



Purchasing Preference for Products and Product Packaging That Do Not Contain Polychlorinated Biphenyls (PCBs) Policy – Refresh

April 4, 2024, Meeting Recording Transcript

Jorgensen, David (DES) 0:03

Good morning, everyone.

Jorgensen, David (DES) 0:04

My name is David Jorgensen.

I'm a policy and protest administrator here at Department of Enterprise Services and we would like to thank everybody for joining us for the PCBs Product Preference Policy update and again we appreciate you joining us and thank you all for your time.

Jorgensen, David (DES) 0:22

We have a few people coming into the lobby, but I'll go ahead I think and get started here.

Jorgensen, David (DES) 0:28

If we could go ahead and go to the agenda today. OK. Go to the next slide, please.

Thank you.

Jorgensen, David (DES) 0:37

So for today's agenda, DES is putting on a workshop that is covering four different topics and this morning between 8:00 and 9:00 AM, there was a Sole Source presentation by Brooke Jensen.

Jorgensen, David (DES) 0:49

And currently we have the PCBs presentation which is going to go to 9:45 today.

Jorgensen, David (DES) 0:56

After that, we have convenience contracts and then procurement risk assessment and if you missed the sole source presentation, don't worry about that because it will be recorded and posted on the DES website, probably in about a week.



Jorgensen, David (DES) 1:12

So you can certainly check that out if you would like.

Also for the other two topics this morning, convenience contracts and procurement risk assessment, you can view those live today if you haven't registered for the for those sessions, there's still time to do so.

Jorgensen, David (DES) 1:28

Please feel free to go ahead and do that, and again, these workshops are all being recorded and then they should be available on the DES website in approximately about one week.

Jorgensen, David (DES) 1:41

So if we could get into some brief housekeeping here today, we have only about half an hour to go through things, so I'll be moving fairly quickly.

Jorgensen, David (DES) 1:51

If you have questions, please go ahead and use the chat for questions.

There will be time for a Q&A at the end of the presentation and once again, just a reminder that the workshop is being recorded. So the recording, transcript and slides will be posted to the DES website again, probably in about a week.

Jorgensen, David (DES) 2:10

So if we could go to the next slide.

Jorgensen, David (DES) 2:13

So polychlorinated biphenyls, that is the official name of PCBs.

It's much easier to refer to them just as PCBs.

The intent of this session is the following: to inform everyone of proposed changes that DES is making to the PCBs policy and to provide an overview of those proposed changes, and also to provide you with an opportunity to provide feedback and to answer questions that you may have in regard to the changes.

Jorgensen, David (DES) 2:42

If we could go to the next slide, please.

So the current status of the PCBs policy during this past year: DES was approached by a subject matter expert stakeholder group regarding the current testing requirements of the PCBs policy and as a result of



the feedback that DES received, DES drafted an initial revised policy and an additional frequently asked question or FAQ.

Jorgensen, David (DES) 3:09

So today we want to share the proposed draft and FAQ with other stakeholders. And to give folks a background on PCBs. I think it's important to talk about what PCBs are and that will help us understand the policy a little bit better.

Jorgensen, David (DES) 3:28

PCBs, again, polychlorinated biphenyls are their official name.

And what they are is a group of manufactured chemical compounds.

And they're very persistent and long lasting in the environment.

They are very toxic and also they're ubiquitous.

They're present everywhere, including air, water and land environments.

So if we could have the next slide, we can take a look at what harmful effects that PCBs have.

And PCBs have been shown to cause harmful and toxic effects to a number of internal systems in both people and animals.

Jorgensen, David (DES) 4:05

And you can see the systems listed there, the immune system, reproductive system, nervous system and endocrine systems, and another thing that PCBs do is they accumulate in people and animals. This is known as bioaccumulation and not to get too detailed, but basically this just means that PCBs can build up in people and animals overtime.

Jorgensen, David (DES) 4:29

So when we look at the sources of PCBs, where they are and how they get in the environment today, PCBs were used for a wide variety of things and they were manufactured, I think in the early 1920s.

Jorgensen, David (DES) 4:45

But the federal government banned manufacturing for PCB's in 1979. Even though, they've been banned for quite some time, they still can enter the environment through many avenues, however, and you see some of those avenues listed there. Hazardous waste sites, illegal dumping, leaks from old electric Transformers, and also burning of waste in incinerators.



Jorgensen, David (DES) 5:12

So if we look at the next slide here, there is also another source of PCBs, inadvertent PCBs called iPCBs.

And even though manufacturing PCBs was banned in 1979, federal regulations from the EPA or the Environmental Protection Agency still allows some inadvertent generation of PCBs to occur.

Jorgensen, David (DES) 5:37

And this happens when PCBs are part of a manufacturing process where other products, particularly paint and printing ink, are made.

Jorgensen, David (DES) 5:46

And sometimes PCBs get produced in this process, so we call these types of PCBs inadvertent PCBs or iPCBs for short.

