



DEPARTMENT OF
ECOLOGY
State of Washington

Cycle 2: Update on Priority Chemicals and Identifying Draft Priority Products

Safer Products for Washington

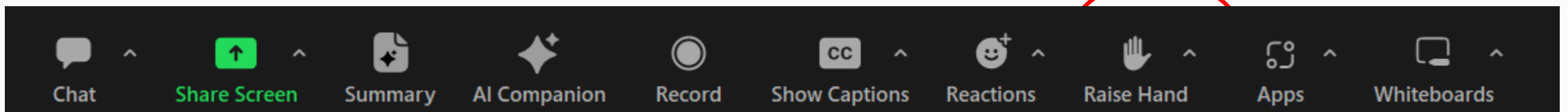
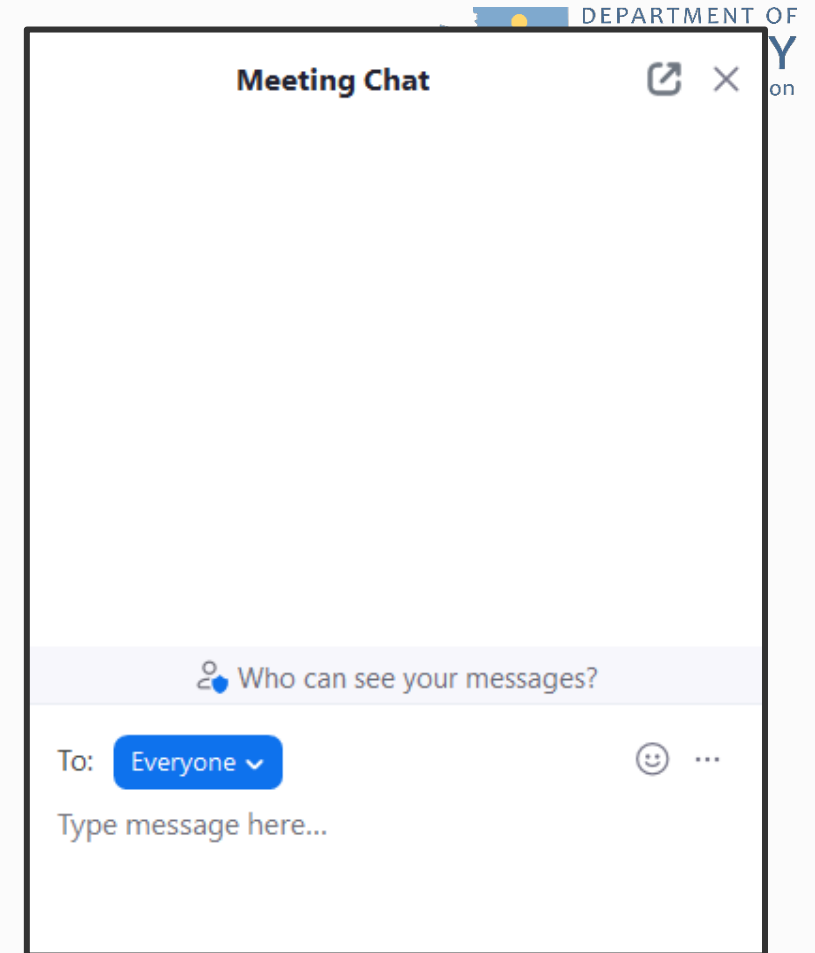
July 11, 2024



Zoom Logistics



- To raise your hand, find the Raise Hand button on the tool bar at the bottom of the screen.
- To participate in the chat, make sure your responses are sent to Everyone.

