

Mass/DEP MHOA REGIONAL HEALTH OFFICIALS SEMINAR WINTER 2007

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INTRODUCTION AND WELCOMING COMMENTS

- DEP Budget
- New Administration priorities
- Few Topics of Interest
- Potpourri of Updates (as time allows)



BUDGET STATUS: WINTER 2007

- Budget low point FY04: 900 +/- FTE's
- FY-07 15% over low point: 990 +/- FTE's
- Areas of investment/reinvestment
 - Personnel
 - Cape Cod & NERO Offices
 - WES Lab upgrade
 - Emergency preparedness
 - Outreach & Tech Assistance



ADMINISTRATION PRIORITIES AFFECTING MassDEP

- Renewable energy
- Sustainable Development (ED & EP are compatible)
- Permitting Timelines that Match Business's Needs
- Balanced budget



TOPICS OF INTEREST

- Outdoor Wood-Fired Boiler (OWB's)
- School Bus Retrofit Program
- Asbestos – In – Soil (AIS)
- Emerging Contaminants
- New Mercury Law (Ch 190, Acts of 2006)



OUTDOOR WOOD BOILERS (OWBs)

- Increasingly contentious issue as people have sought to avoid high cost of heating with oil or gas
- Complaints have been filed with MassDEP and many local municipalities by neighbors, particularly where OWBs have been used year-round



Outdoor Wood Boilers

- At least 22 municipalities have taken action to establish bylaws or regulations on OWBs
 - Outright bans on installations
 - Setbacks
- No current state or Federal regulations govern OWBs



OWB ISSUES

- Poorly designed units
 - Inefficient design
 - Can produce high emissions of particulate matter (PM)
- Must be properly operated
 - Good management requires seasoned wood and no other materials such as C&D wood, garbage or other inappropriate materials



OWB ISSUES

- Public health
 - PM endangers health of those exposed and may exacerbate cardiovascular disease, chronic lung conditions and premature death
- Nuisances
 - Smoke may not disperse, especially during inversions, due to low stack heights, poor combustion properties and poor design of units
- Neighbors
 - Insufficient setbacks to neighbors may result in complaints and health concerns



EPA and NESCAUM

- On 1/29/07 EPA announced their voluntary program to encourage manufacturers to develop cleaner models
 - PM standard - 0.6 lb/MMBtu (Spring, 2007)
- At same time, NESCAUM released a model rule that goes much further
 - Phase I – 0.44 lb/MMBtu input (2008)
 - Phase II – 0.32 lb/MMBtu output (2010)



EPA AND NESCAUM

- Goal for both EPA and NESCAUM
 - Manufacturers develop cleaner, more efficient designs
 - Certify models to meet health-based standard
- Can anyone meet these standards?
 - At least one company in New England has produced a model which meets the NESCAUM Phase I standard and nearly meets Phase II



NEXT STEPS

- MassDEP will carefully review and consider the NESCAUM model rule
 - Supportive of regulating OWBs to protect public health and the environment
 - Need to strike balance between encouraging use of a renewable fuel and protecting public health and controlling nuisances
 - Goal is to have an OWB regulation by the beginning of next heating season



SCHOOL BUS DIESEL EMISSIONS: RETROFIT CONTROLS PROJECT

Mitigation Projects for Big Dig Project

- Intended to offset increased emissions during construction
- Transportation Agencies fell behind on commitments
- Consent Order June 2000: designed to catch-up
- Continued delays, some projects outdated



NEW CONSENT ORDER DEC 2006

- **New projects, new schedules, “make-up” commitments**
- **Reduce diesel emissions from School Buses**
 - New project
 - “make-up” commitment
- **Retrofit controls on older buses**



PROGRAM OVERVIEW

- 8000 school buses retrofitted over 3 years
- 600 urban area transit buses also to be retrofitted
- Should retrofit all school buses by 2010



EXPECTED RESULTS

- 80% reduction in carbon monoxide emissions
- 80% reduction in hydrocarbon emissions
- 50% or more reduction in particulate emissions



