

Washington Toxics Reduction Strategy Group Meeting

Summary of Draft Recommendations – 12/5/12

This document summarizes draft recommendations for discussion.

1. Prioritize chemicals of concern:

- 1.1. Continued work on already-identified priority chemicals (implement the Children's Safe Products Act (CSPA), accelerate Chemical Action Plans (CAPs), reduce toxics in Puget Sound).
- 1.2. Add endocrine-disrupting chemicals as a priority.
- 1.3. Collaboratively develop a more comprehensive system to prioritize chemicals building on efforts to date.

2. Create incentives for safer alternatives:

- 2.1. Maximize support/investment in WA Green Chemistry Center.
- 2.2. Explore a voluntary, simple, positive "non-toxic" label for consumer products oriented at the presence or absence of priority toxic chemicals of concern; consider requiring priority products (e.g., children's products) that have not been evaluated to have a label stating that they have not been evaluated.
- 2.3. Provide targeted education/outreach to change consumer behaviors, starting with PBTs and behavior changes identified in CAPs.

3. Enhance Fairness:

- 3.1. Explore a proactive liability standard for products that contain toxic chemicals and ensure those who benefit from toxics in products (i.e., producers, manufacturers, retailers) are responsible for harm that may eventually be caused by these chemicals. Provide a safe harbor or off-ramp for those products that meet safety standards.
- 3.2. Carry out an independent effort to evaluate the feasibility, potential income generation, and potential investments in toxic chemical reduction or toxic chemical control and cleanup that could be supported by a tax on priority toxics in products, raw materials, and manufacturing.

4. Ensure a backstop of protection:

- 4.1. Give Ecology clear authority to ban or restrict priority toxics in manufacturing and products as part of a comprehensive program that includes establishing chemical priorities and supporting the identification and implementation of safer alternatives.
- 4.2. Provide relief for dischargers that must treat "distributed" sources of toxics they did not create or benefit from. Provide a menu of approaches in the Clean Water Act Implementation Tools rule to work with dischargers to proactively use compliance schedules, variances, straight-to-implementation efforts, and other techniques to protect and clean up water bodies in a way that recognizes the difficulty in addressing sources that are not under direct control of the permittee.

- 4.3. Carry out an independent inventory and evaluation of Ecology's toxics reduction and control programs, including program activities, goals, accomplishments, and recommendations for program improvements.

5. Pilot Projects

- 5.1. Test some key ideas through two pilot projects:

- 5.1.1. Chemical flame retardants, a project that could evaluate how to reduce toxics through a sequenced combination of liability approaches, working with manufacturers to identify and bring safer alternatives to market, and toxic chemical taxes and/or bans.

- 5.1.2. PCBs and zinc, a project that could evaluate how to reduce toxics through a sequenced combination of liability, supporting safer alternatives, and taxes/bans (as above), and evaluation ideas related to providing relief to dischargers who are managing distributed sources over which they have little or no control.

6. Realizing Opportunities for Economic Gain

- 6.1. Position Washington to benefit economically from improved toxics management.