

SENATE BILL REPORT

ESSB 5320

AS PASSED SENATE, FEBRUARY 23, 1993

Brief Description: Adopting limits on phosphorus contents in certain detergents.

SPONSORS: Senate Committee on Ecology & Parks (originally sponsored by Senators Fraser, Talmadge, Winsley, Deccio, Moore and Sutherland)

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 5320 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chairman; Barr, Deccio, McCaslin, Moore, Sutherland, and Talmadge.

Staff: Cathy Baker (786-7708)

Hearing Dates: February 3, 1993; February 8, 1993

BACKGROUND:

Phosphorous is a naturally occurring element that stimulates plant growth. When introduced in water, phosphorous promotes growth of weeds and algae which may degrade water quality.

Laundry and dishwashing detergents are a significant source of phosphorous. Other sources include wastewater treatment discharges, industrial discharges, agricultural run-off, and soil erosion.

Approximately 12 states and four regions have limited the amount of phosphorous allowed in laundry and dishwashing detergents. Spokane adopted an ordinance in 1990 that limits the amount of phosphorous in such detergents. King County adopted a similar ordinance in September, 1992, which bans the sale of laundry detergents containing phosphorous. In areas where phosphorous levels are reduced, wastewater treatment plants report significant cost savings.

Laundry detergents without phosphates are widely available. The cost for such detergents varies regionally but is generally competitive with detergents containing phosphorous. Dishwashing detergents with reduced levels of phosphorous are currently available but on a limited basis.

SUMMARY:

Laundry detergents containing more than .5 percent phosphorous cannot be sold or distributed for sale within the state after July 1, 1994.

Dishwashing detergents containing more than 8.7 percent phosphorous cannot be sold or distributed for sale within the state after July 1, 1994.

The phosphorous limits do not apply to the sale or distribution of detergents for commercial and industrial uses.

The Department of Ecology is to notify major distributors and wholesalers of the statewide limit on phosphorous in detergents.

The Attorney General or appropriate city or county prosecuting attorney is authorized to bring an appropriate action to enjoin any violation of the phosphorous limits.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Numerous lakes and rivers in the state have documented phosphate enrichment problems. A statewide limit on phosphates is an effective pollution prevention tool. A statewide limit is appropriate because some watersheds with phosphate problems cross jurisdictional lines.

TESTIMONY AGAINST:

Phosphate bans are ineffective in improving water quality because households represent a small percentage of phosphates released. A ban will not reduce wastewater treatment costs because only a few plants in the state treat for phosphates. Phosphate limits elsewhere have resulted in increased costs for commercial laundry services.

TESTIFIED: Deborah Rechnitz, Washington Environmental Textile Council; PRO: Steve Saunders, Michael Llewelyn and Lynn Singleton from Department of Ecology, Tom Clingman, Thurston County; Sharon Walton, King County; Rosemary Walrod, Washington Lakes Protection Association; Bree Oatman, Leslie Huff, Meiji Sullivan, Kenny Hiliquist, Corey Rawdings, Harley Roper from Capitol High School; CON: Dennis Griesing, Soap and Detergent Association; Judith Smeltzer, FMC Corporation; Dr. Edwin Matzner; Rick Bates, American Linen