HOUSE BILL REPORT
HB 2605

As Reported by House Committee On:
Environment & Energy

Title: An act relating to naturally occurring fibrous silicate materials.

Brief Description: Concerning naturally occurring fibrous silicate materials.

Sponsors: Representative Ley.

Brief History:
Committee Activity:
Environment & Energy: 1/26/26, 2/2/26 [DP].

Brief Summary of Bill

- Exempts specified commercial aggregates, asphalt, and concrete materials from the restrictions on the manufacture or distribution of asbestos-containing building materials, use in new construction or renovation, and inspection and management requirements related to manufacturing facilities.

HOUSE COMMITTEE ON ENVIRONMENT & ENERGY

Majority Report: Do pass. Signed by 21 members: Representatives Doglio, Chair; Hall, Vice Chair; Dye, Ranking Minority Member; Klicker, Assistant Ranking Member; Abbarno, Abell, Barnard, Berry, Duerr, Fey, Hackney, Kloba, Ley, Mena, Mendoza, Ramel, Stearns, Street, Stuebe, Wylie and Ybarra.

Staff: Matt Sterling (786-7289).

Background:

Asbestos.

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

Asbestos is a naturally occurring mineral fiber found in rock and soil. The United States Environmental Protection Agency classifies six categories of asbestos mineral fibers: chrysotile, amosite, crocidolite, tremolite, anthophyllite, and actinolite. Asbestos can be used as an insulator or fire retardant in a variety of consumer goods, including in building materials, and is also found as a naturally occurring contaminant in deposits of other mineral types used for commercial purposes.

State Asbestos Regulations.
In Washington, the Department of Labor and Industries regulates workplace standards related to asbestos use in construction and manufacturing, while the Department of Ecology (Ecology) and local clean air agencies may regulate asbestos removal from structures. The use of asbestos-containing building materials in new construction or renovations in Washington is prohibited. This prohibition does not apply to the use of asbestos-containing building materials:

- in residential construction;
- that are already ordered by a contractor or in the possession of the contactor; or
- if compliance would result in the breach of a contract.

Manufacturing, wholesaling, or distributing for sale asbestos-containing building materials in Washington without labeling them as such is prohibited and Ecology is authorized, but not required, to enforce these labeling requirements. Asbestos-containing building materials means any building material to which asbestos is deliberately added in any concentration or that contains 0.1 percent asbestos by weight or area.

Manufacturers, wholesalers, and distributors may submit a written request for an exemption from labeling. Ecology may grant such an exemption if it determines that the labeling requirements are technically infeasible or create an undue economic hardship. Each exemption may be in effect for no more than three years and is subject to the terms and conditions prescribed by Ecology. Violations of the labeling requirement are subject to civil penalties under the state Clean Air Act of up to $10,000 per violation.

Summary of Bill:

Commercial aggregates, asphalt, and concrete materials that contain 0.25 percent or less of naturally occurring fibrous silicate material or asbestos are:

- excluded from restrictions on the manufacture, wholesale, or distribution of asbestos-containing building materials without labeling them as such;
- exempt from the prohibitions on the use of asbestos-containing building materials in new construction or renovations; and
- exempt from the inspection requirements for certain manufacturing facilities for asbestos-containing building materials and asbestos management plans for these facilities.

Definitions for "commercial aggregates" and "naturally occurring fibrous silicate material" are provided.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill focuses on commercial aggregates, asphalt, and concrete materials containing low levels of naturally occurring fibrous silicate material. The bill would allow these products to be used in construction, making the building of new homes, new apartments, new roads, and new sidewalks more affordable. It will reduce transportation costs by allowing crushed rock that goes into roadbeds, which previously had to be transported long distances, and this allows local use and reduces the number of big trucks to deliver the product. The bill aims to address practical challenges with naturally occurring fibrous silicate material in common construction materials to avoid undue burdens on our construction industry while maintaining protection. The bill protects against the deliberate addition of asbestos products and maintains the state's focus on health and safety. This bill is intended to build on California and British Columbia legislation that exempts asbestos naturally occurring in rock. The Mine Safety Act should continue to provide protection for workers engaged in the extraction of asbestos rock.

(Opposed) None.

Persons Testifying: Representative John Ley, prime sponsor; and Michael Transue, WA Aggregate and Concrete Association.

Persons Signed In To Testify But Not Testifying: None.