

**2SSB 5056 - S AMD 94**

By Senator McCoy

1 Beginning on page 5, after line 31, strike all of sections 4  
2 through 7 and insert the following:

3 "NEW SECTION. **Sec. 4.** The definitions in this section apply  
4 throughout this chapter unless the context clearly requires  
5 otherwise.

6 (1) "Alternatives assessment" means identifying and comparing  
7 potential chemical and nonchemical alternatives that can replace the  
8 use of chemicals identified:

- 9 (a) As high priority;  
10 (b) As of high concern for children; or  
11 (c) By the United States environmental protection agency in  
12 section 304(a)(1) of the clean water act (water quality criteria for  
13 human health).

14 (2) "Chemical" means a compound or substance, including metals,  
15 with a distinct molecular composition or a group of structurally  
16 related substances and includes the breakdown products of the  
17 substance or substances that form through decomposition, degradation,  
18 or metabolism.

19 (3) "Chemical action plan" means a plan that identifies,  
20 characterizes, and evaluates uses and releases of a specific chemical  
21 or group of chemicals and identifies actions needed to protect human  
22 health and the environment.

23 (4) "Department" means the department of ecology.

24 (5) "Manufacturer" means any person, firm, association,  
25 partnership, corporation, governmental entity, organization, or joint  
26 venture that produces a product or is an importer or domestic  
27 distributor of a product sold or offered for sale in or into the  
28 state. "Manufacturer" does not include small businesses as defined in  
29 RCW 19.85.020.

30 (6) "Product" means any item sold for residential or commercial  
31 use including any component or product packaging. "Product" does not  
32 include the following items, but does include their packaging:

- 33 (a) Food or beverage;  
34 (b) Tobacco products;

1 (c) Drug or biological products regulated by the United States  
2 food and drug administration;

3 (d) Products produced under military specifications;

4 (e) Finished products regulated by the federal aviation  
5 administration;

6 (f) Chemicals used to produce an agricultural commodity as  
7 defined in RCW 17.21.020; and

8 (g) Any previously owned product sold in casual or isolated sales  
9 as defined in RCW 82.04.040 or products sold by nonprofit  
10 organizations.

11 (7) "Product component" means a uniquely identifiable material or  
12 coating that is included as a part of a finished product.

13 (8) "Safer alternative" means an alternative that is less  
14 hazardous to humans or the environment than the existing chemical or  
15 chemical process, including a chemical substitute or a change in  
16 materials or design that eliminates the need for a chemical  
17 alternative.

18 (9) "Summary report" means a report prepared by the department  
19 summarizing available alternatives assessments and includes a  
20 determination regarding the existence of a safer alternative. The  
21 summary report also includes a determination of the completeness of  
22 the alternatives assessments reviewed and identifies unsuitable  
23 alternatives.

24 (10) "Unsuitable alternative" means an alternative identified  
25 through the alternatives assessment process that is not a safer  
26 alternative.

27 NEW SECTION. **Sec. 5.** (1) Beginning January 1, 2016, the  
28 department must select chemicals for the development of a chemical  
29 action plan as specified under subsection (3) of this section from  
30 the following:

31 (a) Chemicals identified by the United States environmental  
32 protection agency in section 304(a)(1) of the clean water act (water  
33 quality criteria for human health), that impact Washington state  
34 water bodies as identified under section 303(d) of the clean water  
35 act; or

36 (b) Chemicals identified as a high priority chemical as defined  
37 in RCW 70.240.010 as applied to humans, plants, or wildlife and that  
38 meet the criteria for:

1 (i) A high priority chemical of high concern for children as  
2 described in RCW 70.240.030(1) (a) through (c); or

3 (ii) Having been shown through environmental monitoring studies  
4 to be present in fish, wildlife, air, water, soil, or sediment.

5 (2) Beginning January 1, 2016, and every two years thereafter,  
6 the department, in consultation with the department of health, must  
7 complete and publish a chemical action plan, for at least two  
8 chemicals as selected under subsection (1) of this section.

9 (3) The department must develop chemical action plans for  
10 chemicals selected under subsection (1) of this section in order to  
11 identify, characterize, and evaluate:

12 (a) Uses and releases of the chemicals in Washington;

13 (b) The levels of the chemicals present in people, consumer  
14 products, the environment, and Washington water bodies as identified  
15 under section 303(d) of the federal clean water act; and

16 (c) Effects on human health and the environment.