So at this time, what I would like to do is if we could take a minute for a quick survey and my colleague Zoe is going to help us with this, we're going to ask a few questions about supplying or purchasing products or product packaging that might contain PCB's.

So to participate in this survey, you can use the scan code for your smartphone, or you can use the link that is provided in the chat to answer 4 questions.

So why don't we take about a minute and go ahead and do that?

And I would provide some background music for you, but I usually sing off key, so I'm not going to do that, but we'll have about a minute, OK?

Jorgensen, David (DES) 7:33

OK, so we have about 10 more seconds here.

I'll let people finish up if you haven't done so yet.

So let's go ahead and take a quick look at the results.

So, Zoe, if you could show us question one, whether or not people supply printing ink: 60% said no, 39% yes.

And if we look at paint, whether or not people supply or purchase paint: 71% no, 28% yes.

And question #3 is: do you test for PCBs?

There were several options here. 82% it's not applicable for those folks, 13% no because they're not familiar, and 3% is, I believe, no because they cannot find a lab or the test is too expensive.

Jorgensen, David (DES) 8:26

OK. And question four is whether or not you use the PCB policy.



60% said yes, 23% no, and 9% other.

So thank you, Zoe. I appreciate your help.

The next slide, if we could take a look at getting into the reasons that we want to go ahead and change the policy.

So as I mentioned previously, during the past year.

DES was approached by subject matter experts, stakeholders regarding PCBs requirements, specifically testing requirements in the current policy and what we learned from these stakeholders was that current testing requirements are very expensive and they're also very exclusive, meaning that very few labs test for PCBs.

So as a result of this, the testing requirements may make it difficult for some small vendors to test for PCBs and products or product packaging.

Jorgensen, David (DES) 9:22

And really, contrary to the intent of the policy, current testing requirements may actually decrease the number of products that are tested for PCBs.

Jorgensen, David (DES) 9:32

So if we could have the next slide.

So the proposed changes that DES is proposing here for the PCBs policy.

Again, we consider the information we obtained from our expert stakeholders and refreshing the policy and our friends at the Department of Ecology informed us that there is an alternative to PCB testing available for some PCB products.

Jorgensen, David (DES) 9:59

So and this can be found in what is known as the ChemForward iPCBs pigments resource and this can be used to find alternative products that don't contain iPCBs.

So what this resource is, is it's a free, searchable data set of nearly 400 pigments.

They're organized by chemical name, CAS number, color, and the presence of chlorine. So this data set again can help suppliers of products such as paints and printing inks find alternative products that don't contain iPCBs.

In addition to those changes, and I should also mention that in the revised policy, there will be a link to this website and data set.

Jorgensen, David (DES) 10:42

So when you're using the policy, you won't have to look for that link.



That will be provided in the policy also within the policy.

Another change that we're doing is a new verification form and this will allow vendors to verify the use of the iPCBs pigment resource and to take advantage of the policy's purchasing preference.

Jorgensen, David (DES) 11:04

Now if you go to the next slide, let's go ahead and take a look at what the ChemForward iPCBs pigment resource tool looks like.

When we made this slide, we had to make it a little bit smaller to fit the PowerPoint.

So it looks a little bit bigger on line than it actually looks here.

Jorgensen, David (DES) 11:23

The most important column is highlighted in beige and it says contains chlorine.

So when you use this resource, look for that column and a purchasing preference will be given to those products that have a no answer.

And this is because that product packaging or products that do not contain chlorine or chlorine solvents, they won't contain the iPCBs that we're looking to eliminate.

So in this example, that you're looking at, only the top row or pigment yellow 1 does not contain chlorine and you can see this in that column.

There is a green tab that says no.

So when you look at that, if you were a vendor and selected that product, you would be eligible to get the purchasing preference in the policy.

The other products that are listed there, pigment yellow 3, 6, 10 and 12, when you go to that contains chlorine column, there is a red tab that says yes, so all of those products would not be eligible for the purchasing preference of the policy because they do contain chlorine and therefore would contain iPCBs.

So if we can go to the next slide, so the next steps that DES is going to take: we would like feedback that is due from everyone on April 25th and there is a feedback form, a link there that you can submit the feedback to us and we would definitely really appreciate that. The next steps that DES has: we're going to compile that feedback and incorporate the revisions into the policy and the FAQ.

Also, we're going to revise the desk aid to create the verification form that I mentioned earlier and the target effective date for this policy is going to be May 2024.

So I believe we are OK to go ahead and answer any questions that you have and I believe Zoe is monitoring the chat for me.

So I appreciate that if there's any questions that have popped up, I can do my best to answer those.

Mroz, Zoe (DES) 13:36



Yeah. Thank you, David. As of right now, we don't have any questions in the chat, but let's give it a few minutes and see if we get any.

Jorgensen, David (DES) 13:47

OK. And I think what I'd like to do while we're waiting for questions is my colleague Olu Agbaje can talk about policy projects that we have on our policy team and give you some updates on that.

