

vWashington Toxics Reduction Strategy Group Meeting #4

Tuesday, December 11th, 2012

Updates and Path Forward

The group has established a shared sense of the problem of toxic chemicals in Washington State, including a set of principles for action and a set of ideas for the path forward. The progress of the group thus far has proven that it is possible to convene a high-level group of people with a diverse set of perspectives and produce creative ideas from a broad perspective. At this point, the task before the group is to pivot toward articulating the specific ideas that the white paper will put forward.

Ecology and Ross Strategic will distribute a revised draft of the narrative white paper and letter by Monday, December 17th, and comments from the workgroup members will be due back by January 3rd. The group will convene for a final in-person meeting on January 10th, followed by a conference call on January 15th, which will be the final meeting of the group.

Discussion of Draft Recommendations

The group discussed the recommendations that appear in the draft white paper that was distributed in advance of the meeting.

- These recommendations, when finalized, will represent the group’s ideas that merit further consideration. Some ideas might be ready to implement while others should be phased in or explored at this time.
- The shared problem statement is another important piece of the letter and white paper, which will provide context for the set of ideas for exploration.

The draft summary of recommendations and letter are available on Ecology’s Washington TRS Workgroup website.¹

The workgroup articulated several ideas to improve the draft; these ideas are described below.

Prioritizing Chemicals of Concern

- The recommendations should include an articulation of principles for chemical prioritization. This framework could be based on a chemical’s level of exposure in the population and its level of harm. The “level of harm” consideration carries the implication that a chemical can be dangerous even at low levels. Endocrine disruptors and neurotoxins are classes of chemicals that exemplify this situation.
- The framework for prioritization should include a provision for identifying chemicals of concern in the future, in recognition of the fact that approaches to addressing known existing chemicals may not be sufficient to address chemicals that emerge in the future. A comprehensive system for prioritizing all chemicals into the future should be developed.

¹ The Washington Department of Ecology’s Toxic Reduction Strategy Workgroup page is available here: http://www.ecy.wa.gov/toxics/policy_trs.htm

- In addition to a framework for prioritizing chemicals of concern, there should be a framework for prioritizing efforts to reduce toxic chemicals. Through this framework, efforts can be targeted proactively and strategically. The group discussed using feasibility and potential impacts as considerations to inform prioritization of toxics reduction efforts.
- Washington State should build a stronger knowledge base in targeted ways to gather the necessary information on toxic chemical presence (e.g. through biomonitoring). This effort could build on existing work at research centers
- Prioritization should be focused on what is needed in Washington State. Given the unique characteristics of the state, including a focus on the importance of aquatic ecosystems, prioritization should include a focus on what is most appropriate here.

Creating Incentives for Safer Alternatives/Products

- **Green Chemistry:** Washington State could aspire to become a national leader in green chemistry through the establishment of a robust research center funded by public-private partnerships. Through these high-level corporate partnerships, Washington could become a leader in the national green economy. This recommendation merits exploratory study to determine its feasibility.
- **Labeling:** The white paper should recommend the exploration of labeling ideas for feasibility and to identify the best way to implement labeling. A label must provide information to consumers in a way that is easy to read and that is actionable based on the information presented. The white paper should acknowledge existing labeling efforts and the potential value in adding toxics to those programs. Labeling efforts could be approached as a regional collaboration with other states, such as Idaho, Oregon, and/or California.
- **Education:** Efforts to educate the public about toxic chemicals should include a look at existing efforts within the state, including those at the local level. Educational efforts should be targeted to provide actionable information the populations that need it most, and should be simple to understand.

Enhancing Fairness

This category should be titled something more like “Build Connections Between Upstream Decisions and Downstream Costs and Impacts.”

- **Proactive liability standard and tax:** The group recommends that Washington State should launch exploratory studies on the feasibility and potential consequences of a tax on toxic chemicals and of ways to shift liability between downstream dischargers and upstream producers of toxics.
- **Relief for Dischargers:** The recommendations should include a mechanism for addressing the problems that dischargers face in real time.

Ensuring a Backstop of Protection

- The recommendation that Ecology should be granted the authority to ban or restrict priority toxics should include language noting that this authority would be bound by several conditions (e.g., chemicals might not be banned until a safer alternative has been identified).

The group agreed that the list of categories that the recommendations are grouped into in the white paper should be revised. Ecology and Ross Strategic will revise the categories based on the group's discussion as they revise the white paper.

Pilot Projects

- The pilot projects on flame retardants, PCBs, and zinc serve as a suggested mechanism for exploration of the ideas put forward in the recommendations.
- The group expressed concern that the large-scale pilot projects likely were too much to take on at this time, and the PCB, flame retardant and zinc situations will be reframed as examples that illustrate the challenges of toxics reduction.

Realizing Opportunities for Economic Gain

- The opportunities for economic gain that are present in many of the group's recommendations is a theme that will be woven throughout the white paper.

Remaining Gaps

The group listed several ongoing efforts for toxics reduction that the white paper might address, including:

- Product takeback
- Source control and keeping toxics out of the waste stream (e.g. through street sweeping)
- Green purchasing by government agencies and by the private sector
- Tracking costs of toxic chemical reduction efforts

Next Steps

- Ecology and Ross Strategic will distribute a revised draft of the letter and white paper to the workgroup on Monday, December 17th. The revised draft will be organized around a new list of categories based on the group's discussion during this meeting.
- Workgroup members will send comments and feedback on the draft letter and white paper by January 3rd.
- The next TRS workgroup meeting will take place on January 10th.
- The final meeting of the TRS workgroup will take place via conference call on January 15th.

Meeting Participants

Name	Organization
Toxics Reduction Strategy Workgroup Members	
Rod Brown	Cascadia Law Group
Howie Frumkin	University of Washington School of Public Health
Sanjay Kapoor	Washington Business Alliance
Sara Kendall	Weyerhaeuser
Doug Krapas (<i>via phone</i>)	Inland Empire Paper
Tom Newlon	Stoel Rives, LLP
John Stark	Washington Stormwater Center
Laurie Valeriano	Washington Toxics Coalition
Other Attendees	
JT Austin	Washington State House Republican Caucus
Holly Davies	Washington Department of Ecology
Melissa Gombosky	Inland Empire Paper
Joshua Grice	Washington Department of Ecology
Ken Johnson	Weyerhaeuser
Carol Kraege	Washington Department of Ecology
Elizabeth McManus	Ross Strategic
Darcy Peth	Ross Strategic
Bill Ross	Ross Strategic
Susan Saffery	Seattle Public Utilities
Alec Shebiel	Lindsay Hart for American Cleaning Institute
Ted Sturdevant	Washington Department of Ecology