

TUR Advisory Committee
Meeting Summary
June 25, 2015
Saltonstall Building
100 Cambridge St.
2nd Floor, Conference Room A
Boston, MA

Members Attending: Steve Gauthier (IUE/ CWA Local 201), Ron Westgate (Philips Lightolier), Jillian Riley (Attorney General's Office), Elizabeth Saunders (Clean Water Action), Dave Kiddoo (AlphaGary), Bob Audlee (Stainless Steel Coatings), Tolle Graham (MassCOSH)

Others Attending: Alix Pierre-Louis [MWRA], Rich Bizzozero (Executive Office of Energy and Environmental Affairs [EOEEA]), Danielle Domingos (Massachusetts Office of Technical Assistance [OTA]), Rachel Massey (Toxics Use Reduction Institute [TURI]), Tricia McCarthy (American Chemistry Council [ACC]), Liz Harriman (TURI), Steve Rosario (ACC), Pam Eliason (TURI), Rick Reibstein (OTA), Kathy Robertson (Massachusetts Chemistry Technology Alliance[MCTA])

Welcome and Introduction

Rich Bizzozero, Executive Director, welcomed the group. He announced that all the Administrative Council members have now been designated by the member agencies. Dan Sieger, Assistant Secretary for Environment, will chair the Council and is the designee from EOEEA. The other council members will be Nancy Seidman from the Massachusetts Department of Environmental Protection (MassDEP), Dr. Marc Nascarella from the Department of Public Health (DPH), Michael Flanagan from the Executive Office of Labor and Workforce Development (EOLWD), Jacob Nunnemacher from the Executive Office of Public Safety and Security (EOPSS), and Tim Wilkerson from the Executive Office of Housing and Economic Development (EOHED).

Program Agency Updates

TURI

The Science Advisory Board (SAB) continues to work on its review of the science on phthalate esters. MassDEP requested input in order to inform its review of an existing policy that exempts some phthalate esters from reporting under TURA, although they are on the TURA list.

TURI recently hosted a Greener Materials Research Symposium, which offered an opportunity for businesses and researchers to come together and discuss research projects.

A TURI staff member will help to teach a day-long pilot training on safer alternatives, sponsored by OSHA, on July 29th.

The TURA Program has celebrated its 25th Anniversary over the last several months with various events. The program hosted a leadership tour and held recognition events at nine businesses across the Commonwealth and at two small business organizations. The events were attended by

TURA staff, legislators, local officials, EEA senior staff, TUR Planners, the companies' management and employees, and others.

The Wet Cleaning Workgroup recently received an Environmental Merit Award from USEPA for their work adopting and promoting wet cleaning as a safer alternative to perchloroethylene; earlier in the year they also received a National Pollution Prevention Roundtable Most Valuable Pollution Prevention (MVP2) award. EPA also recognized the accomplishments of TURA's own Rich Bizzozero with a Lifetime Achievement Award.

The 25th Anniversary events culminated with the annual Champions of Toxics Use Reduction event, held in June at the Statehouse. This event included recognition of the 25th anniversary honorees, a small business that converted to wet cleaning, five community organizations, and three Toxics Use Reduction Planners (including past Advisory Committee members Ed Gomes and Gary Nedelman). Speakers at the state house event included Undersecretary Ned Bartlett from EOEEA and Deputy Commissioner Beth Card from MassDEP, as well as the legislative chairs of the Joint Committee on Environment, Natural Resources and Agriculture.

MassDEP

Rich Bizzozero gave an update on activities at the MassDEP. MassDEP is currently offering a reporting amnesty for TURA filers, which began on April 9, 2015 and will continue until July 1, 2016. As of June 25, no companies have come forward under the amnesty program, but it is anticipated that several will come in after July 1, which is the TURA reporting deadline. In the fall, MassDEP will begin the use of desk audits. Once a company is contacted by MassDEP through the desk audit or receives an on-site inspection, the amnesty is no longer applicable to that company.

MassDEP will begin outreach to trade associations shortly and asked the committee members for other outlets to inform about the reporting amnesty. Suggestions included the Massachusetts Bar Association, labor unions, TUR planners, chemical suppliers, and members of industry associations such as MCTA. TURI and OTA will continue to include announcements in their newsletters and outreach materials.

The TURA reports are due July 1 of each year, and as of June 25, 135 companies have submitted reports for this year. Last year, 477 companies submitted reports, meaning that about one-third of filers have submitted their reports as of this date.

In the spring, the Governor offered a retirement incentive program to state employees. The program, the Early Retirement Incentive Program (ERIP), will bring major changes to MassDEP. Out of 800 employees, 114 have chosen to retire under ERIP, which will bring significant structural changes to MassDEP.

