

TURA Advisory Committee Meeting, June 27, 2022

Meeting Attendees

Committee members

Robert Audlee, Stainless Steel Coatings, Inc.
Karen Blood, Hollingsworth and Vose
Larry Boise, Franklin Paint
Diana Ceballos, BUSPH
Michael Fiore, MA Dept. of Labor Standards
Andy Goldberg, Atty General
Bill Judd, Industrial Compliance Group
Laura Spark, Clean Water Action
Jodi Sugarman-Brozan, MassCOSH
Lucy Servidio, Capaccio Environmental Engineering
Matt Taylor, Dupont
Rebecca Weidman, MWRA

TURA Administrative Council

Michael Flanagan

TURA program

Richard Blanchet, DEP
Lynn Cain, DEP
Veronica O'Donnell, DEP
Rebecca Dolan, DEP

Gary Moran, EEA

Kari Sasportas, OTA
Tiffany Skogstrom, OTA

Heather Tenney, TURI
Liz Harriman, TURI
Hayley Hudson, TURI
Rachel Massey, TURI

Other attendees

Raza Ali
Matthew Dam, MWRA
Erin DeSantis, ACC
Carol Holahan, Foley-Hoag/ACC
David Jones, Arxada LLC
Kathy Robertson, MCTA

Minutes

Welcome and introductions:

Members were welcomed and introduced themselves.

Tiffany Skogstrom acknowledged and welcomed incoming new EEA Undersecretary and Chair of the TURA Administrative Council, Gary Moran. Undersecretary Moran has joined the EEA team as Undersecretary of Environmental Policy and Climate Resilience. Gary comes to us from the Massachusetts Department of Environmental Protection, where he most recently served as the Deputy Commissioner for Operations and Environmental Compliance. In that role, Gary was responsible for ensuring clean air and water, safe management of solid and hazardous wastes, timely cleanup of hazardous waste sites and spills, and the preservation of wetlands and coastal resources. Previously, Gary also served as the agency's Chief of Staff, Acting Deputy Commissioner for Policy, the Southeast Regional Office Director, and Legislative Director. Gary's first day in this role was Tuesday.

Meeting minutes from previous meeting: Matt Taylor moved to accept the meeting minutes from May 4, 2022. Larry Boise seconded. All members present voted unanimously by roll call to accept the minutes.

Vote to Allow Remote Meeting Participation

Matt Taylor moved to allow remote meeting participation. Larry Boise seconded the motion. All members present voted unanimously to approve for the Advisory Committee to allow remote participation at future meetings.

July Administrative Council Vote to add 8 Toxics Release Inventory (TRI) PFAS to the TURA List

- Program staff noted that the TURA Administrative Council will vote on July 13, 2022 on adding 8 TRI PFAS chemicals to the TURA list.
- A member asked when these 8 chemicals would be reportable under TURA.
 - Program staff answered that, if final regulation are promulgated this calendar year, they'd be reportable individually at 100 lb threshold for reports due July 2024, and tracking these chemicals would begin in 2023. For 2022, companies need to be tracking their use as part of the TURA Certain PFAS NOL category, and in 2023, they will be individually reportable.
 - The member suggested that it would be helpful if the program could put together a fact sheet or further guidance for reporting these chemicals under TRI and TUR: what is reportable; when do substances need to be tracked and reported on; what substances are included; and reportability under TRI vs. TURA.

Quaternary Ammonium Compounds Policy Analysis

- TURI staff presented the first draft of the *DDAC and ADBAC Quaternary Ammonium Compounds (QACs): Policy Analysis*. Discussion followed:
- A member posed the following questions:
 - Is he right in understanding the use of these chemicals as biocidal products?
 - Ans: yes, they are used as antimicrobials
 - Have they been approved by the EPA, and are they federally regulated?
 - Ans: yes, they are EPA registered pesticides
 - Why does the SAB consider them more dangerous than the EPA does?
 - HT: The SAB does not consider them more dangerous than EPA does, the health effects are also noted by EPA
 - Greater risk by TURA facilities?
 - Liz: Concerns both for TURA facilities manufacturing and for users/consumers— they have been trying to protect themselves and their employees, particularly during the pandemic; this has led to overuse. The facilities that we're expecting to fall under TURA are the formulators of cleaning/disinfecting products, rather than the users.
 - Given the low percentage of filers that fit into this category, would it make sense to expand those facilities that are already required to report to other sectors/users?
- A member asked if there are mandates to use these chemicals, where people may be stuck and not be able to find or adopt an alternative.
 - TURI staff responded that the Massachusetts Food Code, for example, has a limited list of disinfectants. QACs are one of the disinfectants on the list, but not the only one.
 - Program staff noted that DDACs and ADBACs are delimited categories: only the 24 chemicals listed in the policy analysis. It is much easier for our reporting universe than a

chemical categories only defined by definition, as there is a limited number of CAS numbers. This makes sense because they are registered pesticides, so there won't be new chemicals added without our knowing it.

