

RCW 70A.350.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "6PPD" means the chemical compound N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine.

(2) "Consumer product" means any item, including any component parts and packaging, sold for residential or commercial use.

(3) "Department" means the department of ecology.

(4) "Director" means the director of the department.

(5) "Electronic product" includes personal computers, audio and video equipment, calculators, wireless phones, game consoles, and handheld devices incorporating a video screen that are used to access interactive software, and the peripherals associated with such products.

(6) "Inaccessible electronic component" means a part or component of an electronic product that is located inside and entirely enclosed within another material and is not capable of coming out of the product or being accessed during any reasonably foreseeable use or abuse of the product.

(7) "Manufacturer" means any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a product or is an importer or domestic distributor of a product sold or offered for sale in or into the state.

(8) (a) "Motorized vehicle" means, for purposes of 6PPD as a priority chemical, a motorized vehicle intended for on-highway or off-highway use.

(b) "Motorized vehicle" does not include, for purposes of 6PPD as a priority chemical, the tires equipped on the vehicle nor tires sold separately for replacement purposes.

(9) "Organohalogen" means a class of chemicals that includes any chemical containing one or more halogen elements bonded to carbon.

(10) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS chemicals" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

(11) "Phenolic compounds" means alkylphenol ethoxylates and bisphenols.

(12) "Phthalates" means synthetic chemical esters of phthalic acid.

(13) "Polychlorinated biphenyls" or "PCBs" means chemical forms that consist of two benzene rings joined together and containing one to ten chlorine atoms attached to the benzene rings.

(14) "Priority chemical" means a chemical or chemical class used as, used in, or put in a consumer product including:

(a) Perfluoroalkyl and polyfluoroalkyl substances;

(b) Phthalates;

(c) Organohalogen flame retardants;

(d) Flame retardants, as identified by the department under chapter 70A.430 RCW;

(e) Phenolic compounds;

(f) Polychlorinated biphenyls;

(g) 6PPD; or

(h) A chemical identified by the department as a priority chemical under RCW 70A.350.020.

(15) "Safer alternative" means an alternative that is less hazardous to humans or the environment than the existing chemical or chemical process. A safer alternative to a particular chemical may

include a chemical substitute or a change in materials or design that eliminates the need for a chemical alternative.

(16) "Sensitive population" means a category of people that is identified by the department that may be or is disproportionately or more severely affected by priority chemicals, such as:

- (a) Men and women of childbearing age;
- (b) Infants and children;
- (c) Pregnant women;
- (d) Communities that are highly impacted by toxic chemicals;
- (e) Persons with occupational exposure; and
- (f) The elderly.

(17) "Sensitive species" means a species or grouping of animals that is identified by the department that may be or is disproportionately or more severely affected by priority chemicals, such as:

- (a) Southern resident killer whales;
- (b) Salmon; and
- (c) Forage fish. [2024 c 343 s 2; 2020 c 20 s 1451. Prior: 2019 c 292 s 1. Formerly RCW 70.365.010.]

Findings—Intent—2024 c 343: "(1) The legislature finds that 6PPD is a chemical commonly used in motor vehicle tires to keep them flexible and prevent them from degrading quickly. 6PPD works by moving to the surface of the tire and forming a film that protects the tire. As the film breaks down, it produces 6PPD-quinone. When it rains, tire particles containing 6PPD-quinone are washed into streams, rivers, and other water bodies through stormwater runoff.

(2) The legislature also finds that 6PPD-quinone is directly linked to urban runoff mortality syndrome, a condition where Coho salmon die prior to spawning. 6PPD-quinone is known to be toxic to aquatic species and is the primary causal toxicant for Coho salmon. In June 2023, the department of ecology identified 6PPD as a draft priority chemical under safer products for Washington, cycle 2. Additionally, 6PPD has been identified as a hazardous substance under the model toxics control act and as a chemical of concern for sensitive populations and sensitive species.

(3) The legislature finds it important to reduce sources and uses of 6PPD in Washington to protect aquatic life, particularly salmon. Since 6PPD is ubiquitous in motorized vehicle tires, the legislature intends to identify 6PPD as a priority chemical and certain motorized vehicle tires containing 6PPD as priority consumer products under safer products for Washington." [2024 c 343 s 1.]