

## **TURA Administrative Council Meeting**

April 25, 2024  
2:00pm – 4:00pm

The TURA Administrative Council convened remotely on April 25, 2024, over Zoom.

### **Council Members Attending (attendance taken by roll call):**

Stephanie Cooper, Executive Office of Energy and Environmental Affairs (EEA) (Chair of TURA Administrative Council)

Greg Cooper, Department of Environmental Protection (DEP)

Michael Flanagan, Department of Labor Standards (DLS)

Jacob Nunnemacher, Department of Fire Services (DFS)

Kris Callahan, Massachusetts Department of Public Health (DPH)

Layla D’Emilia, Executive Office of Economic Development (EOED) Office of Consumer Affairs and Business Regulation

### **Meeting Attendees (recorded by participant list):**

EEA: Megan Dixon, Rebecca Mulrean

DEP: Richard Blanchet, Lynn Cain, Leoni Desai, Rebecca Dolan

OTA: Caredwen Foley, Jack Illingworth, Kari Sasportas, Tiffany Skogstrom (Executive Director of the TURA Administrative Council), Elisheva Thoreen

TURI: Colin Hannahan, Liz Harriman, Heather Tenney, Baskut Tuncak

Other attendees:

- Robert Audlee (TURA Advisory Committee)
- Dan Forsythe (TURA Advisory Committee)
- Matt Taylor (TURA Advisory Committee)
- Raza Ali
- Michelle Kopa
- Carol Holahan
- Abbey Linsk
- Emilee McCubbins
- Katherine Robertson

### **1. Welcome and Introductions**

Council members were identified by roll call.

The Executive Director described the format for questions and discussion.

### **2. Vote to Approve December 20, 2023 Meeting Minutes**

The Chair opened the meeting by asking if there were any changes to the December 20, 2023 meeting minutes.

There were no changes brought forth and the motion to accept the minutes as written was seconded and approved unanimously.

### **3. Vote to Add [2024 US EPA Toxics Release Inventory \(TRI\) Additions](#) to TURA List**

The Executive Director noted that all chemicals added to the Toxics Release Inventory must be added to the TURA List by statute, and displayed the 7 PFAS recently added to the TRI. Four of the seven new PFAS listed so far in 2024 are already reportable as part of the Certain PFAS NOL category, but would become individually reportable. Three PFAS are not already listed under TURA and would become newly reportable.

- A member asked for clarification about how this listing relates to the previous Certain PFAS NOL Listing. The Executive Director clarified that three of the chemicals are being listed for the first time, and four would be coming out of the Certain PFAS NOL category and becoming individually reportable.
- A member asked for clarification about the threshold for the Certain PFAS NOL category. Program staff clarified that the Certain PFAS NOL threshold is summative across all PFAS in that category.
- A member asked when this would take effect. The Executive Director explained that this vote would start the regulatory process, and staff confirmed that these additions would be reportable for Reporting Year 2025, reports due in 2026.

The Chair sought a motion to add the recent TRI additions to the TURA list. A roll call vote was taken and the motion carried unanimously.

#### **4. TURA Program Strengthening Ad Hoc Committee Next Steps**

The Executive Director gave background on the history and activities of the TURA Strengthening Ad Hoc Committee and introduced the format for the presentation. Each topic's presentation includes background on the topic, objectives, a summary of the Ad Hoc discussion, and potential options for moving forward. The full presentation is available at <https://www.mass.gov/doc/slide-presentation-april-25-2024-tura-administrative-council-meeting/download>. A brief summary of the options identified for each topic is listed below, noting that some options would require additional resources, or revisions to the regulations or TURA statute in order to implement.

##### **Compliance and Enforcement:**

- Provide inspector training and assistance
- Increase desk audits and enforcement for TUR Plan and TUR Planner violations
- Communicate common findings to all planners and filers
- Direct deficient filers and planners who received DEP enforcement to OTA and TURI for focused support and training
- Modify EEA data portal to allow downloadable copy of TURA enforcement actions

##### **TUR Planners:**

- Provide feedback on plan quality following enforcement documentation and desk audits. DEP to post a document of common mistakes made by planners.
- Facilitate credit approval for TUR planners to expand external trainings
- Offer TUR planner credit for OTA and/or TURI plan review
- Evaluate recertification cycle for TUR planners

##### **Alternative Planning:**

- Encourage use of resource conservation (RC) planning for chemicals below threshold or exempt chemicals
- Incorporate RC plan update into TUR plan update

##### **TUR Planning:**

- Offer sector-focused assistance through workshops, continuing education, etc.; provide technical assistance, research and grants to identify and adopt options
- Allow simple status updates/certification every other cycle if implementation is in progress, or streamline update form
- New RC/EMS planning alternative: OTA/TURI review plans to help ID options and opportunities
- OTA and TURI plan review for potential facility plan cycle extension

**TURA Chemical List:**

- Provide additional information and training for filers on selected classes of chemicals (e.g., flame retardants)
- Require reporting of already listed CERCLA categories or selected categories (e.g., phthalate esters)
- Streamline addition of chemicals on other authoritative lists; provide expedited review

