



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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December 1, 2016

Gina McCarthy, Administrator  
United States Environmental Protection Agency  
Office of the Administrator – 1101A  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

RE: Implementation of the Lautenberg Chemical Safety Act

Dear Administrator McCarthy:

As we enter the final weeks of the current administration, I write to urge the United States Environmental Protection Agency (EPA) to publish the framework rules to implement the Frank A. Lautenberg Chemical Safety for the 21st Century Act (the Lautenberg Act) prior to the changeover to the next administration. Doing so will give the incoming administration a clear blueprint to introduce final rules by June 2017. We also ask that EPA finalize rules for reassessing authorized uses of polychlorinated biphenyls (PCBs), during this time.

**Implementing the Lautenberg Act**

The Lautenberg Act was passed with broad, bipartisan support and we have no indications that the next administration will seek changes in the approach your team has taken. However, given the importance of these rules for guiding our state-level chemical policy efforts, it is vital to Washington and other states that EPA is able to meet its current schedule in issuing the framework rules.

In August, the Washington State Department of Ecology (Ecology) submitted comments on EPA's framework Risk Evaluation and Prioritization rules; offering first-hand experience from Washington's past regulatory development on toxics. We urged EPA to adopt flexible rules that allow for modifications as the agency gains more experience and scientific knowledge advances. We also specifically asked EPA to take a broad view of exposure potential during the prioritization process that is not limited to exposures during use.

In addition, Congress provided new authority that requires EPA to share confidential business information (CBI) to the states. Ecology supports steps by the EPA to issue guidance to the states as required under the statute to implement data and information sharing.

Gina McCarthy, Administrator

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### **Reassessing uses of PCBs**

Finalizing EPA's rule for Reassessment of Use Authorizations for PCBs, which your agency has been developing for several years under the original Toxic Substances Control Act, is essential to continuing our nation's progress in dealing with these extremely toxic chemicals. Pollution from PCBs is an issue of tremendous importance to Washington State because of the damage PCBs have done to our environment, including the ongoing harm to Washington's tribal communities and other populations that depend on locally caught fish for sustenance.

### **Strong partnerships**

Washington State has long been a leader in protecting our communities and environment from toxic chemicals, working with EPA, industry and other stakeholders. As we enter a new era of national chemical policy with the Lautenberg Act, Washington wants to continue to be a strong partner for the EPA and a voice bringing attention to emerging chemicals of concern. The framework rules will help Washington invest its economic and scientific resources where they will do the most good and allow us to effectively promote wise national policy.

The passage of the Lautenberg Act was an example of how our nation's elected representatives came together to address a vital national interest. Providing the incoming administration the tools it needs to implement the Lautenberg Act will be another example of our nation's commitment across administrations to protecting our citizens from toxic chemicals.

Sincerely,

A handwritten signature in black ink that reads "Maia D. Bellon". The signature is written in a cursive style and is followed by a long horizontal line that extends to the right.

Maia D. Bellon  
Director