17 (4) Chemical action plans must include the following types of  
18 information, evaluations, and recommendations:

19 (a) The name of the chemical, its properties, uses, and  
20 manufacturers;

21 (b) An analysis of available information on the production,  
22 inadvertent production, uses, and disposal of the chemical;

23 (c) Information on the potential impacts and risks to human  
24 health and the environment associated with the use and release of the  
25 chemical;

26 (d) An evaluation of:

27 (i) Regulatory and nonregulatory approaches that influence  
28 production, presence, uses, releases, and management of the chemical;

29 (ii) Potential environmental and human hazards and exposures;

30 (iii) Economic and social impacts and benefits;

31 (iv) Technical feasibility;

32 (v) The availability and effectiveness of alternatives that  
33 reduce exposure to the chemical;

34 (vi) Consistency with existing federal and state regulatory  
35 requirements and information about restrictions or prohibitions by  
36 other states and nations;

37 (vii) Body burden data, toxicological effects, and rates of  
38 disease; and

39 (e) Recommendations for:

- 1 (i) Reducing and phasing out the different uses and releases of  
2 the chemical;
- 3 (ii) Minimizing exposure to the chemical;
- 4 (iii) Managing wastes that contain the chemical; and
- 5 (iv) Switching to safer substitutes and encouraging development  
6 of safer substitutes.

7 (5) The department may rely on data and information from other  
8 established scientific sources for determining the effect on human  
9 health and the environment.

10 (6) The department must create an external advisory committee for  
11 each chemical action plan developed to provide stakeholder input,  
12 expertise, and additional information. The advisory committee  
13 membership must include, but is not limited to, representatives from:  
14 Large and small business sectors, including retailers and  
15 manufacturers; community, environmental, and public health advocacy  
16 groups; local governments; affected and interested businesses; and  
17 public health agencies. The department must consult with the advisory  
18 committee on the development of a chemical action plan and may  
19 request state agencies and technical experts to participate. All  
20 advisory committee meetings must be open to the public.

21 NEW SECTION. **Sec. 6.** (1) The department may require information  
22 from manufacturers of products that contain a chemical selected under  
23 section 5(1) of this act in order to develop chemical action plans  
24 under section 5(3) of this act. Amounts and estimates may be  
25 extrapolated from national data. Manufacturers shall report the  
26 following:

27 (a) The name and address of the manufacturer and the name,  
28 address, and phone number of a contact person for the manufacturer;

29 (b) The name of the chemical used or produced and its chemical  
30 abstracts service registry number;

31 (c) A brief description of the product or product component  
32 containing the chemical;

33 (d) A description of the function of the chemical in the product;

34 (e) The amount of the chemical used in each unit of the product  
35 or product component. The amount may be reported in ranges, rather  
36 than the exact amount;

37 (f) An estimate of the number of products containing the chemical  
38 that the manufacturer sells in and into Washington each year; and

1 (g) Any other information the manufacturer deems relevant to the  
2 appropriate use of the product.

3 (2) The department shall specify the required format for  
4 submission of the information required under subsection (1) of this  
5 section. The format should be generally consistent with the format  
6 specified in other states with substantially similar reporting  
7 requirements.

8 (3) Multiple businesses, or a business association, may  
9 collaborate and submit a single submission on a chemical found in  
10 similar products as required under subsection (1)(b) through (g) of  
11 this section. However, the submission must include information for  
12 each manufacturer as required under subsection (1)(a) of this  
13 section.

14 (4) Where information submitted by a manufacturer under chapter  
15 70.240 RCW is the same as the information required to be submitted by  
16 the manufacturer in subsection (1) of this section, that manufacturer  
17 is not required to submit the same information again.

18 (5) The department may, by order, require a manufacturer subject  
19 to the reporting requirement in subsection (1) of this section to  
20 provide additional information that is relevant to the development of  
21 a chemical action plan under section 5 of this act.

22 NEW SECTION. **Sec. 7.** (1) The department is authorized to  
23 require manufacturers, by order, to conduct alternatives assessments  
24 of chemicals identified for chemical action plans under section 5 of  
25 this act to determine safer alternatives, less toxic chemicals, or  
26 nonchemical alternatives and to avoid the unintended consequence of  
27 using a chemical that presents an equivalent or greater concern. The  
28 alternatives assessment must be: Consistent with actions identified  
29 in the chemical action plan needed to reduce or eliminate threats to  
30 human health and the environment.