**TURA Fees:**

- Adopt fee adjustments
  - A one-time increase for part of past PPI
  - Adjust for PPI going forward
- Initiate study of chemical use by non-filers
- Expand filer universe to better reflect current businesses using toxics, e.g., R&D

The Executive Director described a number of tasks the TURA Program is already implementing, based on feedback from the Ad Hoc:

- Offering an in-person TURA training for DEP inspectors, and complementing this with a recorded webinar. The recorded training can serve as an onboarding orientation to incoming inspectors and can also be used to educate facilities about what DEP inspectors look for.
- Increasing the number of MassDEP plan audits and accompanying inspections.
- Encouraging filers to use the Resource Conservation option for planning for non-reportable toxics, to offer more planning options to filers. This will also promote PFAS source reduction.
- Assessing learning in trainings for filers and planners
- Reformatting the TURA Chemical List to make it more user-friendly and searchable

The Executive Director went on to present several options which require no action from the Administrative Council, but should be implemented as soon as feasible depending on resource constraints. These include:

- Planning a pilot of sector-focused assistance workshops and resources to make sure that the TURA Program best meets all TURA filer needs.
- Evaluating options to streamline TUR plan updates in certain cases, such as when TUR implementation is still in progress at time of plan update.
- Using authoritative source listings to streamline Science Advisory Board (SAB) discussions on potential additions to the TURA List
- Initiating a study of chemical use by non-TURA filing chemical users to inform any potential future expansion of TURA-covered sectors
- Requiring the reporting of already-listed CERCLA categories that are currently exempt from reporting.

The Executive Director then presented ideas on a pilot program to help companies identify toxics use reduction opportunities and encourage the use of Resource Conservation planning options by having OTA and TURI staff review toxics use reduction plans. This would give the TURA Program insight into the benefits of expanding this option and consideration for allowing some planning cycle relief for those companies that truly have limited options.

The Executive Director also presented the topic of revisiting the TURA fees.

The Executive Director noted that the Ad Hoc did not address environmental justice considerations or climate change considerations, and stated that the program intended to continue its efforts in these areas and integrate them into the pursuit of other options outlined in the presentation.

- A member asked what the impediment to adopting PPI adjustments (without a catch-up fee adjustment) would be, and discussed the history of the 2014 fee increase proposal. The Chair noted that a process could be undertaken to implement that automatically going forward. Staff noted that the PPI also does not always increase year-to-year, even though the overall trend is upward.
- The Chair asked about staffing and capacity considerations for the proposed OTA/TURI plan review option. Program staff stated that it would require additional time and staff, but that the amount would depend on the scale of the pilot.
- A member asked what the process would be going forward. The Executive Director responded that the next steps would be to begin executing the tasks slated for immediate implementation; design a pilot program and gather Council input on that; and to propose larger items for Council discussion in future meetings.
- An attendee asked who the members of the Ad Hoc Committee were; the slide with member names was shared again. The attendee also asked whether there had been or would be an opportunity for members of the public to comment on the findings. The Chair noted that if people wished to give any feedback, they could feel free to share them in writing. Program staff noted that the synthesis document had been lightly revised in 2022 based on feedback from Ad Hoc members.
- An attendee noted that her understanding was that the Synthesis Document was a summary of the discussion, not a set of recommendations. The attendee noted support for revisiting the frequency of plan updates, opposition to a fee increase with the exception of annual PPI adjustments, and support for expanding the universe of filers.
- A Council member stated that a lot of the proposals make sense, and is concerned about the availability of program resources to carry out the work given existing resource constraints.
- An attendee asked for clarification on expansion of the TURA filer universe, and whether the existing resources of the TURA program are available for public benefit beyond only fee-paying filers. The Executive Director acknowledged that, due to the public health costs associated with toxics use, the program does not turn away any entity trying to reduce the use of toxics. Program staff also noted the complexity involved in looking across supply chains, which requires a broader lens than just filers. The attendee expressed support for expanding the universe of the filers.
- An attendee noted that the remit of the TURA program has expanded and that the program continues to receive unfunded mandates, and raised the possibility of TURA receiving funding from the state's general fund.
- An attendee asked about a way to distinguish a reduction in toxics use from whether companies have moved out of the state. Program staff mentioned that the data release's use of production-adjusted results for the Core Group already adjusts for changes in production reported by facilities.

## **5. TURA Program Update**

TURA Staff provided updates on program activities, including upcoming reporting workshops for filers and planners, recent Science Advisory Board activities on carbon nanotubes and carbon nanofibers and on the review of flame retardants, the 2022 TURA data release, and staffing updates.

The Executive Director noted the upcoming retirement of TURI Deputy Director Liz Harriman, and the Chair recognized and thanked Liz for her service. An attendee also spoke to recognize Liz and thank for her service.

## **6. Adjourn**

A motion to adjourn the meeting was made and seconded. A vote was taken and the motion carried unanimously.