OTA

The regulatory pause at the Governor's office has been extended to March 31, 2016. Two regulations from the TURA program are affected by this pause: TURA fees and the designation of TDI as a Higher Hazard Substance. The Governor's office is currently reviewing all regulations, and both of the proposed TURA regulations will undergo a review in the next year.

OTA has completed a draft of the FY14 Governor's Report and it is currently under review. OTA will begin to draft the FY15 Governor's Report this summer.

OTA and TURI have been working with dry cleaners and utility companies to create specific energy efficient initiatives for the garment cleaning sector. Shifting from perchloroethylene to dedicated wet cleaning can produce energy savings.

OTA continues to work on updating the Sustainability Training for Auto Repair Shops (STARS) guidance for auto body shops alongside the Massachusetts Clean Automobile Repair (MassCAR) partnership. The updated guidance includes fact sheets that introduce improved practices for auto body and repair shop processes. One committee member asked if these fact sheets will be available in multiple languages. A representative from OTA responded that the funding for this project was an EPA grant, and there was unfortunately not enough funding for translation services.

Two OTA staff members, Rick Reibstein and Scott Fortier, are also retiring under ERIP.

Committee member comments on TUR filing

Two committee members employed by facilities that file under TURA mentioned that they had significant difficulties completing their TURA reports within eDEP. Due to software version compatibility problems, multiple attempts and several hours of work were required in order to upload final reporting information into the system.

TURI Research Grant Opportunities

TURI offers grants to fund research to help Massachusetts companies find safer alternatives to toxic chemicals. For the grants to academic researchers for FY2016, TURI identified and contacted major users of chemical solvents in Massachusetts to find out if these companies were interested in working with researchers to find alternatives. Five of the companies that TURI contacted agreed to put forth a research proposal. Two of those businesses also spoke at the Greener Materials Research Symposium, outlining their research needs.

Of the five company projects, two were matched with faculty and student researchers at UMass Lowell and a third will be managed by TURI.

Review of TURI and OTA Services Sheet

Two short fact sheets, one outlining the services that OTA and TURI provide to Massachusetts businesses and the other providing an overview of the TURA program, were handed out to committee members. These fact sheets were requested by committee members at an earlier meeting. OTA and TURI asked committee members for feedback on both documents. One committee member suggested that a definition of the TURA program be prominently displayed at the top and another committee member suggested that "potential for an OTA case study" be added to OTA's services. The committee member offered this suggestion because he had found that the OTA case study on his company had resulted in very positive publicity. It was noted that the *Overview of TURA* document ties in as a potential addition to the outreach for the MassDEP

amnesty. The fact sheets are targeted to small businesses that could take advantage of the program's free services, as well as businesses that should be filing under TURA but are not, or have never heard of the TURA program.

Formaldehyde: Priority User Segment Evaluation

Within four years of a Higher Hazard Substance (HHS) designation, OTA must analyze the use of the chemical in the commonwealth and may recommend whether or not to designate a Priority User Segment (PrUS).

Based on its research, OTA has found that formaldehyde is still used by a broad range of sectors, but none were likely to be a good fit for PrUS designation. The research for the PrUS designation began with a large outreach effort by OTA to contact all Massachusetts facilities that could be using formaldehyde. The research identified 37 facilities that were likely to be using more than 1,000 pounds of formaldehyde annually.

Three sectors (beauty and barber shops, funeral homes, and pharmaceutical manufacturers) were presented as possible candidates for a PrUS. After extensive research, it was determined that formaldehyde use was not likely to exceed the 1000 lb reporting threshold in any of the three sectors. Instead, it was broadly used in small quantities. OTA noted that there is a need for more education to the public and to those sectors about the hazards of formaldehyde. The OTA report contains detailed information on these sectors' use of formaldehyde, and will be a valuable resource.

A committee member asked about the next steps in the process. If TURA makes recommendations on outreach but cannot proceed further, what are the other avenues available? TURA program staff responded that those recommendations can be presented to the Administrative Council to see if they fall within the purview of other agencies.

A committee member mentioned that formaldehyde-releasers are frequently used as antimicrobial agents in metal working fluids, and expressed concern about exposures that occur in this context. This is a possible topic for further research.

Adjourn

Attachments

Designation of TURA Higher and Lower Hazard Substances
Academic Research Grant Program 2015/2016 Request for Proposals
Overview of the Massachusetts Toxics Use Reduction Act (TURA)
Toxics Use Reduction Act (TURA) Services for Massachusetts Businesses
Evaluation of Whether a Priority User Segment for Formaldehyde Use Should Be Designated Under TURA
TURA 25th Anniversary Leaders Demonstrate Product Innovation, Quality and Safety