Jorgensen, David (DES) 14:02

So while we're waiting for questions, I'll turn it over to my good friend and colleague Olu. If you could go ahead.

Agbaje, Olu (DES) 14:11

Thank you, David. Appreciate it.

For the benefit of those who may not be at the last session for Sole Source Policy, my name is Olu Agbaje. I am the Enterprise Procurement Policy and Protest Administrator at the Department of Enterprise Services.

And what I want to do in the next 5 minutes or thereabouts, I want to provide you with updates on other policy projects we're working on this year, which we're going to need your input regarding.

Let's move to the next slide please.

Supplier Diversity, let's talk about that.

In terms of the effort that we've made to date. To date, DES has made over 50 changes to the handbook and one change to the policy.

The revisions reflect what we've learned since we implemented the policy to make fixes and add clarity to the documents. DES will present revisions to the handbook and policy through a lunch-and-learn session and at the upcoming Supplier Diversity Community of Practice meeting at a date to be determined.

Agbaje, Olu (DES) 15:31

We will keep you posted on that.

We estimated the project will be completed by April 2024.

Next slide please.

Now, the slide that you are looking at provides information on uh policy projects that we have on our list of things to do this year.



Agbaje, Olu (DES) 15:54

Both the Washington Grown Food policy and Executive Order 18-03, which is the policy that supports workers right to effectively address workplace violations, need to be refreshed. As a result, we sought feedback in March on both policies using a survey.

Agbaje, Olu (DES) 16:12

Now, if you did not have a chance, it's possible that you may not have had the chance to complete the survey before it closed.

We encourage you to still provide your feedback through an email.

We appreciate all the feedback we've received so far.

Now let's talk about Delegated Authority policy.

This year, as we said, we're going to be refreshing this policy to reflect the new procurement risk assessment and other required changes.

We will make initial proposed revisions and share them with stakeholders for input.

Agbaje, Olu (DES) 16:52

Emergency Purchase policy. We are also revising this policy this year to incorporate revisions from House Bill 1471 that passed this session. A bill requires the timeline has changed from 3 business days from the date of purchase to 10 days for agencies to file emergency contract with DES and to make the contracts available for public inspection.

Agbaje, Olu (DES) 17:22

The bill will come into force on June 5, 2024.

The Direct Buy Purchases policy is another policy that we have on our list of things to do this year.

So, we're going to be working on that and certainly, we're going to need your input on that.

Now the last thing I want to highlight on this slide is that the Enterprise Procurement Policy team provides a status report on all active and upcoming policy projects.

Agbaje, Olu (DES) 18:00

This update can be found at the link in the indicated on this slide.

So, I want to encourage you to go to our policy webpage and check out the updates to all these upcoming projects and we also have that information on our website related to our policy.

So, let's go to the next slide please.



The slide that you're looking at provides information about our teams contact details.

Please contact any of us regarding what we presented today or for other procurement policy related and any questions you may have. Let's go to the next slide.

I want to point out that indicated on the slide is the Enterprise Procurement Policy mailbox.

You can also contact us through the email address indicated on the slide in the middle is a quick response code.

Please use the code to provide your feedback about the workshops PCBs session.

Again, thank you for your time and feedback.

Before we go, I want to let you know that next we have the Convenience Contract policy session starting at 10:00 AM. If you have not yet done so, you can still register for the session.

Agbaje, Olu (DES) 19:36

So we look forward to seeing you at 10.

Again, thank you for your time and see you shortly.

Jorgensen, David (DES) 19:47

Yep, and thank you. Appreciate that. And Zoe, were there any questions? That looks like a question for the link was provided from you. Were there any other questions that came up, or?

Mroz, Zoe (DES) 20:00

Yeah. Would you mind going over again the effective date, the target date for this policy?

Jorgensen, David (DES) 20:06

Right, the target date for this policy is May of 2024.

The current policy, just so everybody knows, is still effective and I do want to touch base. We had some early feedback; a couple of questions were brought up to us before the workshop regarding the policy. This is a policy for goods. It is really not a policy for services, it's only applicable to goods for products that vendors provide for agencies purchase or government entities purchase.

Jorgensen, David (DES) 20:37

Also, there was a question brought up about the possibility of having one environmental policy that covered all the various chemical compounds or pollutants or things of that nature that people could just reference with one policy.



DES looked into that and basically because different products contain different contaminants, they're really not all in one group, and different laws also apply to some of those different chemicals.

DES's way of dealing with things in the most efficient way we thought was to create different policies for these things like there is a policy for mercury, a policy for HFCs, and also a policy for PCBs. So that is the most efficient way that DES has determined to have those policies. So, I just wanted to comment on that.

I want to thank everybody so much for joining us and we definitely appreciate it.

And I think as Olu mentioned, Convenience Contracts starts, I believe at 10:00 o'clock. So looking forward to seeing everybody for that.

Jorgensen, David (DES) 21:42

Thank you so much everybody. Bye, bye.