

# SENATE BILL REPORT

## SB 6807

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As of February 8, 2002

**Title:** An act relating to persistent, bioaccumulative, toxics reduction and education.

**Brief Description:** Reducing the release of persistent, bioaccumulative, toxic substances in the environment.

**Sponsors:** Senators Morton, T. Sheldon, Hewitt, Rasmussen and Hale.

**Brief History:**

**Committee Activity:** Environment, Energy & Water: 2/8/02.

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### SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

**Staff:** Richard Rodger (786-7461)

**Background:** The United States Environmental Protection Agency (EPA) has created a list of toxic substances that it has identified as known as persistent bioaccumulative toxins (PBTs). PBTs are known to break down very slowly when released into the environment and increase in concentration as they move up the food chain. Many PBTs are associated with a range of adverse human health effects, including effects on the nervous system and reproductive system, and associated developmental problems, cancer, and genetic impacts.

The 2000 Legislature directed the Department of Ecology (department) to develop a proposed long-term strategy to address PBTs in Washington, which was presented to the Legislature in 2001. The 2001 Legislature directly appropriated \$800,000 from the state toxics control account specifically for the implementation of the strategy. Both the department and the EPA has identified mercury as their number one PBT priority.

The department is presently developing a chemical action plan for its first PBT, mercury. The department is also developing a "PBT Working List" of the substances it intends to address through additional chemical action plans.

**Summary of Bill:** It is necessary to reduce and, where feasible, eliminate the risks to human health and the environment within the state posed by mercury and other PBTs through the identification, prioritization, and management of such substances.

The department must build on existing state and federal programs that address PBTs, use a full range of risk management options, both regulatory and nonregulatory, to reduce, and where feasible, eliminate potential risks posed by PBTs.

Definitions are provided for several phrases and terms, including bioaccumulation, persistence, and toxicity. The department must adopt scientific selection criteria for determining bioaccumulation, persistence, and toxicity of substances that pose an unreasonable risk to human health or the environment. The department must use this criteria

in developing its PBT working list, in making its risk determinations, and in prioritizing the PBTs that pose the greatest risk.

A process for designing and implementing actions to manage PBTs is provided. The department must develop an inventory of sources and uses of the priority PBTs, identify regulatory and nonregulatory options, and assess risk and impacts associated with those options. The department must involve stakeholders in the selection of risk management actions to reduce or eliminate potential human health and environmental risks.

The department must measure its progress towards reducing, and where feasible, eliminating risks posed by PBTs. It must develop and implement additional or alternative risk management measures if the existing actions are not sufficiently protective.

The department must adopt rules to implement this bill and report its progress to the Legislature every two years.

**Appropriation:** None.

**Fiscal Note:** Requested on February 7, 2002.

**Effective Date:** The bill takes effect on July 1, 2002.