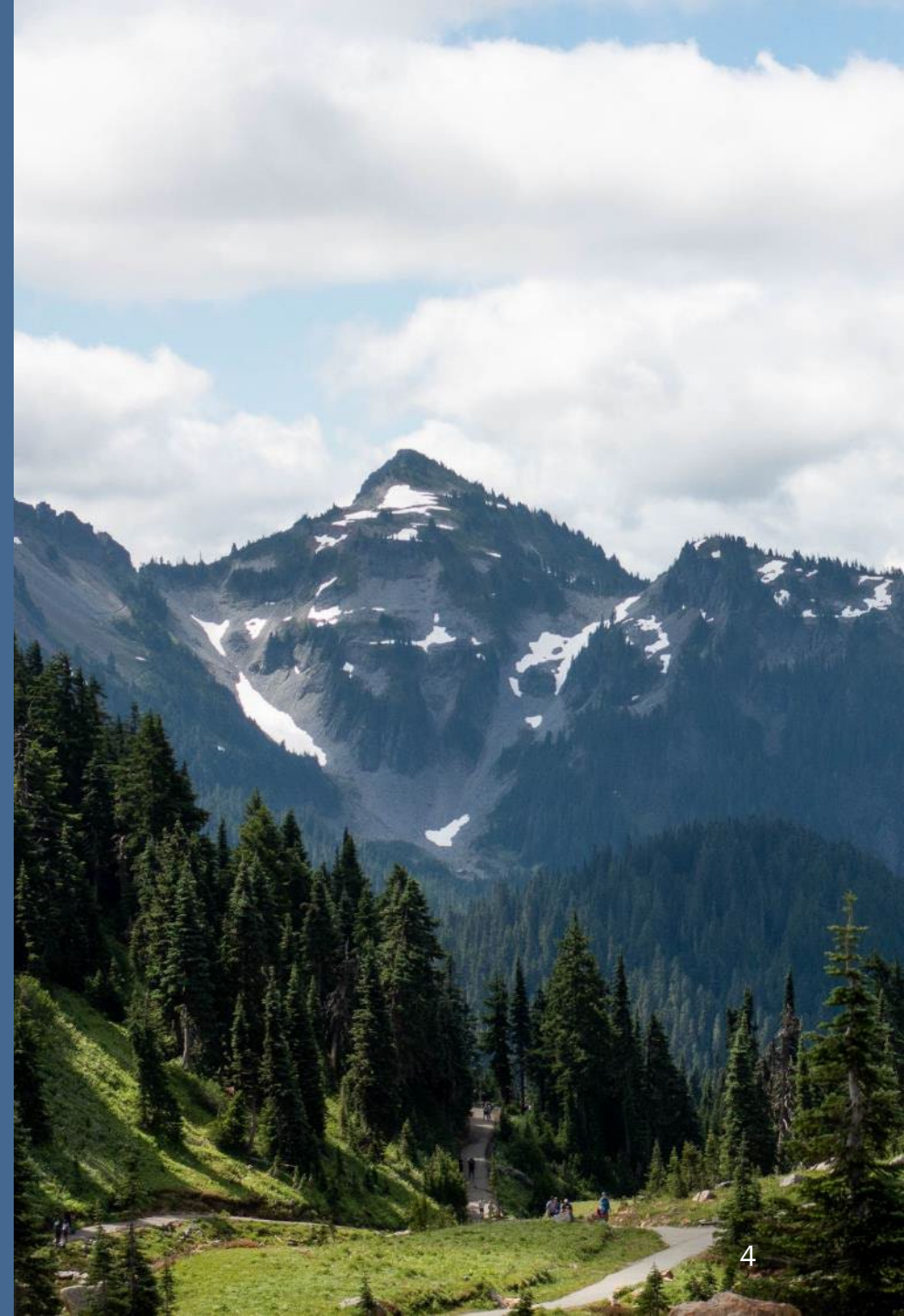


Agenda

- Overview of Safer Products for Washington
- Designation of cycle 2 priority chemicals and chemical classes
- Update on process to identify priority products
- Open call for data on potential priority products
- Timeline and Feedback Opportunities
- Q & A



