



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Public Hearing – February 23, 2009
Environment Committee

Testimony Submitted by Commissioner Gina McCarthy
Department of Environment Protection

**Proposed House Bill No. 5465 - AN ACT CONCERNING PHOSPHORUS IN
DETERGENTS**

Thank you for the opportunity to present testimony regarding Proposed House Bill No. 5465 - AN ACT CONCERNING PHOSPHORUS IN DETERGENTS concerning limiting phosphorus levels in detergents sold in Connecticut. The Department fully supports the concept.

This bill seeks to amend chapter 446k of the Connecticut General Statutes to “prohibit the sale of any detergent for laundry use that contains phosphorus” and “to prohibit the sale of any detergent for use in machine dishwashers that contains five per cent or more phosphorus”.

The prohibition for laundry detergents may be unnecessary as laundry detergent producers in the United States have implemented a voluntary ban on phosphorus since the mid 1990s.

The situation for dishwasher detergents is more complicated as producers have claimed that no suitable substitute for phosphorus has been found that provides the same level of softening necessary to prevent spotting, rust, and keep food particles in suspension that phosphates accomplish. Advocates for substitutes claim satisfactory performance with sodium compounds, particularly sodium citrate, which is available in some commercially marketed dishwasher detergents.

Some jurisdictions in Washington State, Maryland and Quebec have proposed limiting phosphorus in dishwasher detergents to protect the Spokane River, Chesapeake Bay and a number of lakes in Quebec Province, respectively. These represent only a few of a growing number of state and local governments that are instituting measures to control phosphorus to protect phosphorus-limited waters from the effects of cultural eutrophication. Most proposals call for either a total ban or a maximum phosphorus concentration of 0.5% by weight. Clearly, alternatives are being found for dishwasher detergents and continued expansion of legislative limits on phosphorus will help drive the market in that direction, as was the case for laundry detergents.

Connecticut, too, is under increasing pressure from the federal EPA and local environmental groups to restrict the discharge of phosphorus into waterbodies that show signs of over enrichment. Although phosphorus originates from a variety of sources, including runoff from domestic and agricultural fertilizer use, sewage treatment plant discharges and septic systems situated close to sensitive waterbodies represent some of the more concentrated sources of phosphorus targeted for management. Cost of phosphorus controls at municipal sewage facilities in Connecticut have not been fully estimated, but would expect to cost in the hundreds of

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millions of dollars to construct and operate over a 20-year period. Pollution prevention, such as phosphorus controls in detergents could help reduce that cost, making both economic sense as well as good environmental management sense.

We do propose modification of the bill to remove the reference to laundry detergent since it is no longer a threat. I also propose that the limitation in dishwasher detergents be at 0.5% instead of the five percent currently proposed in the bill. We also suggest that the implementation schedule be extended into 2011 to allow manufacturers adequate time to develop and produce suitable alternative products.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, Legislative Program Manager, at 424-3401.