PROGRAM IMPLEMENTATION

- All municipalities and school bus contractors will be notified by mail
- Voluntary program: need to sell benefits of program
- Press campaign
- Expect late Spring/early Summer roll-out



ASBESTOS IN SOILS (AIS)

- Frequently found in urban fill environmental
- Sources:
 - Residential historic debris
 - Industrial historic debris
 - Illegal dumping
- Existing Challenges
 - Try to follow rules: expensive
 - Don't ask, don't tell: potential health risks



CLARIFY AND STREAMLINE (hopefully)

- Asbestos found around buried building components (e.g. pipes, boilers)
- Asbestos in debris and soil found in or on the ground
- Draft regulations Late Winter/Early Spring 2007



KEY FEATURES OF PROGRAM

- Provides pathways to comply with two state programs and one federal program
- Uses features of CH21E program to allow risk based flexibility
- Exemption from the definition of “special waste” for AIS
- Sets thresholds for reuse at landfills
- BMPs for handling and management of AIS



MassDEP Emerging Contaminant Workgroup

- Goals:
 - Identify new problems early on
 - Establish a process for deciding if actions are needed to protect public health and the environment
 - Be more prepared
- Centralize focus and expertise on ECs
- Seek input from others about ECs



MassDEP's EC Definition

Emerging contaminants are defined as hazardous materials (chemical, microbial or radiological substances) or mixtures of interest characterized by:

- a perceived or real threat to human health, public safety or environment;
- no currently published health standard/guideline exists or it is evolving or being re-evaluated;
- there is insufficient or limited available toxicological information; or, a new source, pathway, or detection limit has been discovered.
- Emerging contaminants may be naturally occurring or manmade.”



Process for Identifying Emerging Contaminants

- Prepare a master list of ECs
 - Data base scans
 - Knowledge of workgroup members
 - Input from stakeholders
- Update the list every 6 months



Screening Criteria for Identifying Priorities

- Established a screening process
- Nominate ECs for the Commissioner's consideration for action
- Screening criteria have been identified, for example, consideration of EPA's work on the issue; toxicity, certainty in the science, sensitive subgroups, etc.



EC's ON THE HORIZON

- Nanoparticles
- Pharmaceuticals, Personal Care Products (PPCP's)
- Endocrine Disruptors
- Umass Research Project
 - PPCP's & ED's In Public Water Supplies
 - Evaluate treatment processes
 - Preliminary results Fall 2007
- Upcoming Conferences:
 - WEF 29/30 July 07 Providence RI
 - NEIWPC 8/9 August 07 Portland Maine



MERCURY MANAGEMENT ACT (CHAPTER 190 OF THE ACTS OF 2006)

- Goal:
 - Remove products containing mercury from solid waste, before disposal in landfills, incinerators, and wastewater
- Method:
 - Shifts some costs of collection and recycling to product manufacturers



NEW REQUIREMENTS FOR MANY MERCURY PRODUCTS

- Product Collection/Recycling
- Sales bans for specific products
- Bans on disposal in trash and wastewater
- Product labeling
- Product Notification



Product Collection/Recycling

- May 2007: manufacturer with mercury product needs to implement plan to collect and recycle “end of life” products
- Some exceptions: button cell batteries, some med. equipment

Product Sales Bans

- May 2008: thermostats; certain measuring instruments; certain medical devices
- May 2009: switches or relays



Disposal Bans For Products With Mercury

- Oct 2006: no mercury into wastewater
- May 2008: no mercury products into Solid Waste

Product Labeling

- May 2008: mercury content and “end of life” handling
- Some exceptions



PROGRAMS FOR SPECIFIC MERCURY PRODUCTS

- Switches and other mercury components in cars: remove before crushing
- Lamps: recycling goals with sanctions if not met
- Schools: can not purchase mercury products for classroom use



POTPOURRI OF UPDATES

- Sharps & DEP/DPH Coordination
- Emergency Preparedness
- Green House Gases
- Other Regulation Charges in the Pipeline