- A member asked, given that we're looking at EPA regulated pesticides, is TURA trying to drive these out of state? What is the overall goal or outcome of this listing?
 - TURI staff replied that we never want to drive any facility out of state. We want to improve health and safety in Massachusetts. We want to encourage facilities to adopt safer alternatives.
 - The member asked whether we want to deny registration for those in our state. Program staff stated that that is not the objective, that it is EPA's purview to register pesticides, and that there is no intention for people to be stuck, because there are safer alternatives to these chemicals.
- A member asked whether the state using them in their own facilities. Will the state be looking to obtain safer materials?
 - Program staff noted that TURI and OTA both participate in the Toxics Reduction Task Force, which focuses on safer alternatives to purchase under the state EPP (environmentally preferable products) program (particularly cleaning chemicals). Lynn Rose of Informed Green Solutions just gave a presentation on this to the state purchasing program (<https://www.informedgreensolutions.org/cleaning-for-healthier-schools-infection-control-handbook>). They're trying to move in that direction. We can check into that further, to see if the EPP program prohibits quats.
- A member suggested that the next version of the policy draft, we also include shelf life, ease of use, and effectiveness on higher hazard organisms, such as E.coli and Listeria. If the alternatives are harder to use and don't last as long, then we don't want to go in that direction.
 - Program staff acknowledged the feedback and noted that the reason for the potential listing is the protection of public health.
- An attendee stated that she is not sure what the point of this listing is, since it came up when biocides came up from the pandemic, and noted that QACs work for killing Covid:
 - Focuses on narrow list of distributors and those who process to meet demand for a product
 - People can go over the Massachusetts border to find formulators that use it.
 - Their formulators deal with an increased demand. They're dealing with staff shortages. Formulators don't have expertise to tell their supply chain that they shouldn't use this.
 - In her experience, a hospital will order it because that's what they want.
 - It seems that the ones that are effective have their own health hazards.
 - She's been frustrated with this topic.
- A member responded that TURA does not mandate that facilities get rid of chemicals. It mandates that facilities look at options.
 - Noted that with nPB, originally, not many facilities used it. When more facilities used it, health issues started to arise.
 - Industry is not being driven out of Massachusetts.
- The attendee stated that TURA reporting influences consumer demand, while she respects that there has been overuse of biocides. She has witnessed companies move out of state because of TURA.

- A member stated that QACs are biocides and are nasty, but safe enough to be used for these purposes. Unless TURA is advocating for the EPA to de-register them – he doesn't think it's right to list these chemicals in Massachusetts, while EPA is still registering them.
- A guest noted that biocides are made to kill things and minimize other impacts, that he disagreed with the SAB on some points, and that QACs are often highly dilutable while still effective.
- A member stated that the purpose of TURA is not to advocate to EPA, and it's not to prevent the use of certain chemicals, but to look at alternatives. There are alternatives to QACs.
- A member asked whether the SAB considered a qualifier for QACs? Where it's safer to handle (less concentrated/more diluted), as they did for acetic acid?
 - Program staff responded that having a more dilute solution would help with the corrosivity, but corrosivity is not the only problem. There were other health effects that the board noted, including respiratory effects (including when diluted).
 - The member felt that some more thought should have gone into this before the recommendation came up.
- Program staff acknowledged the issues regarding supply chain. EPA is looking at safer products in Safer choice program. The TURA program won't hit all of the elements of the supply chain. We're looking at the formulators and the users.

TURA Program Updates

- OTA provided an update on hiring for a technical assistance provider
- TURI provided updates on hiring, the open FY23 grant RFPs, presentations from prior year grantees on their TUR efforts (including Central Metal Finishing, S.E. Shires, and others), and the upcoming TUR planner course.
- The SAB continues to review carbon nanotubes and carbon nanofibers
- MassDEP provided an update on staffing (including the hiring of Rebecca Dolan to assist with enforcement) and 2021 reporting, and noted that the 2020 Information Release is available.

Wrap-up

- Gary Moran stated that the discussion on QACs was very helpful in making a better decision, and noted that any questions or comments should be directed to Tiffany.
- The next Administrative Council meeting will be Wednesday, July 13
- A member noted that filers being able to make amendments to their filings in eDEP is a big improvement.

Meeting adjourned