31 (a) An alternatives assessment must:

32 (i) Identify and compare potential chemical and nonchemical  
33 alternatives;

34 (ii) Include an evaluation of chemical hazard, exposure,  
35 performance, cost, and availability; and

36 (iii) Identify alternatives.

37 (b) An alternatives assessment must follow the guidelines issued  
38 by the interstate chemicals clearinghouse, the national academy of  
39 sciences, or an equivalent methodology.

1 (2) If ordered by the department, a manufacturer of a product  
2 that contains a chemical for which a chemical action plan has been  
3 completed under section 5 of this act must submit an alternatives  
4 assessment to the department for each use of the chemical specified  
5 by the department. The manufacturer must submit the alternatives  
6 assessment to the department within one year of receipt of the  
7 department's order. Upon request, the department may grant an  
8 extension not to exceed six months. Multiple businesses, or a  
9 business association, may collaborate and submit a single  
10 alternatives assessment on a chemical found in similar products.

11 (3) In lieu of an alternatives assessment, if a manufacturer has  
12 ceased using the chemical for which it would be required to do an  
13 alternatives assessment, the manufacturer may submit a certificate of  
14 compliance as described in section 9 of this act.

15 (4) The department shall review an alternatives assessment  
16 submitted to the department in compliance with an order issued by the  
17 department under subsection (2) of this section to determine if the  
18 assessment meets the definition and requirements of an alternatives  
19 assessment.

20 (5) If the department determines that an alternatives assessment  
21 submitted in response to an order issued under subsection (2) of this  
22 section is incomplete, the department may require the manufacturer or  
23 association to submit a revised alternatives assessment within an  
24 additional three months to correct deficiencies identified by the  
25 department.

26 (6) If the department determines that no revised alternatives  
27 assessment meets the definition or objectives of an alternatives  
28 assessment, the department may prepare an independent alternatives  
29 assessment. When the department prepares an independent alternatives  
30 assessment, it may recover its costs from the manufacturers whose  
31 products are covered by the alternatives assessment. Costs must be  
32 apportioned among manufacturers according to the amount of the  
33 chemical used in each manufacturer's product and the estimated number  
34 of units of each manufacturer's product sold in Washington. Each  
35 manufacturer must provide the department information required under  
36 section 6(1) (a) through (f) of this act should the department need  
37 to recover costs under this section. Any alternatives assessment  
38 conducted by the department must include a process to involve  
39 interested parties.

1 (7) The department may rely on existing information indicating  
2 that a safer alternative for a chemical exists if that information is  
3 equivalent to an alternatives assessment.

4 NEW SECTION. **Sec. 8.** (1) The department, in consultation with  
5 the department of health, shall prepare a summary report of all  
6 reviewed alternatives assessments and other relevant information  
7 assembled by the department for a chemical under section 7 of this  
8 act. The summary report must include a determination of the  
9 completeness of the alternatives assessments reviewed, whether a  
10 safer alternative exists, and identification of unsuitable  
11 alternatives.

12 (2) The department shall seek public input on its determination,  
13 including a notice on the department's web site in the Washington  
14 State Register and shall submit the final report to the governor and  
15 the appropriate committees of the legislature in compliance with RCW  
16 43.01.036.

17 NEW SECTION. **Sec. 9.** (1) If the department determines that a  
18 safer alternative exists, based on a completed alternatives  
19 assessment or equivalent information, the department shall, by rule,  
20 prohibit specific uses of the chemical, or prohibit the sale, offer  
21 for sale, or distribution of a specific product or products  
22 containing the chemical. Manufacturers may not use a chemical  
23 determined by the department to be an unsuitable alternative to  
24 replace a chemical restricted under this section.

25 (2) The department shall establish reasonable deadlines for  
26 manufacturers to comply with any prohibition adopted under subsection  
27 (1) of this section. In setting reasonable deadlines, the department  
28 shall consider information such as existing product inventory. No  
29 prohibition may take effect sooner than twelve months after rule  
30 adoption.

