



## Department of Environmental Protection

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# Preparing TURA Plans for Companies with Limited TURA Options

## Introduction & Background

There are instances in which facilities believe they do not have any technically or economically feasible Toxics Use Reduction (TUR) options at their facilities, and express frustration about the biennial TUR planning requirement. For instance, companies that repackage chemicals do not have any viable TUR options other than the spill control procedures and other process changes to increase the efficacy of chemical repackaging that have already been implemented. Alternatively, or a company may use a substance that is a required component of their product and there is no additional way to reduce waste. Finally, companies may have already implemented all of the economically and technically feasible TUR measures they have identified, and do not believe others exist. This document addresses the concerns of companies in this situation.

## Take Advantage of Alternative Planning Options

The 2007 Amendments to the Act created two new planning options for companies that feel they have implemented all of the available technically and economically feasible TUR techniques. Once a facility has completed three consecutive TUR Plans, it has two alternative ways to meet the planning requirement.

**Resource Conservation Planning:** Companies may complete a “Resource Conservation (RC) Plan” which relies on the same analytical techniques to identify measures companies could adopt to reduce energy use, water use, solid waste generation or the use and waste of toxic substances that are used below the reporting threshold or are otherwise not reportable. These RC plans must be certified by a Toxics Use Reduction Planner who is also an approved Resource Conservation Planner. Companies can substitute RC Planning for TUR Planning every other planning cycle which means that each type of plan can be completed once every four years. See: [Resource Conservation Planning Guidance](#)

**Environmental Management System Planning:** Alternatively, companies can adapt their existing Environmental Management System (EMS) incorporate specific elements of the TUR Planning. The EMS system must have been developed in conformance with the standards of ISO14001, other standard setting organization, US EPA’s Performance Track Program, or other EMS standard adopted by a trade organization. The EMS plan must be certified by a DEP approved EMS Planner, each planning cycle. See: [Environmental Management System Planning Guidance](#)

## TURA Plan Requirements for Companies with Limited Options

The TURA Planning process was designed to avoid unnecessary work and analysis. After the initial plan has been developed, it is simply updated each planning cycle to reflect any operational changes at the facility, changes in costs, and technological changes or changes in customer needs that have occurred since the prior

plan, and the review and updating process documented. If a company has already adopted all of the technically and economically feasible TUR options it has chosen to and there have been no changes at the facility or in its operating environment, then the planning process and the resulting update to the plan will be limited.

The required components of a TUR Plan and what must be done are summarized below. See: [TUR Planning Guidance](#)

Management Policy	Review and update to reflect any changes in management policy Include the date the policy was reviewed/updated in the plan
Scope of the Plan	Review and update to reflect current plan contents Include the date the Scope was reviewed/updated in the plan
Employee participation	The planning process must be described and employee participation solicited by January 1 of the each planning year Include the notice and the date in the plan
Process Characterization	Review and update process flow diagrams to reflect any changes in production processes, Update chemical use, byproduct generation and management, and emissions and release information to reflect use in the prior calendar year, including the use of chemicals used above the threshold that were not reported in the prior year Include the date the information was reviewed/updated for each production unit in the plan
Identification of Options	Make a good faith effort to identify “new” potential TUR Options. MassDEP recommend contacting the Office of Technical Assistance because they may have learned of “new” techniques that have worked for other companies. Describe the techniques used find if there were new options, the dates the work was done and add the new options identified to the list of options identified and evaluated over the years
Technical and Economic Evaluation of TUR options and Selection of Options to Implement	Review options rejected in prior years to determine if the economic and technical assumptions used in the analysis are still valid, update the analysis with the current information as necessary, and evaluate new options. See note below on Technical and Economic Evaluation Include the date prior analyses were reviewed and new analyses completed, include the decisions made about each option and the date they were made and the rationale for the decision. Add the new analyses to those from prior years
Plan Summary and Certification	Have plan certified by a TURP, prepare and submit the Plan Summary including projected changes in use and byproduct

## **Note on the Technical and Economic Evaluation of TUR Options**

Technical and Economic evaluation process has been structured so that a facility does only as much analysis as needed to determine whether or not an option could be implemented. Analysis of an option is complete as soon as a company has determined that it is:

- Not Toxics Use Reduction;
- Clearly technically infeasible; or
- Clearly economically infeasible.

Determining whether an option meets these criteria, may be a simple back of the envelope calculation or best engineering judgement, or may require a little more analysis. Once an option is determined to be "not TUR", OR not technically feasible OR not economically feasible, then it is "inappropriate" and analysis can stop. However companies must state their determination and its rationale in the plan and include any analytical work that was done. For "appropriate" options, analysis can stop as soon as the company has the technical and economic and other information needed to decide if an option is technically and economically feasible and make an implementation decision. Companies are free to reject any economically and technically feasible option, although the plan must include the reason for the decision.

The plan update should be a fairly straightforward process for facilities that have experienced minimal change in their production level, production processes, products, and chemical use, particularly if they are in industrial sectors undergoing limited technological change or that have highly regulated production processes or product specifications.