our interested parties. The following information is provided from that presentation.

Contact us by emailing SaferProductsWA@ecy.wa.gov.

General topics

Q: Where is the Safer Products for Washington website?

A: Information about Safer Products for Washington is shared at this link:

https://www.ezview.wa.gov/site/alias_1962/37555/safer_products_for_washington.aspx

Q: Where can we find a copy of the August 29 presentation?

A: The August 29, 2019 slide presentation can be found at this link:

https://www.ezview.wa.gov/Portals/_1962/Documents/saferproducts/August_2019_Webinar_Presentation.pdf

Q: How can I sign up on the Safer Products for Washington email list?

A: Go to this link to register on the email list: <http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?SUBED1=SAFERPRODUCTSWA&A=1>

Q: How do I get in touch with Safer Products for Washington if I have more questions?

A: Email us at SaferProductsWA@ecy.wa.gov

Q: What were the other links in the August 29th presentation?

A: Link to the law:

<https://app.leg.wa.gov/RCW/default.aspx?cite=70.365>

Webinar questions

Q: Is your plan to complete assessment of all five of the initial priority chemicals in this five-year cycle?

A: We are currently researching products for all five of the initial priority chemical classes designated by the legislature. The current group of chemicals was defined by the legislature and we will not be assessing how they meet the priority chemical requirements as outlined in the law.

Q: Do you anticipate identifying specific chemistries from the priority chemical classes used in priority products that could be subject to potential regulation?

A: We are currently in the product research phase of this effort. The scope of potential regulations will be discussed under phase three.

Q: Might some of the five chemical classes be skipped this five-year cycle and left for subsequent cycles?

A: That is a possibility, at this time we are researching products for all five of the initial priority chemical classes designated by the legislature. It is also possible that we will continue to look at some of these classes in future cycles.

Q: Approximately when will general categories of exemptions be communicated?

A: We anticipate sharing the general categories of products in September (by email). Determining exemptions is expected to be part of the next phase of this effort (determine regulatory actions), or later during rulemaking.

Q: Will only products which have an alternative be selected as a priority product?

A: At this time, we are not evaluating alternatives in order to identify priority products. The evaluation of alternatives occurs as one of the steps in Phase 3 of this process (determine regulatory actions). Availability of safer alternatives is a consideration when designating a priority product, but it is not a requirement.

Q: Question about timeline for regulation. Current plan is to promulgate final rules by June 2023, and they will become effective June 2024. Correct?

A: The timeline in the law requires rule adoption by June 2023. Rules become effective one month after adoption (so July 2023, if we are on schedule). The law requires a one-year delay in enforcement of a prohibition or ban, if that is included in the rule, those restrictions would be effective July 2024.

Q: What is Ecology's plan to implement the "stakeholder advisory process" outlined in the legislation?

A: This webinar, website, and ongoing consultation is the "stakeholder advisory process." We will be reaching out to interested parties throughout this process to ask for input, feedback, data, and to answer questions. We are not establishing an advisory committee, as the chemical classes and product categories are too diverse to designate one advisory committee.

Q: Will all the documents, notices, agendas, etc., be posted in an easy-to-find website?

A: We will post information at this website:

https://www.ezview.wa.gov/site/alias_1962/37555/safer_products_for_washington.aspx

Q: Does the definition of products include packaging?

A: Yes, the definition of "consumer product" means any item, including component parts and packaging, sold for residential or commercial use (SSB 5135 Section 1 (1)).

Q: What if the chemical of concern is not performing an essential function? Is an alternative still required?

A: When determining regulatory actions (Phase 3), the department may consider whether the priority chemicals are functionally necessary (SSB 5135 Section 4 (4) (a)). We will go over that process in more detail when we are in Phase 3 of this process.