31 (3) Manufacturers of a product that is subject to a chemical  
32 content prohibition shall make available within sixty days of a  
33 request by the department a certificate of compliance stating that  
34 the product meets the requirements of the prohibition adopted under  
35 subsection (1) of this section. A certificate of compliance must  
36 include the following:

1 (a) Chemical names and chemical abstracts service registry  
2 numbers for all chemicals that currently contribute to the specific  
3 function previously served by the prohibited chemical;

4 (b) How the manufacturer is meeting the function of the  
5 prohibited chemical with a safer alternative; and

6 (c) The signature of an authorized official of the manufacturer.

7 (4) The department shall provide guidance on safer alternatives  
8 that includes a list of safer alternatives.

9 NEW SECTION. **Sec. 10.** (1) A manufacturer violating a  
10 requirement of this chapter, a rule adopted under this chapter, or an  
11 order issued under this chapter, is subject to a civil penalty not to  
12 exceed five thousand dollars for each violation in the case of a  
13 first offense. Manufacturers who are repeat violators are subject to  
14 a civil penalty not to exceed ten thousand dollars for each repeat  
15 offense.

16 (2) Any penalty provided for in this section, and any order  
17 issued by the department under this chapter, may be appealed to the  
18 pollution control hearings board.

19 (3) All penalties collected under this chapter shall be deposited  
20 in the state toxics control account created in RCW 70.105D.070.

21 NEW SECTION. **Sec. 11.** Manufacturers submitting information or  
22 records to the department may request that the information or records  
23 be made available only for the confidential use of the director, the  
24 department, or the appropriate division of the department. The  
25 director shall give consideration to the request and if such action  
26 would not be detrimental to the public interest and is otherwise  
27 within accord with the policies and purposes of chapter 43.21A RCW,  
28 the director may grant the request for the information to remain  
29 confidential as authorized in RCW 43.21A.160.

30 NEW SECTION. **Sec. 12.** The department may adopt rules as  
31 necessary for the purpose of implementing, administering, and  
32 enforcing this chapter.

33 **Sec. 13.** RCW 43.21B.110 and 2013 c 291 s 33 are each amended to  
34 read as follows:

35 (1) The hearings board shall only have jurisdiction to hear and  
36 decide appeals from the following decisions of the department, the



1 director, local conservation districts, the air pollution control  
2 boards or authorities as established pursuant to chapter 70.94 RCW,  
3 local health departments, the department of natural resources, the  
4 department of fish and wildlife, the parks and recreation commission,  
5 and authorized public entities described in chapter 79.100 RCW:

6 (a) Civil penalties imposed pursuant to RCW 18.104.155,  
7 70.94.431, 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250,  
8 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and  
9 90.64.102.

10 (b) Orders issued pursuant to RCW 18.104.043, 18.104.060,  
11 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070,  
12 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

13 (c) A final decision by the department or director made under  
14 chapter 183, Laws of 2009.

15 (d) Except as provided in RCW 90.03.210(2), the issuance,  
16 modification, or termination of any permit, certificate, or license  
17 by the department or any air authority in the exercise of its  
18 jurisdiction, including the issuance or termination of a waste  
19 disposal permit, the denial of an application for a waste disposal  
20 permit, the modification of the conditions or the terms of a waste  
21 disposal permit, or a decision to approve or deny an application for  
22 a solid waste permit exemption under RCW 70.95.300.

23 (e) Decisions of local health departments regarding the grant or  
24 denial of solid waste permits pursuant to chapter 70.95 RCW.

25 (f) Decisions of local health departments regarding the issuance  
26 and enforcement of permits to use or dispose of biosolids under RCW  
27 70.95J.080.

28 (g) Decisions of the department regarding waste-derived  
29 fertilizer or micronutrient fertilizer under RCW 15.54.820, and  
30 decisions of the department regarding waste-derived soil amendments  
31 under RCW 70.95.205.

32 (h) Decisions of local conservation districts related to the  
33 denial of approval or denial of certification of a dairy nutrient  
34 management plan; conditions contained in a plan; application of any  
35 dairy nutrient management practices, standards, methods, and  
36 technologies to a particular dairy farm; and failure to adhere to the  
37 plan review and approval timelines in RCW 90.64.026.

38 (i) Any other decision by the department or an air authority  
39 which pursuant to law must be decided as an adjudicative proceeding  
40 under chapter 34.05 RCW.

