



Hazardous Waste Management Program

GOVERNMENTS WORKING TOGETHER FOR
A HEALTHIER AND CLEANER KING COUNTY

2023 LEGISLATIVE and REGULATORY PRIORITIES

September 2022

The Hazardous Waste Management Program works to improve policies and regulations that impact the production, use, storage, and end-of-life management of hazardous products. We work with partners at the local, state, and federal levels of government, and with local, regional, and national groups to achieve change. Our understanding of racial equity, community organizing, behavior change best practices, and community and technical research all show we need to focus our efforts on systems changes that promote safer alternatives and remove exposure to hazardous products.

For a more detailed description of our legislative and regulatory positions, including links to reference materials, please see the Program's 2023 Legislative and Regulatory Agenda. Our legislative and regulatory priorities for 2023 are listed below.

Federal Legislative Priorities

- **We support the proposed federal Environmental Justice for All Act**, which would establish several environmental justice requirements and actions to address the disproportionate adverse human health or environmental effects of federal laws or programs on communities of color, low-income communities, or tribal and indigenous communities. (See H.R. 2021, 117th Cong. (2021-22) and S. 872, 117th Cong. (2021-22))

Federal Regulatory Priorities

- **We support the Environmental Protection Agency's chemical regulation work under the Toxic Substances Control Act.** The Toxic Substances Control Act of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides. We support EPA's implementation of TSCA, including its risk evaluation and risk management process which will protect workers, families, communities - including potentially exposed or susceptible subpopulations - and our environment.
- **We support protection from liability for public managers of landfills and wastewater treatment facilities** as it pertains to accumulation and consolidation of persistent toxic materials. The EPA proposes to designate PFOS and PFOA as hazardous substances under CERCLA, a move we support. Depending how those rules are written, however, that move has the potential of shifting liability to municipal operators of landfills and wastewater treatment facilities, an illogical approach since safely operated landfills are currently the best option we have to consolidate these materials and get them out of circulation until better disposal options are found. Done wrong, it would place liability not on producers, but on the public entities that are trying to clean-up persistent chemical waste.

State Legislative Priorities

- **We support elimination of hazardous materials in cosmetics and personal care products.** This includes lead, phthalates, mercury, microplastics, and nanomaterials. (See Washington State Legislature (2021-22) HB 1853, SB 5703).
- **We support initiation of a state constitutional amendment recognizing the right to a clean and healthy environment** to the effect that, “Each person shall have a right to clean air and water, a healthy outdoor natural environment, and a healthful indoor living environment”. (See Washington State Legislature (2021-22) HJR 4209, SJR 8210)
- **We support “right to repair” legislation** that provides residents and businesses the ability to freely open and repair home electronics, appliances, automobiles, and other products. Currently, manufacturers use a variety of tactics to prevent consumers from repairing products, which leads to stifled competition, premature and planned obsolescence of products, and producing increased waste (which all residents pay for). (See 2021 HB 1810, SB 5795)
- **We support battery recycling legislation for all battery formats, including electric vehicle batteries.** (See Washington State Legislature (2021-22) HB 1896).
- **We support a repeal of the 2025 sunset provision in the mercury-containing lights product stewardship program.**
- **We support a study bill in the legislature to examine potential lead content thresholds for lead in cookware.**

State Regulatory Priorities

- **We support the Department of Ecology’s chemical regulation work under the Safer Products for Washington Act.** Under RCW 70A.350, the Washington State Department of Ecology, in consultation with the Washington State Department of Health, must determine regulatory actions to increase transparency and to reduce the use of priority chemicals in priority consumer products. We support Ecology’s efforts to identify hazardous chemicals and products and the promotion of safer alternatives.
- **We support a reconvening the 2012 Washington Toxics Reduction Strategies Workgroup,** to review and update of the recommendations in its “Toxic Policy Reform for Washington State” paper. In 2012, a group of government, business, and non-governmental leaders came together at the request of Department of Ecology’s then-director Ted Sturdevant to discuss toxic chemical management. The group’s work resulted in a paper to the Governor and House and Senate leadership, “Toxic Policy Reform for Washington State,” which outlined current challenges, principles for actions, and ideas for moving forward. Some of the group’s recommendations resulted in action, including the enactment of Safer Products for Washington Act.
- **We support a review of Washington State’s blood lead risk factors** to consider additional demographic and cultural criteria, and clearer geographic criteria.
- **We support an update of the State’s 2009 Washington State Lead Chemical Action Plan, along with a review of progress made toward each of the plan’s recommendations.**

Contacts

Dave Ward, Policy and Planning Manager

daward@kingcounty.gov | 206-491-5368

Ashley Evans, Planning and Policy Advisor

Ashley.Evans@kingcounty.gov | 206-263-3777