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**Select Committee on  
Environmental Health**

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**HB 2818**

**Brief Description:** Concerning the duties of the department of ecology's office of waste reduction and sustainable production.

**Sponsors:** Representatives Campbell and Hudgins.

**Brief Summary of Bill**

- Increases the responsibilities of the Office of Waste Reduction within the Department of Ecology to include considerations of sustainable production and toxic chemicals use reduction.
- Requires the Office of Waste Reduction and Sustainable Production to develop a toxic chemicals registry of critical materials.
- Requires companies using toxic chemicals, or selling products in the state containing toxic chemicals, to provide toxicity data on their chemicals and products to the Department of Ecology.

**Hearing Date:** 1/24/08

**Staff:** Brad Avy (786-7289).

**Background:**

Toxic chemicals are found in the state's environment, people, and living organisms. There are adverse effects on human health and the environment from toxic chemicals (including persistent, bioaccumulative, and toxic chemicals, heavy metals, chemicals that are endocrine disruptive, carcinogenic, mutagenic, neurotoxic, immunotoxic, or toxic to reproduction). Children are at higher risk of harm from exposure to toxic chemicals than adults.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The public is able to make informed choices regarding consumer products if information about the potential human health and environmental impacts of chemicals in consumer products is available and readily accessible.

### **Summary of Bill:**

Pollution prevention plan requirements currently in law must be evaluated for their ability to help meet a 2020 toxic chemicals use reduction goal to reduce the use of toxic chemicals in the state by 50 percent through hazardous substance use reduction and waste reduction techniques. The Legislature directs the Department of Ecology (DOE) to convene a balanced stakeholder group and report its findings and recommendations by December 31, 2008.

"Toxic chemicals" are defined to mean chemicals with an adverse effect on human health and the environment. They include but are not limited to those that are persistent, bioaccumulative, toxic, endocrine disruptive, carcinogenic, mutagenic, neurotoxic, immunotoxic, toxic to reproduction, or have degradation products that exhibit any of these characteristics; and includes materials which have substantial potential to adversely affect the quality of waters or environment of the state.

The responsibilities of the Office of Waste Reduction (OWRSP) within the DOE are increased to include considerations of sustainable production to include the production of safer consumer products.

The DOE is required to promote the following purposes through research, development, technology demonstration, technology transfer, education, outreach, recognition, and training programs:

- innovative and cost-effective methods for reducing or eliminating the use of toxic substances in manufacturing and other processes (through research and development of environmental technologies that result in sustainable production and toxic chemical use reduction over the course of product life cycles);
- pollution prevention as a means for preventing the risks associated with the use and production of hazardous substances, including risks to human health and the environment;
- pollution prevention as a means for reducing energy and resource consumption, and reducing or eliminating the generation of hazardous substances, pollution, and waste;
- implementation of affordable and cost-effective methods of achieving pollution prevention as a means of:
  - sustaining and safeguarding the competitive advantage of large and small businesses in the state;
  - advancing innovation in the reduction of energy and resource consumption;
  - the reduction or elimination of hazardous substances, pollution, and waste; and
  - voluntary implementation of pollution prevention as a means for meeting the requirements of state or federal environmental laws or regulations.

The OWRSP's coordinating center must, in addition to existing duties, work with federal, state, and local agencies and private organizations administering programs related to pollution prevention, energy consumption, resource consumption, the use and generation of hazardous substances, or the generation of waste or pollution.

The consultation program must provide engineering technical assistance services to businesses and manufacturers in the state seeking to use safer chemical alternatives, reduce waste, increase efficiency, and redesign industrial processes. The Director of the Department of Ecology (Director) may award, on a competitive basis, within amounts appropriated, contracts to public or private institutions able to offer these services.

The OWRSP must administer a waste reduction and safer chemical alternatives research and development program. The Director may contract with any public or private organization for the purpose of developing methods and technologies that achieve toxic chemical use reduction.

The OWRSP must develop a toxic chemicals registry of critical materials and establish:

- reduction strategies for the highest priority chemicals;
- create reduction programs for those chemicals; and
- maintain a database of chemicals used in the state.

A safer chemical alternatives advisory committee may assist the DOE with development of the registry and reduction strategies.

The waste reduction and safer chemical alternatives research and development program may establish or participate in a multi-state chemicals clearinghouse to collect and share information and resources related to safer chemical alternatives. Responsibilities for the clearinghouse include the following:

- share information on safer chemicals initiatives at the state and local level;
- collaborate on interstate efforts;
- provide fact sheets and guidance documents on chemical use, hazards, and substitutes;
- provide a forum for receiving and disseminating U. S. Environmental Protection Agency or other suitable chemical use and hazard data; and
- The DOE may, on a biennial basis, convene a one-day conference that brings together representatives from large and small businesses, government agencies, private agencies, and the general public to discuss progress and exchange ideas consistent with toxic chemicals use reduction.

Companies using toxic chemicals, or selling products in the state containing toxic chemicals, must provide toxicity data on their chemicals and products to the DOE. Companies are encouraged to share with the OWRSP toxicity data provided to meet other regulatory requirements. If the OWRSP deems the toxicity data adequate to meet the goals of this section, no further toxicity data is required. Any proprietary information obtained by the DOE while carrying out the duties required under this section must remain confidential as required by existing law.

The OWRSP will determine, with consultation if necessary, what toxicity information is required to be submitted if the toxicity data submitted is insufficient. The purpose of this information is to enable consumers to make informed decisions on the toxicity of the products they buy.

The requirement to submit a quarterly progress report to the director of the DOE is removed.

The OWRSP must prepare and submit a biennial progress report to the Legislature.

The DOE may adopt rules to fully implement this chapter.

**Appropriation:** None.

**Fiscal Note:** Requested January 22, 2008.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.