1 (j) Decisions of the department of natural resources, the  
2 department of fish and wildlife, and the department that are  
3 reviewable under chapter 76.09 RCW, and the department of natural  
4 resources' appeals of county, city, or town objections under RCW  
5 76.09.050(7).

6 (k) Forest health hazard orders issued by the commissioner of  
7 public lands under RCW 76.06.180.

8 (l) Decisions of the department of fish and wildlife to issue,  
9 deny, condition, or modify a hydraulic project approval permit under  
10 chapter 77.55 RCW.

11 (m) Decisions of the department of natural resources that are  
12 reviewable under RCW 78.44.270.

13 (n) Decisions of an authorized public entity under RCW 79.100.010  
14 to take temporary possession or custody of a vessel or to contest the  
15 amount of reimbursement owed that are reviewable by the hearings  
16 board under RCW 79.100.120.

17 (o) Decisions regarding a restriction, order, or penalty issued  
18 under chapter 70.--- RCW (the new chapter created in section 17 of  
19 this act).

20 (2) The following hearings shall not be conducted by the hearings  
21 board:

22 (a) Hearings required by law to be conducted by the shorelines  
23 hearings board pursuant to chapter 90.58 RCW.

24 (b) Hearings conducted by the department pursuant to RCW  
25 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and  
26 90.44.180.

27 (c) Appeals of decisions by the department under RCW 90.03.110  
28 and 90.44.220.

29 (d) Hearings conducted by the department to adopt, modify, or  
30 repeal rules.

31 (3) Review of rules and regulations adopted by the hearings board  
32 shall be subject to review in accordance with the provisions of the  
33 administrative procedure act, chapter 34.05 RCW.

34 **Sec. 14.** RCW 43.21B.110 and 2013 c 291 s 34 are each amended to  
35 read as follows:

36 (1) The hearings board shall only have jurisdiction to hear and  
37 decide appeals from the following decisions of the department, the  
38 director, local conservation districts, the air pollution control  
39 boards or authorities as established pursuant to chapter 70.94 RCW,

1 local health departments, the department of natural resources, the  
2 department of fish and wildlife, the parks and recreation commission,  
3 and authorized public entities described in chapter 79.100 RCW:

4 (a) Civil penalties imposed pursuant to RCW 18.104.155,  
5 70.94.431, 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250,  
6 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and  
7 90.64.102.

8 (b) Orders issued pursuant to RCW 18.104.043, 18.104.060,  
9 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070,  
10 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

11 (c) Except as provided in RCW 90.03.210(2), the issuance,  
12 modification, or termination of any permit, certificate, or license  
13 by the department or any air authority in the exercise of its  
14 jurisdiction, including the issuance or termination of a waste  
15 disposal permit, the denial of an application for a waste disposal  
16 permit, the modification of the conditions or the terms of a waste  
17 disposal permit, or a decision to approve or deny an application for  
18 a solid waste permit exemption under RCW 70.95.300.

19 (d) Decisions of local health departments regarding the grant or  
20 denial of solid waste permits pursuant to chapter 70.95 RCW.

21 (e) Decisions of local health departments regarding the issuance  
22 and enforcement of permits to use or dispose of biosolids under RCW  
23 70.95J.080.

24 (f) Decisions of the department regarding waste-derived  
25 fertilizer or micronutrient fertilizer under RCW 15.54.820, and  
26 decisions of the department regarding waste-derived soil amendments  
27 under RCW 70.95.205.

28 (g) Decisions of local conservation districts related to the  
29 denial of approval or denial of certification of a dairy nutrient  
30 management plan; conditions contained in a plan; application of any  
31 dairy nutrient management practices, standards, methods, and  
32 technologies to a particular dairy farm; and failure to adhere to the  
33 plan review and approval timelines in RCW 90.64.026.

34 (h) Any other decision by the department or an air authority  
35 which pursuant to law must be decided as an adjudicative proceeding  
36 under chapter 34.05 RCW.

37 (i) Decisions of the department of natural resources, the  
38 department of fish and wildlife, and the department that are  
39 reviewable under chapter 76.09 RCW, and the department of natural

1 resources' appeals of county, city, or town objections under RCW  
2 76.09.050(7).

3 (j) Forest health hazard orders issued by the commissioner of  
4 public lands under RCW 76.06.180.