Overview of Safer Products for Washington



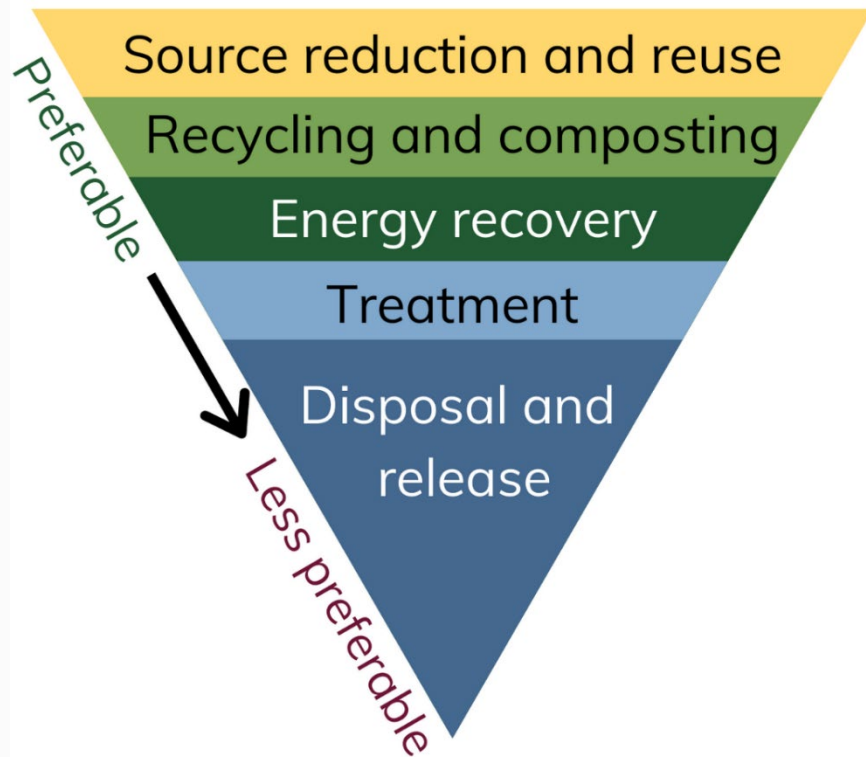
Safer Products for Washington

- 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



Reduce risks by reducing the use of hazardous chemicals

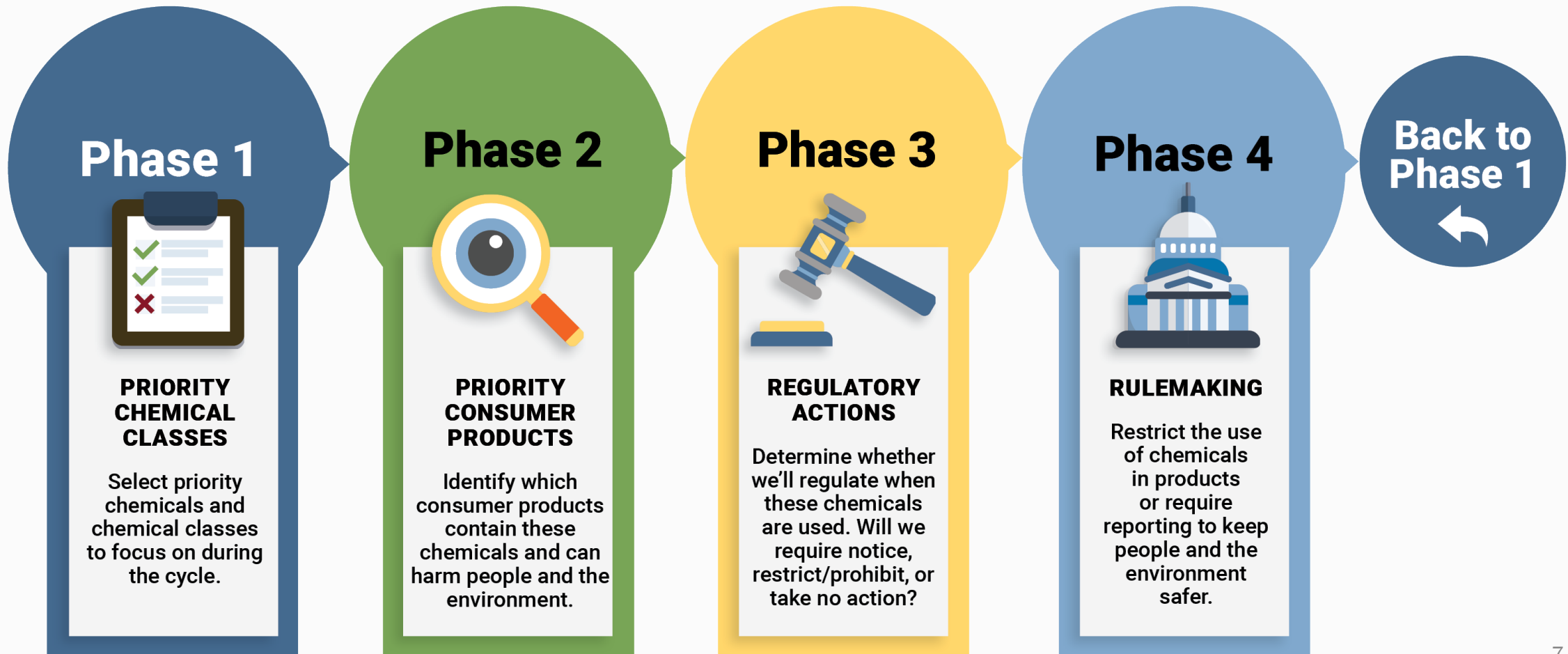
Waste Management Hierarchy



- 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.

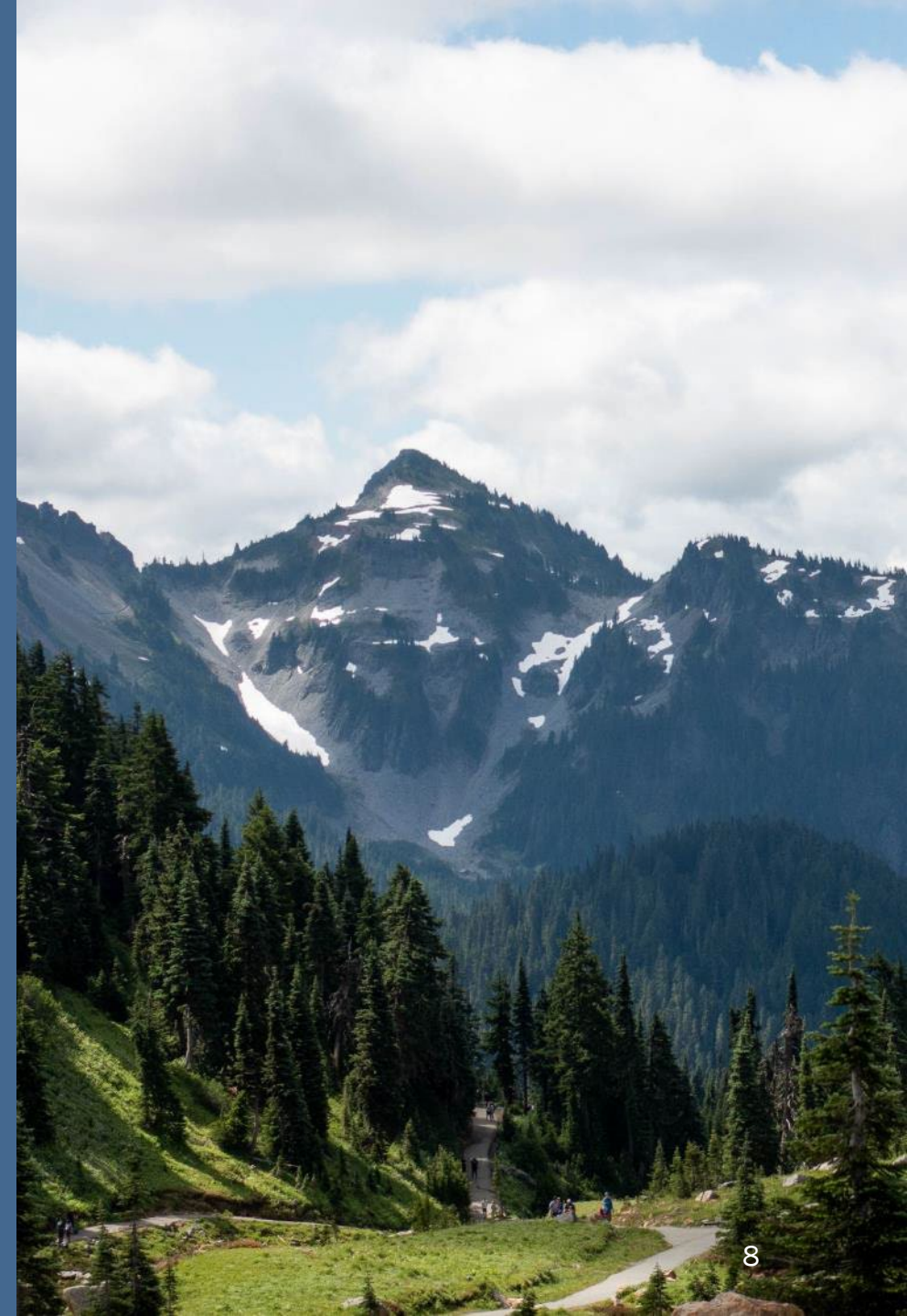
$$\downarrow \text{Hazard} \quad \times \quad \text{Exposure} \quad = \quad \downarrow \text{Risk}$$

