
SENATE BILL 5030

State of Washington

59th Legislature

2005 Regular Session

By Senators Jacobsen and Fraser

Read first time 01/10/2005. Referred to Committee on Water, Energy & Environment.

1 AN ACT Relating to toxic exposures reporting and tracking review
2 panel; and adding new sections to chapter 70.104 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that there is a well-
5 established link between toxic chemical exposure, human health, and
6 environmental impacts. The widespread use of chemicals in our society
7 has resulted in an increased demand for full-scale health
8 investigations, assessment of resource damages, and health effects
9 information. Increased reporting, comprehensive unbiased investigation
10 capability, and enhanced community education efforts are required to
11 maintain this state's responsibilities to provide for public health and
12 safety.

13 It is the intent of the legislature that the various state agencies
14 responsible for chemical use and regulation coordinate their activities
15 in a timely manner to ensure adequate monitoring of chemical use and
16 protection of workers, adults, and children from the effects of toxic
17 chemical exposure.

1 NEW SECTION. **Sec. 2.** (1) There is hereby created a toxics
2 exposure reporting and tracking review panel consisting of the
3 following members:

4 (a) The directors, secretaries, or designees of the departments of
5 labor and industries, agriculture, natural resources, fish and
6 wildlife, transportation, social and health services, and ecology;

7 (b) The secretary of the department of health or his or her
8 designee, who shall serve as the coordinating agency for the review
9 panel;

10 (c) The chair of the department of environmental and occupational
11 health sciences of the University of Washington, or his or her
12 designee;

13 (d) The chair of program in environmental science and regional
14 planning at Washington State University, or his or her designee;

15 (e) A representative of the Washington poison control center
16 network;

17 (f) A practicing toxicologist and a member of the general public,
18 who shall each be appointed by the governor for terms of two years and
19 may be appointed for a maximum of four terms at the discretion of the
20 governor. The governor may remove either member prior to the
21 expiration of his or her term of appointment for cause. Upon the
22 death, resignation, or removal for cause of a member of the review
23 panel, the governor shall fill such vacancy, within thirty days of its
24 creation, for the remainder of the term in the manner prescribed in
25 this section for appointment to the review panel.

26 (2) The review panel shall be chaired by the secretary of the
27 department of health, or the secretary's designee. The members of the
28 review panel shall meet at least monthly at a time and place specified
29 by the chair, or at the call of a majority of the review panel.

30 (3) Members of the review panel shall be reimbursed for travel
31 expenses as provided in RCW 43.03.050 and 43.03.060.

32 NEW SECTION. **Sec. 3.** The responsibilities of the toxics exposure
33 reporting and tracking review panel include, but are not limited to:

34 (1) Establishing guidelines for centralizing the receipt of
35 information relating to actual or alleged health and environmental
36 incidents involving toxic chemicals;

1 (2) Reviewing and making recommendations to the department of
2 health and the department of ecology or to the appropriate legislative
3 committees for procedures for monitoring exposure to chemicals, which
4 shall be implemented by the appropriate agency unless a written
5 statement providing the reasons for not adopting the recommendations is
6 provided to the review panel;

7 (3) Monitoring chemical use, possible health effects, and advice on
8 possible alternatives;

9 (4) At the request of the chair or any panel member, reviewing
10 exposure to chemicals of unusual complexity or those that cannot be
11 resolved;

12 (5) Identifying links between chemical exposure and human health;

13 (6) Identifying inadequacies in state or federal law that result in
14 insufficient protection of public health and safety, with specific
15 attention to advising the appropriate agencies on the adequacy of
16 chemical toxicity data established by the appropriate federal agency to
17 protect the health and safety of children and adults. The panel shall
18 establish a priority list for reviewing toxic chemicals, which
19 considers the following criteria:

20 (a) Whether the chemical is being widely used by industry or
21 residents of Washington;

22 (b) Whether another state has established a policy on use that is
23 different than the existing federal standards;

24 (c) The toxicity category of the chemical under federal law,
25 including persistence and bioaccumulation;

26 (d) Whether the chemical has been identified by a federal or state
27 agency or through a scientific review as presenting a risk of cancer,
28 birth defects, genetic damage, neurological effects, blood disorders,
29 sterility, menstrual dysfunction, organ damage, or other chronic or
30 subchronic effects; and

31 (e) Reports or complaints of ill effects from the chemical exposure
32 in the workplace, home, or school;

33 (7) Reviewing and approving an annual report prepared by the
34 department of health to the governor, agency heads, and members of the
35 legislature and made available to the public. The report shall
36 include, at a minimum:

37 (a) A summary of the year's activities;

38 (b) A synopsis of the chemical exposure to residents of Washington;

- 1 (c) A separate descriptive listing of each case in which adverse
- 2 health or environmental effects due to chemicals were found to occur;
- 3 (d) A tabulation of the data from each case;
- 4 (e) An assessment of the effects of chemical exposure on children;
- 5 (f) The identification of trends, issues, and needs; and
- 6 (g) Any recommendations for improved or reduced chemical use.

7 NEW SECTION. **Sec. 4.** In addition to the responsibilities in
8 section 3 of this act, the toxic exposures reporting and tracking
9 review panel shall:

- 10 (1) Identify alternatives to persistent, bioaccumulative toxins
- 11 used in manufacturing conducted in Washington state;
- 12 (2) Work with Washington state businesses to move to least toxic
- 13 methods and products;
- 14 (3) Work with businesses, state agencies, and recycling companies
- 15 to address end-of-life issues, and to formulate recommendations and
- 16 strategies;
- 17 (4) Function as an information clearinghouse to share information
- 18 to agencies, businesses, researchers, and students on persistent,
- 19 bioaccumulative toxins, health, and the environment; and
- 20 (5) Provide expert consultation to government, businesses, and
- 21 others concerning persistent, bioaccumulative toxins, health, and the
- 22 environment.

23 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act are each
24 added to chapter 70.104 RCW.

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