



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department of Ecology AO# 09-04

Subject of possible rule making: This rule making will implement the Children's Safe Product Act (CSPA) – RCW 70.240, by adopting a new rule Chapter 173-334 WAC – Children's safe products rule. The rule will clarify definitions, establish the reporting process, and establish the method the public can use to provide comments on the modification of the list of chemicals manufacturers must report on.

Statutes authorizing the agency to adopt rules on this subject: Children's Safe Product Act (CSPA) – RCW 70.240

Reasons why rules on this subject may be needed and what they might accomplish:

As signed into law, the Children's Safe Product Act requires manufacturers of children products to report the presence of Chemicals of High Concern to Children (CHCC) to the department. The purpose of the rule is to clarify the following: the process to be used to update the reporting list for CHCC, definitions of several key terms, the reporting process and other issues which may come-up during the pilot-rule.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Ecology is working directly with the state's Department of Health in the development of the CHHC list. Additionally we have reviewed and are in communication with other states having similar legislation, including California, Maine and Connecticut.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Ecology will use the rule making process authorized by RCW 34.05.313 to inform the development of the final rule. Ecology will form an advisory group. Ecology will draft pilot - rule language and seek review from the advisory group, and interested parties. Ecology will also seek volunteers to participate in the pilot-project. Ecology will write a report describing the issues and recommend solutions based on input from pilot-project participants.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Ecology will send information to interested parties and post information on its web site. Interested parties' can sign up for an email list serve or visit the rule making web site for updates on the rule and CSPA implementation. All advisory group meetings notes and comments will be posted on the web site. All documents generate during the pilot project will be available to the public.

Pilot Rule Coordinator

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