Safer Products for Washington Implementation Process





Designation of priority chemicals and chemical classes

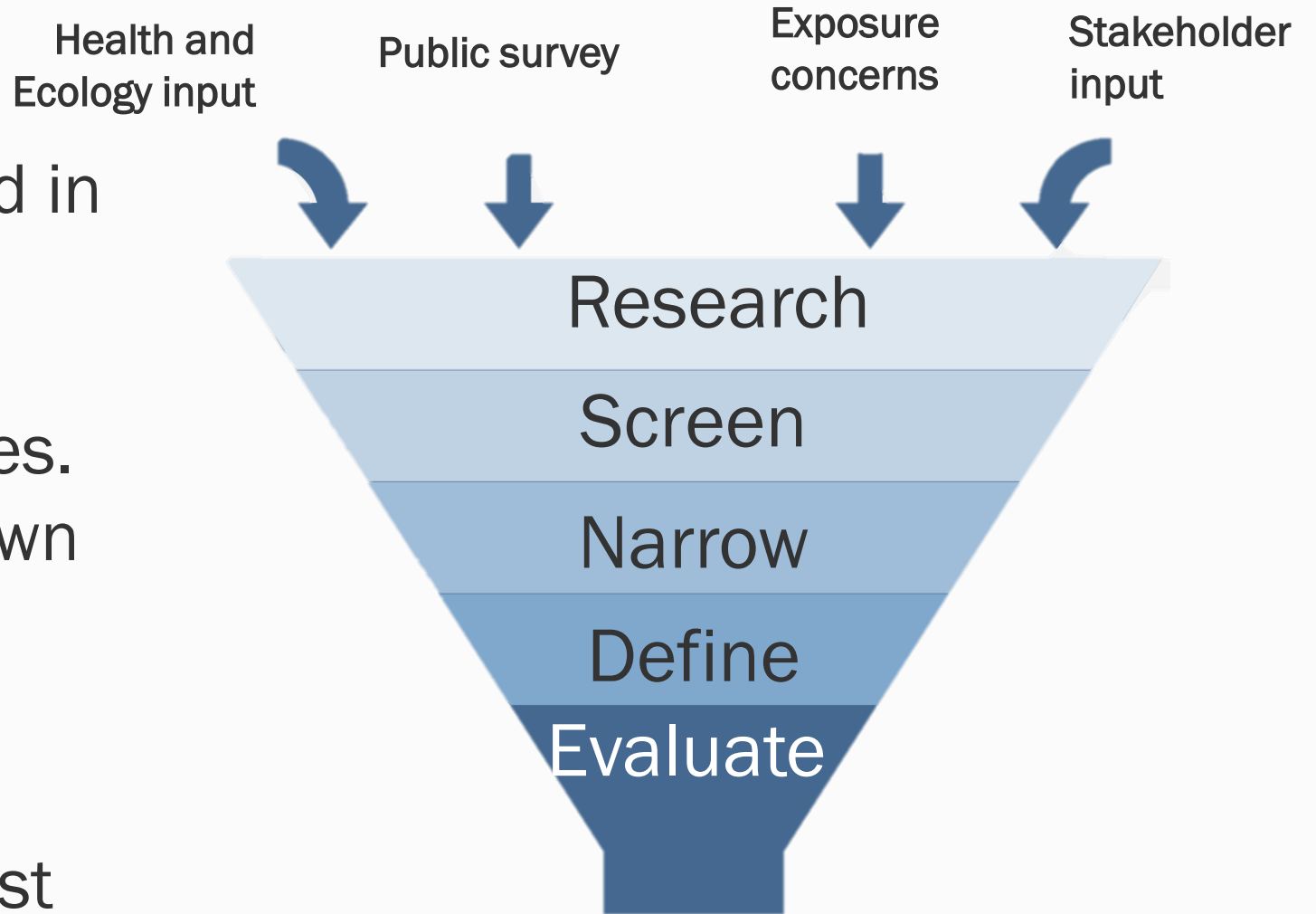


Priority chemical statutory requirements DEPARTMENT OF ECOLOGY State of Washington

- Every five years Ecology must designate **at least five new** priority chemicals or classes that meet **at least one** of the following criteria.
- The chemical or a member of a class of chemicals is:
 - A chemical of high concern for children (CSPA).
 - A persistent, bioaccumulative, toxic chemical (PBT).
 - Regulated in consumer products in Washington under relevant statutes.
 - Regulated as a hazardous substance in Washington.
 - A concern for sensitive populations and sensitive species.

Approach for prioritizing chemicals

- Research chemicals found in consumer products and chemicals with disproportionate exposures.
- Screen chemicals for known and potential hazards.
- Narrow chemical list.
- Define chemical classes.
- Evaluate chemicals against the criteria in the law.



Identify priority chemicals

What we prioritized

Hazard and exposure considerations

- Carcinogens, mutagens, reproductive and developmental toxicants, endocrine disruptors
- High persistence or bioaccumulation
- Opportunities to equitably reduce exposure

Use and regulation considerations

- High production and release volumes
- Opportunities to prevent regrettable substitution
- Chemicals identified in statute or by rule:
 - Persistent, bioaccumulative, and toxic chemicals (PBTs)
 - Chemicals of high concern to children list
 - Regulated in consumer products or as hazardous substances

