



VIA EMAIL

February 14, 2023

Governor Jay Inslee
Office of the Governor
P.O. Box 40002
Olympia, WA 98504-0002

Director Laura Watson
WA State Dept. of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Dear Governor Inslee and Director Watson:

We, the undersigned, strongly support the Department of Ecology's proposed draft rules to restrict PFAS, organohalogen flame retardants and other hazardous chemicals in products and plastics under the Safer Products for Washington (SPW) law adopted in 2019. The rules are critical for protecting the health of sensitive populations and species from harmful chemicals used in products and packaging that contaminate people, wildlife, food and water.

Ecology is proposing restrictions on four chemical classes (PFAS, flame retardants, phenolic compounds, and phthalates) in ten product categories and reporting requirements for certain products, such as bisphenols in food can linings.

The PFAS crisis and other mounting evidence of the harm posed by product pollution continue to grow, making clear the urgent need for these prevention-based actions:

- A recent peer-reviewed study found the toxic “forever chemicals” PFAS in 100% of breast milk samples tested, and showed that detections of PFAS currently used in products like textiles are doubling every four years.
- PFAS contaminates drinking water throughout Washington state, from Whidbey Island to Yakima and Spokane, presenting communities and our state with staggering cleanup costs.
- Organohalogen flame retardants (OFRs), used in the plastic casings for televisions and other electronics, are contributing to pollution in our indoor air, household dust, and waterways, and get into people and pets, posing an unnecessary health threat.

It has been more than five years since the Consumer Product Safety Commission [issued a warning](#) on the hazards of OFRs, stating *“there is no known way to direct consumers to use affected products in a manner that would guarantee reducing exposures to the American population to an acceptable level,”* but the agency has not yet restricted these dangerous chemicals. However, [Europe](#) and [New York](#) have put in place bans on OFR flame retardants in televisions and electronic display plastic casings.

The Safer Products for Washington law includes a framework that is rational and results in decision-making that will prevent pollution and disease. It asks the right question about whether dangerous chemicals are needed or can be replaced with safer solutions—avoiding expensive, error-prone assessments of how much risk from toxic exposures is acceptable. It simply asks, are there chemicals, materials or approaches that are safer for people, fish, and wildlife.

Washington state has been a leader on prevention-based chemical policies, resulting in action by other states and companies phasing out the most dangerous chemicals. For example, following Washington state action on PFAS, eleven states enacted phase-outs of PFAS in food packaging and firefighting foam. Just recently, 3M announced it will end the manufacturing of all PFAS.

Retailers are also increasingly adopting safer chemicals policies to eliminate PFAS and other hazardous chemicals in key product sectors, according to the annual [Retailer Report Card](#). For example, [22 retailers selling food or food packaging](#) have announced steps to reduce or eliminate PFAS in food packaging at their more than 140,000 stores. And Best Buy is moving away from [toxic flame retardants](#) to safer alternatives.

Putting in place strong regulations in Washington is essential to protect the health of people and wildlife. These actions will end the use of key classes of toxic chemicals in important product categories and drive the market to deliver safer solutions.

We urge you to swiftly move forward with these regulations. If you have any questions, please contact Laurie Valeriano at 206-200-2824 or lvaleriano@toxicfreefuture.org.

Sincerely,

Laurie Valeriano
Executive Director
Toxic-Free Future

Mark Rossi
Executive Director
Clean Production Action

Ariana Anjaz
Senior Director
Afghan Health Initiative

Kristen Boyles
Managing Attorney, NW Regional Office
EarthJustice

Pamela Miller
Executive Director
Alaska Community Action on Toxics

Rebecca Meuninck
Deputy Director
Ecology Center

Cynthia Luppi
New England Director
Clean Water Action

Pam Clough
Advocate
Environment Washington

Mike Belliveau
Executive Director
Defend Our Health

Lauren Ellis
Research Analyst, Environmental Health
Environmental Defense Fund (EDF)

Rev. AC Churchill
Executive Director
**Earth Ministry/Washington Interfaith
Power & Light**

Melanie Benesh
Vice President for Government Affairs
Environmental Working Group

Arlene Blum
Executive Director
Green Science Policy Institute

Teresa McGrath
Chief Research Officer
Healthy Building Network

Tsegaye Gebru
Executive Director
Horn of Africa Services

Priya Srinivasa
Mental Health Wellness Coordinator
Indian American Community Services

Nona Chai
Program Assistant
Just Transition Alliance

Ann Murphy
Volunteer & Past President
League of Women Voters of Washington

Rasha Elshaarawi
Senior Program Manager
Mother Africa

Avinash Kar
Senior Attorney & Senior Director, Health
& Food, People & Communities Program
National Resources Defense Council (NRDC)

Jamie Pang
Environmental Health Program Director
Oregon Environmental Council

Emily Gonzalez
Director of Law and Policy
Puget Soundkeeper

Eleanor Hines
North Sound Waterkeeper, Lead Scientist
RE Sources

Sept Gernez
Acting Director
Sierra Club Washington Chapter

Mindy Roberts
Puget Sound Program Director
Washington Conservation Action

Heather Trim
Executive Director
Zero Waste Washington