

Appendix B. Hearing Testimonies

Chapter 173-337 WAC Safer Products Restrictions and Reporting

Overview

We accepted formal comments on the proposed rule during the 46-day formal public comment period that closed on July 20, 2025. We received 45 comment submissions on the proposed rule, including verbal testimony shared during the July hearings.

The following are verbal testimonies shared during the hearings on July 9, 2025, and July 10, 2025.

ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to our information and services by meeting or exceeding the requirements of state and federal laws. To request an ADA accommodation, contact us by phone at 360-407-6700, by email at hwtrpubs@ecy.wa.gov, or visit ecology.wa.gov/ADA. For relay services, dial 711 or call us through your preferred provider.

Language Services

We offer translation and interpretation services for free. To request them, email HWTRpubs@ecy.wa.gov or call 360-407-6700. If you call, ask for an interpreter to be connected with one.

Ofrecemos servicios de traducción e interpretación sin costo. Para solicitarlos, envíe un correo electrónico a HWTRpubs@ecy.wa.gov o llame al 360-407-6700. Si llama, pida que le conecten con un interprete.

Table of Contents

| | |
|--|---|
| Testimony from July 9, 2025..... | 2 |
| Heather Trim, Executive Director for Zero Waste Washington..... | 2 |
| Testimony from July 10, 2025..... | 2 |
| Cheri Peele, Director of Government and Market Policy for Toxic Free Future..... | 2 |
| Christopher Finarelli for the Household and Commercial Products Association..... | 3 |

Testimony from July 9, 2025

Heather Trim, Executive Director for Zero Waste Washington

Great, thank you so much. So, I'm Heather Trim with Zero Waste Washington, and my comment has to do with the cookware. I believe that it should be restricted now and not delayed. We have been doing, in the month of June, swap-out events with community members, vulnerable populations, recent immigrants, recent refugees, and many of them brought in cookware. We're actually substituting because of lead. But also PFAS, and giving people new fry pans, and there were plenty of alternatives to give them, including cast iron, stainless steel, and carbon steel which were tested, because we could test for it, lead, and they were lead-free. But the ones we were giving out, but the ones coming in were, very, very scratched up, non-stick pans that looked like they were PFAS-coated. So this is a real threat to the community, that people are continuing to use these pans. And they could go out and buy new ones with PFAS coating, unless you all restrict them. So we'd like to see those restricted. Thanks so much!

Testimony from July 10, 2025

Cheri Peele, Director of Government and Market Policy for Toxic-Free Future

Good morning. My name is Cheri Peele, I'm the Director for Government and Market Policy for Toxic-Free Future, and I'm commenting on the cycle 1.5 proposed regulation. So, thank you for the opportunity to provide input this morning to implement the landmark 2019 Safer Products for Washington law.

In 2022, the Washington State Legislature and governor passed a law compelling the Department of Ecology to ban PFAS swiftly in more products. We support the proposed restrictions on PFAS in cleaning products, automotive washes, and apparel and accessories. Ecology has clearly demonstrated that safer, feasible, available alternatives exist for these applications. However, while we commend Ecology for the restrictions proposed, Ecology is failing to fulfill its duty under the 2022 law. The legislature provided Ecology with ample funding to implement Cycle 1.5.

In combination with the authority granted to Ecology in the law creating safer products for Washington, the proposed reporting requirements for 9 product categories falls far short of legislative intent. We strongly object to the reporting requirements proposed, notably for cookware and kitchen supplies. We already know that the product categories identified use PFAS, as documented in the PFAS Chemical Action Plan. Reporting requirements on PFAS in this product category will do nothing to protect the health of Washington's people or environment.

We acknowledge that Ecology, under the Safer Products for Washington program, cannot restrict chemicals in product categories unless safer, feasible, available alternatives are identified. However, for this product category, safer solutions do exist. Safer solutions, including cast iron and stainless steel, are clearly on the market. However, Ecology did not evaluate any alternatives and makes no proposal to restrict PFAS in this product category. Data on the safety of alternatives, notably cast iron and stainless steel, is available from King County, which has been testing cookware and kitchen supplies for lead at community events for the last several years. With safer, feasible, available alternatives on the market, restrictions on PFAS and cookware and kitchen supplies should be included in the proposed regulation. For other product categories, Ecology must use its authority to identify alternatives to PFAS, to identify those that are safer, resulting in the ability to further restrict PFAS use and send market signals regarding safer solutions.

When companies do not respond to mandatory data calls, Ecology should implement its enforcement provisions. Strong regulatory actions are urgently needed to protect vulnerable populations and vulnerable species, from pregnant women and children to salmon and orcas. The Safer Products for Washington Law is our best opportunity to prevent pollution at the source from the unregulated chemicals in millions of products and their packaging that contaminate our homes and environment.

Thanks to Ecology staff on their work to implement the Safer Products for Washington law. This regulation, grounded in both sound science and market realities, has the potential to provide critically needed protections for Washington's residents, especially those most vulnerable, and its environment. While the proposed restrictions are critically important, we urge the department to use the authority provided by the legislature to the fullest extent to protect against further harm from this chemical class. Thank you.

Christopher Finarelli for the Household and Commercial Products Association

Yes, hello, thank you. Christopher Finarelli on behalf of the Household and Commercial Products Association. Wanted to thank the department for holding this. We appreciate the public engagement.

HCPA, first of all, does not oppose and supports the effort to move away from PFAS, where it is still used in cleaning products. I did want to highlight the issue around disinfectants. We will submit written comments around this and provide some more robust information. But, wanted to underscore the fact that disinfectants, both in how they are

formulated and used, are designed for repelling and eliminating pests and are not typically defined as cleaning products, both under the law and how they're marketed. So, I think this is something that should get renewed consideration and perhaps look at whether or not there are claims on the product that have, cleaning claims for the consumer to use. Again, we'll submit more information, wanted to highlight that for you, and I appreciate the opportunity to testify today. Thank you.