Designated priority chemicals and classes

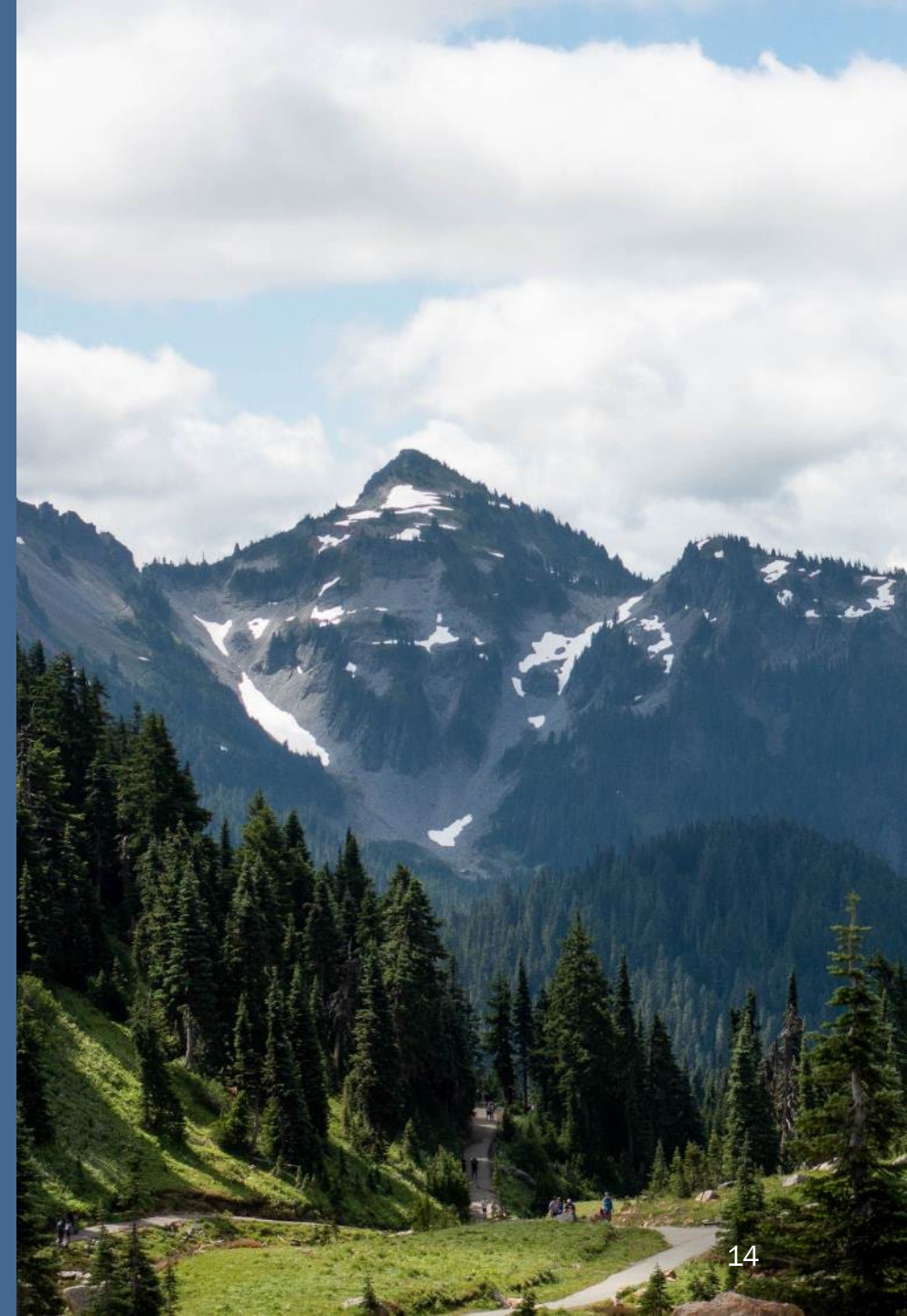
- Cadmium and cadmium compounds
- Lead and lead compounds
- Benzene, toluene, ethylbenzene, and xylenes (BTEX) substances
- Cyclic volatile methylsiloxanes (cVMS)
- Formaldehyde and formaldehyde releasers
- Organobromine and/or organochlorine substances
- 6PPD

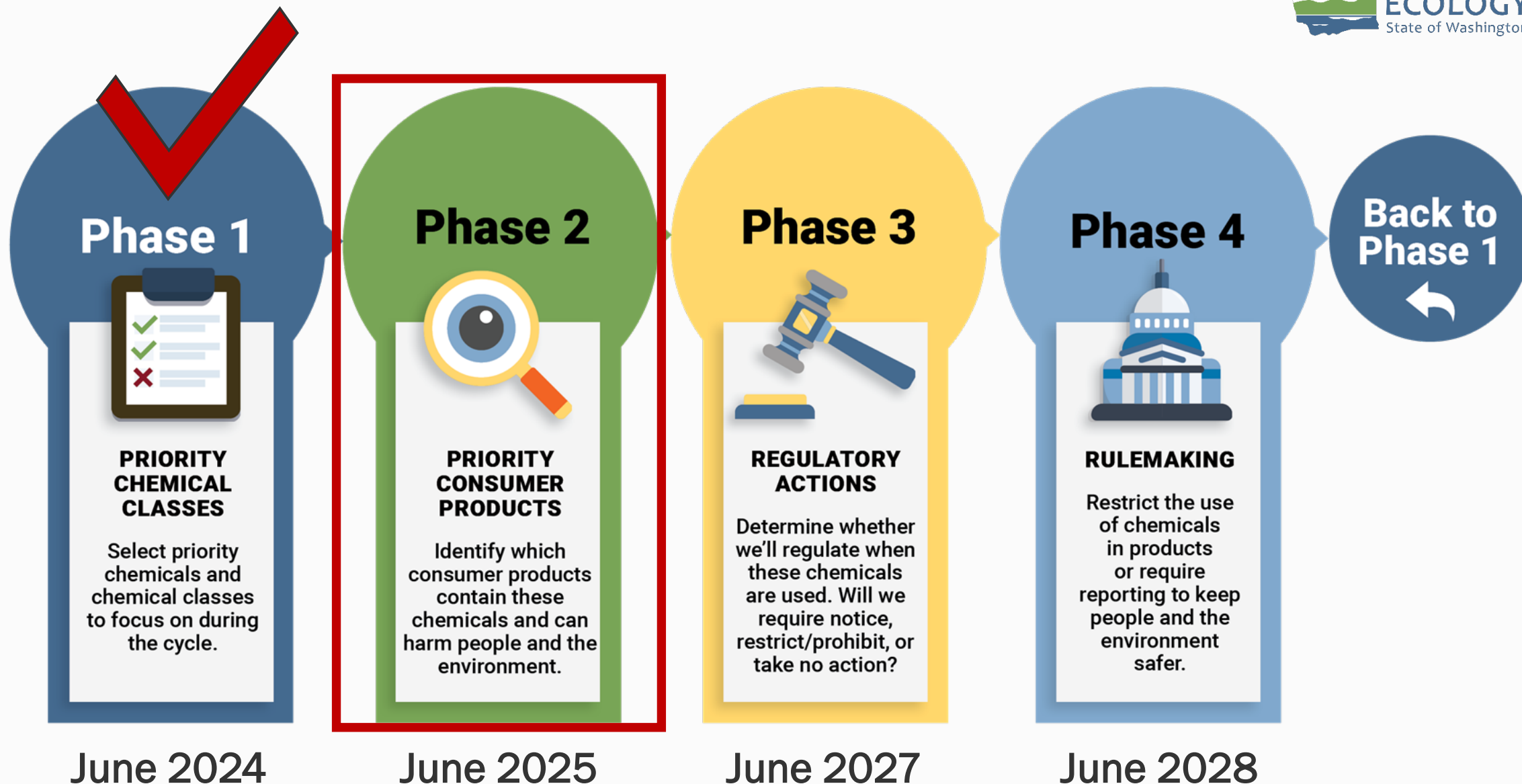
Why these priority chemicals?