5 (k) Decisions of the department of fish and wildlife to issue,  
6 deny, condition, or modify a hydraulic project approval permit under  
7 chapter 77.55 RCW.

8 (l) Decisions of the department of natural resources that are  
9 reviewable under RCW 78.44.270.

10 (m) Decisions of an authorized public entity under RCW 79.100.010  
11 to take temporary possession or custody of a vessel or to contest the  
12 amount of reimbursement owed that are reviewable by the hearings  
13 board under RCW 79.100.120.

14 (n) Decisions regarding a restriction, order, or penalty issued  
15 under chapter 70.--- RCW (the new chapter created in section 17 of  
16 this act).

17 (2) The following hearings shall not be conducted by the hearings  
18 board:

19 (a) Hearings required by law to be conducted by the shorelines  
20 hearings board pursuant to chapter 90.58 RCW.

21 (b) Hearings conducted by the department pursuant to RCW  
22 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and  
23 90.44.180.

24 (c) Appeals of decisions by the department under RCW 90.03.110  
25 and 90.44.220.

26 (d) Hearings conducted by the department to adopt, modify, or  
27 repeal rules.

28 (3) Review of rules and regulations adopted by the hearings board  
29 shall be subject to review in accordance with the provisions of the  
30 administrative procedure act, chapter 34.05 RCW.

31 NEW SECTION. Sec. 15. A new section is added to chapter 43.131  
32 RCW to read as follows:

33 The authority of the department of ecology to do the following  
34 under the authority of chapter 70.--- RCW (the new chapter created in  
35 section 17 of this act) expires June 30, 2025: Require manufactures  
36 to provide information on chemicals and conduct alternatives  
37 assessments; prepare summary reports on alternatives assessments;  
38 prohibit the use of chemicals, the sale, offer for sale, or

1 distribution of a product containing a prohibited chemical; and  
2 assess penalties.

3 NEW SECTION. **Sec. 16.** A new section is added to chapter 43.131  
4 RCW to read as follows:

5 The following acts or parts of acts, as now existing or hereafter  
6 amended, are each repealed, effective June 30, 2026:

- 7 (1) Section 4 of this act;
- 8 (2) Section 6 of this act;
- 9 (3) Section 7 of this act;
- 10 (4) Section 8 of this act;
- 11 (5) Section 9 of this act;
- 12 (6) Section 10 of this act; and
- 13 (7) Section 12 of this act.

14 NEW SECTION. **Sec. 17.** Sections 4 through 12 of this act  
15 constitute a new chapter in Title 70 RCW.

16 NEW SECTION. **Sec. 18.** Section 13 of this act expires June 30,  
17 2019.

18 NEW SECTION. **Sec. 19.** Section 14 of this act takes effect June  
19 30, 2019.

20 NEW SECTION. **Sec. 20.** The sum of one million dollars, or as  
21 much thereof as may be necessary, is appropriated for the biennium  
22 ending June 30, 2017, from the state toxics control account to the  
23 department of ecology for the purposes of this act."

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By Senator McCoy

24 On page 1, beginning on line 1 of the title, after "plans;"  
25 strike the remainder of the title and insert "amending RCW  
26 70.240.010, 70.240.050, 43.21B.110, and 43.21B.110; adding a new  
27 section to chapter 70.240 RCW; adding new sections to chapter 43.131  
28 RCW; adding a new chapter to Title 70 RCW; prescribing penalties;  
29 making an appropriation; providing an effective date; and providing  
30 an expiration date."

EFFECT: (1) Authorizes the department of ecology and the department of health to conduct chemical action plans.

(2) Adds chemicals identified as high priority chemicals and chemicals of high concern for children to the list of chemicals to select from for a CAP.

(3) Until June 30, 2025:

(a) Authorizes the department of ecology to require manufacturers to provide information about a chemical selected in order to complete a CAP.

(b) Authorizes the department of ecology to require manufacturers to conduct alternatives assessments consistent with CAP recommendations.

(c) Requires the department of ecology to review alternatives assessments to determine safer alternatives.

(d) Requires the department of ecology and the department of health to prepare a summary report of all reviewed alternatives assessments.

(e) Authorizes the department of ecology to prohibit, by rule, the use of substances based on determination from the alternatives assessment of a safer alternative. The rule may not take effect sooner than 12 months after adoption.

--- END ---