

SENATE BILL REPORT

SB 5030

As of January 21, 2005

Title: An act relating to toxic exposures reporting and tracking review panel.

Brief Description: Creating the toxic exposure reporting and tracking review panel.

Sponsors: Senators Jacobsen and Fraser.

Brief History:

Committee Activity: Water, Energy & Environment: 1/20/05.

SENATE COMMITTEE ON WATER, ENERGY & ENVIRONMENT

Staff: Sam Thompson (786-7413)

Background: In 1989, the legislature created the Pesticide Incident Reporting and Tracking (PIRT) review panel to monitor pesticide exposure incidents resulting in suspected health or environmental effects. The PIRT panel establishes guidelines for receiving information about pesticide incidents, reviews agency procedures for investigating pesticide incidents and makes recommendations for improvement.

It has been suggested that a similar panel be created and endowed with similar authority regarding toxic chemical exposure incidents.

Summary of Bill: A Toxics Exposure Reporting and Tracking (TERT) review panel is created to coordinate state toxic chemical exposure monitoring and protection activities.

The 12-member TERT panel will be chaired by the Department of Health (DOH) Secretary or his or her designee, and will include: members of the departments of Labor and Industries, Agriculture, Natural Resources, Fish and Wildlife, Transportation, Social and Health Services, and Ecology (DOE); the chair or designee of the University of Washington's Department of Environmental and Occupational Health Sciences; a representative of the state poison control center network; a practicing toxicologist; and a member of the general public. The latter two TERT panel members will be gubernatorial appointees, appointed to a maximum of four two-year terms, and may be removed by the Governor for cause.

TERT panel responsibilities include:

- Establishing guidelines for centralizing information relating to health and environmental incidents involving toxic chemicals.
- Reviewing and making recommendations to DOH and DOE, or legislative committees, regarding chemical exposure monitoring procedures. Agencies must implement the TERT panel's recommendations unless they provide the panel with written reasons for not doing so.
- Monitoring chemical use, possible health effects, and advice on possible alternatives.

- Reviewing exposure to complex chemicals or those that cannot be resolved.
- Identifying links between chemical exposure and human health.
- Identifying inadequacies in state or federal law resulting in insufficient protection of public health and safety. The TERT panel must establish a priority list for reviewing use of toxic chemicals.
- Reviewing and approving a DOH-prepared annual public report.
- Identifying alternatives to persistent, bioaccumulative toxins used in manufacturing.
- Working with businesses to move to least toxic methods and products, address end-of-life issues and formulate recommendations and strategies.
- Functioning as an information clearinghouse to publicly share information and provide expert consultation concerning persistent, bioaccumulative toxins, health, and the environment.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The state needs an effective, coordinated means of collecting, centralizing and analyzing data concerning toxic chemical exposure. This innovative proposal would establish the first state panel of its kind in the nation. The panel should be expanded to include a representative of the chemical industry.

Testimony Against: DOH is already collecting toxic chemical exposure data under a grant from the federal Centers for Disease Control and Prevention, and DOE is conducting rulemaking concerning similar matters. This legislation is premature, is not funded in the Governor's budget request, and would be costly to implement. It may not be appropriate for one body to have both data collection and research functions.

Who Testified: PRO: Dr. Bill Robertson, Washington Poison Center. CONCERNS: Janice Adair and Rob Duff, Department of Health; Greg Sorlie, Department of Ecology. CON: Grant Nelson, Association of Washington Business; Mark Greenberg, American Chemistry Council; Randy Ray, Pacific Seafood Processors Association.

Signed In/Did Not Testify: Stefan Dobratz, Department of Labor and Industries; Mitch Denning, Alliance of Educational Associations. CONCERNS: Gary Smith, Independent Business Association.