- Can cause cancer, harm reproduction or development, impact brain function, interfere with hormones or cause allergic reactions
- Can disproportionately expose sensitive populations
- Can harm aquatic resources and ecosystems
- Contaminate the environment
- Have already been regulated in Washington in children's products, as hazardous substances or in consumer products



Priority Products Update





Cycle 2, Phase 2 – guiding principles



- Transparency in our approach and process.
- Process grounded in science and public input.
- Equitably reduce exposures to toxic chemicals in people.
- Protect aquatic and terrestrial ecosystems in Washington.
- Show 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.

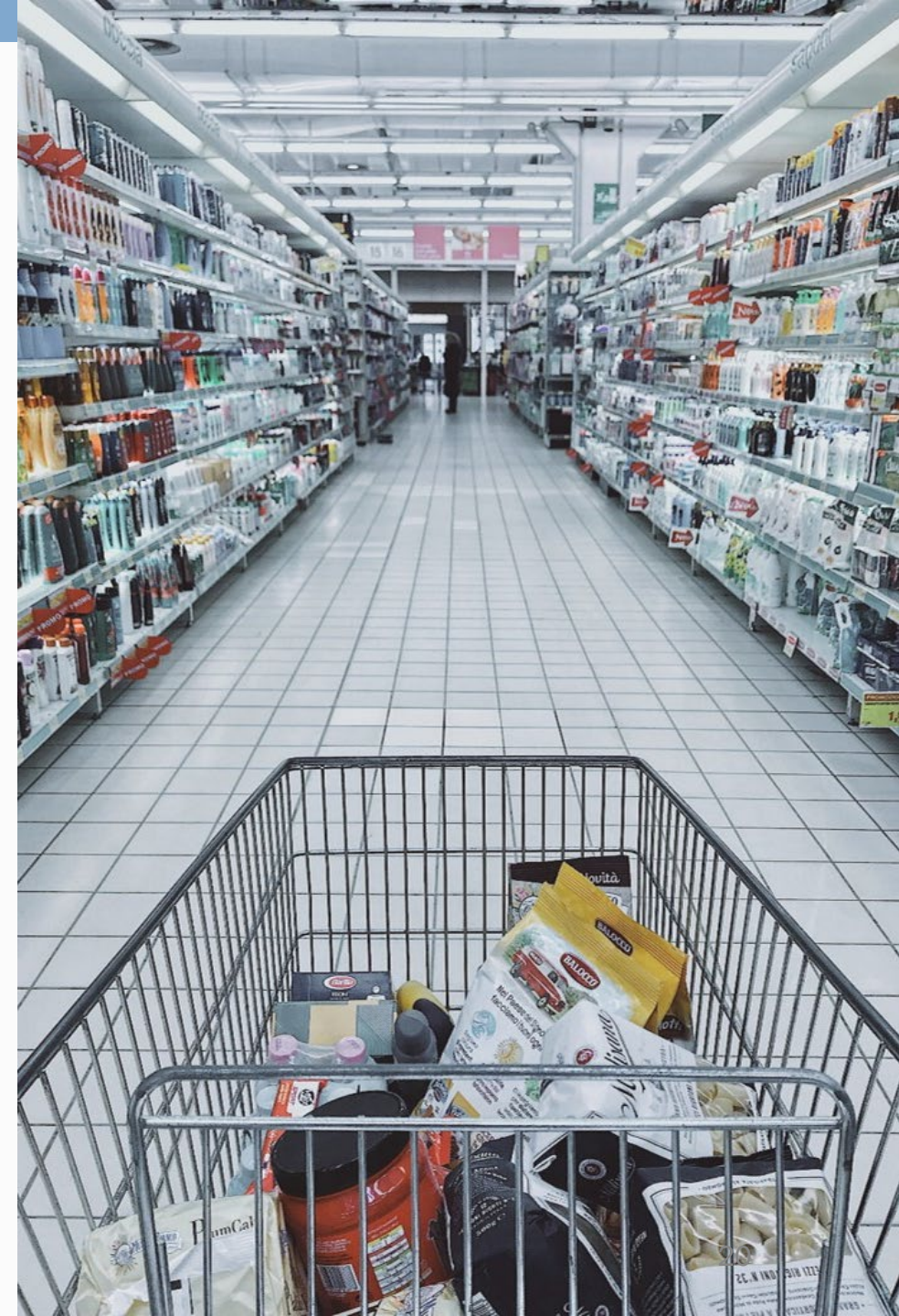
Goals for Cycle 2 Phase 2

- Prioritize around **10 new products** for Cycle 2:
 - Identify products for seven new Cycle 2 chemical classes
 - Identify additional products for Cycle 1 chemical classes
- Also add PFAS products from Cycle 1.5:
 - Hard Surface Sealants
 - Cookware and kitchen supplies
 - Firefighting PPE
 - Floor waxes and polishes

Choosing consumer products

Draft product list will be 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

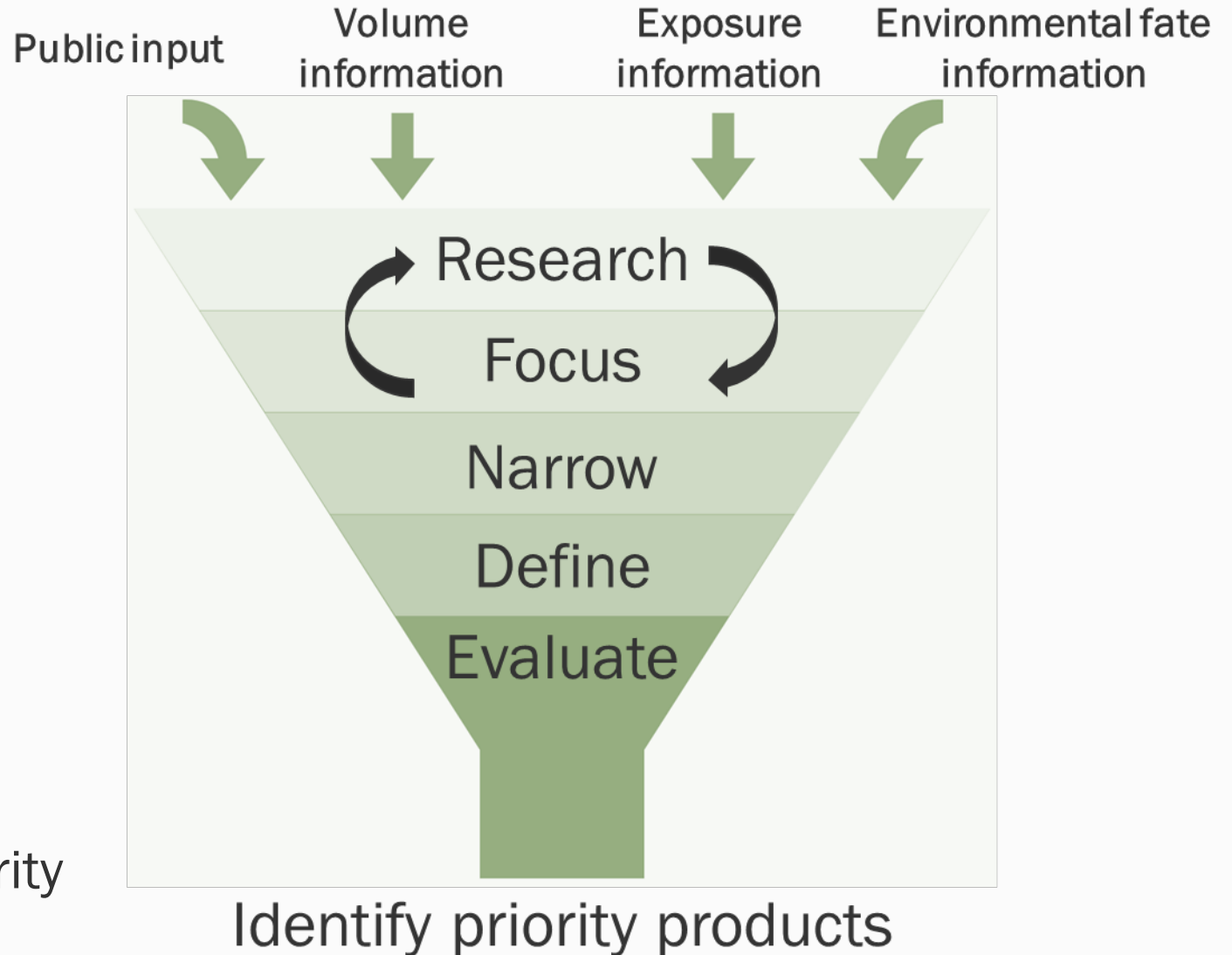
- Cadmium and cadmium compounds
- Lead and lead compounds
- Benzene, toluene, ethylbenzene, and xylenes (BTEX) substances
- Cyclic volatile methylsiloxanes (cVMS)
- Formaldehyde and formaldehyde releasers
- Organobromine and/or organochlorine substances
- 6PPD

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 ecologically sensitive areas.
- 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.



Where do we start?

- 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

2022 Public and Community Survey Themes

- Top 5 priority products ranked by participants in public survey:
 1. Personal care and beauty products
 2. Food and drink cans
 3. Laundry detergent
 4. Carpet and rugs
 5. Paints
- Other products mentioned in public survey input:
 - Food-related products
 - Cleaning and laundry products
 - Yard care and agricultural products
 - Plastics
 - Clothing and accessories
 - Home furnishing and décor
 - Children and baby products
 - Care and beauty products
 - Water- and stain- resistant products
 - Automobiles and tires

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
- To help us identify these populations we use:
 - Epidemiology studies
 - Biomonitoring studies
 - Geographic data
 - Demographic data
- We work to relate this information to products people use and priorities raised in public input.

Example of using tools to inform our work

- EPA ChemExpo
 - Interactive application to explore chemicals in consumer products
 - Uses Chemical and Products Database (CPDat) curated by EPA
- Mintel Global New Products Database (GNPD)
 - Subscription-based service
 - Information gathered from product labels
- California Safe Cosmetics Program (CSCP) Product Database
 - Cosmetic ingredient information reported by companies
- These are only a few examples, we use many other tools and resources to inform our work.

Example of data from tools

- EPA ChemExpo: decamethylcyclopentasiloxane (**D5**)
 - Cleaning and Household Care Products (2 products)
 - Food and drug (9 products)
 - Home maintenance (8 products)
 - **Personal care (9159 products)**
 - Vehicle (9 products)

Example of data from tools, continued

- California Safe Cosmetics Program Product Database:
 - Decamethylcycllopentasiloxane (D5)
 - **Cosmetics (654 products)**
- Mintel New Products Database for last 5 years:
 - Decamethylcycllopentasiloxane (D5)
 - **Beauty and Personal Care (2,444 products)**
 - Health (10 products)
 - Pet (1 product)

Products areas we are researching (not a draft products list)

- Cosmetics
 - Cyclic volatile methylsiloxanes (cVMS)
 - BTEX substances
- Jewelry and accessories
 - Lead and lead compounds
 - Cadmium and cadmium compounds
- Cleaning and household care products
 - Formaldehyde and formaldehyde releasers
 - Phthalates
 - Organobromine and/or organochlorine substances

Products areas we are researching (not a draft products list), continued

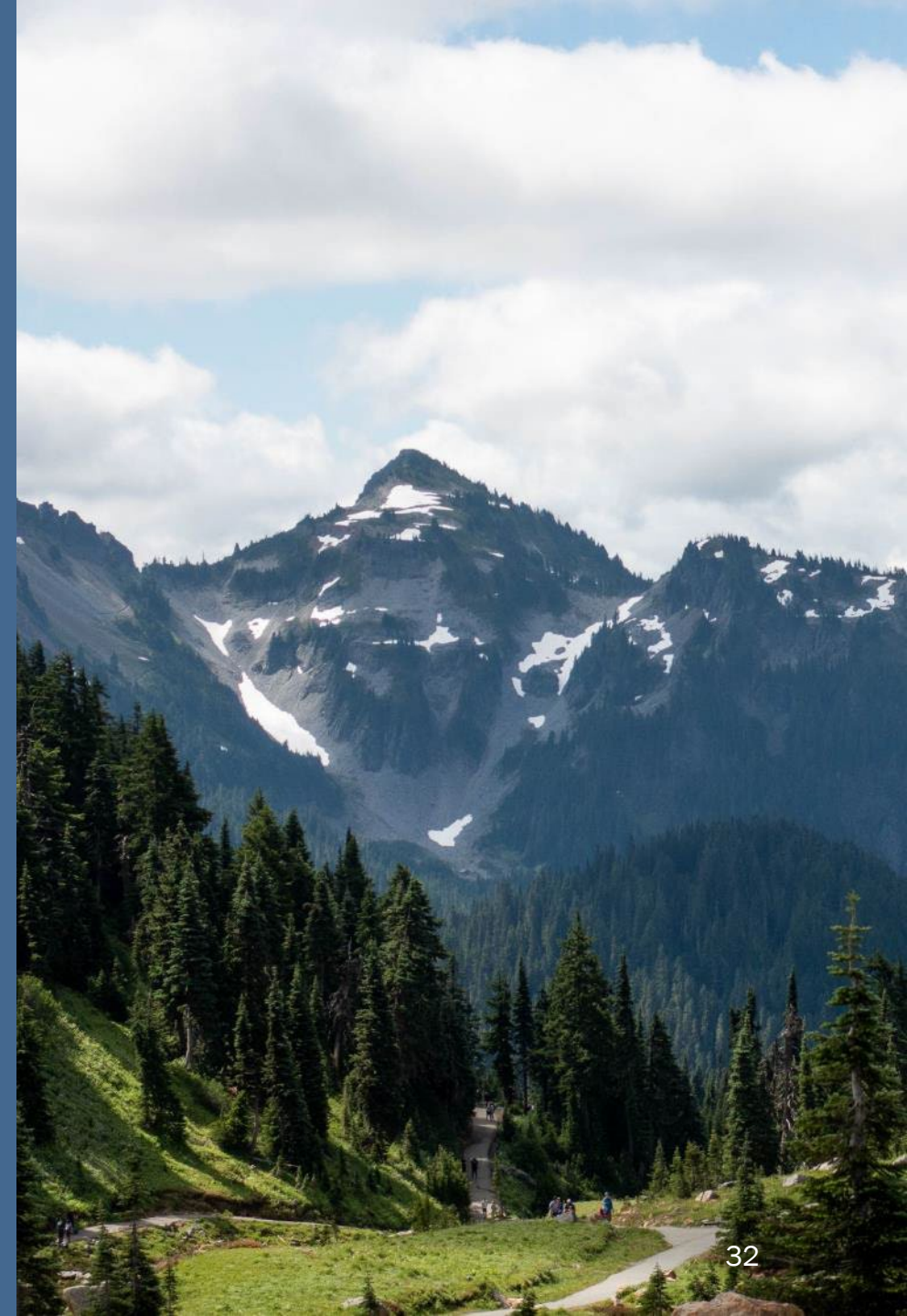
- Packaging materials
 - Organobromine and/or organochlorine substances
- Building materials and home maintenance products
 - Phthalates
 - Organohalogen flame retardants
- Tires and products made from recycled tires
 - 6PPD

Timeline

- What's happened so far:
 - March 6 – April 12, Public survey
 - Summary to be published in near future.
 - May 30, Published Cycle 2 Priority Chemicals Report
 - July 11, Public webinar (this meeting!)
- Later this year:
 - Publish Draft Cycle 2 Priority Products Report
 - Public comment period for draft report (to be announced)
 - Public webinar to overview report



Feedback and input



Feedback slide #1

- What are your thoughts on the general approach we shared today for prioritizing products?
 - Response
 - Response
 - Response
 - Response
- What are other tools or resources that you think may benefit our work on products?
 - Response
 - Response
 - Response
 - Response

Feedback slide #2

- Are there other products you are concerned about that you would like us to consider and why?
 - Response
 - Response
 - Response
 - Response
- What else would you like us to know about how products are used or disposed of by you or your community?
 - Response
 - Response
 - Response
 - Response

Feedback slide #3

- Does your organization or company have information to share and what is your preferred way to engage with our work?
 - Response
 - Response
 - Response
 - Response
- What other feedback or input do you want to share with us today?
 - Response
 - Response
 - Response
 - Response

Question & Answer

- What other questions do you have for us?



Thank you

Please email us with any questions or comments:
SaferProductsWA@ecy.wa.gov.

Tools and approaches (non-exhaustive)

- **EPA Resources and tools:**
 - ChemExpo
 - CompTox
 - Chemical Data Reporting (CDR)
 - Toxic Release Inventory (TRI)
 - Abstract Sifter
- **Product databases:**
 - Mintel Global New Products Database (GNPD)
 - Consumer Product Information Database (CPID)
 - California Safe Cosmetics Program Product Database
 - Habitable Future - Pharos
 - International Living Future Institute - Declare Database
 - Health Product Declaration Collaborative - Public Repository
- **Washington databases:**
 - Washington Tracking Network (WTN)
 - Environmental Information Management Database (EIM)
- **Additional resources and tools:**
 - University of Washington – US Occupational Burden Estimates
 - Census.gov
 - Peer reviewed literature
 - Government reports (Ecology, King County, EPA, CA DTSC, ECHA, etc.)
 - Non-governmental organization reports
 - Industry association reports