

TURA Advisory Committee Meeting, October 17, 2024

Meeting Attendees

Committee members

Robert Audlee, Stainless Steel Coatings, Inc.
Karen Blood, Hollingsworth and Vose
Chris Christuk, Transene
Michael Fiore, MA Dept. of Labor Standards
Dan Forsythe, All4
Andy Goldberg, AGO
Ted Karavedas, Dupont
Magdalena La Battaglia, general public
Wismelda Perez-Garcia, City of Lawrence
Kayla Powers, Clean Production Action
Mark Rossi, Clean Production Action
Chuck Shepard, S.E. Shires
Laura Spark, Clean Water Action
Al Vega, MassCOSH

TURA Administrative Council

Stephanie Cooper, EEA
Jake Nunnemacher

TURA program

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

Rebecca Mulrean, EEA

Caredwen Foley, OTA
Kari Sasportas, OTA
Tiffany Skogstrom, OTA
Elisheva Thoreen, OTA

Colin Hannahan, TURI
Hayley Hudson, TURI
Heather Tenney, TURI
Baskut Tuncak, TURI

Other attendees

Raza Ali
Andy Irwin
Nick Boots
Christina Bramante, Nano-C
Erin DeSantis, ACC
EGH
Tim Friel
gricciardelli
Joel Haas
Liz Harriman
Carol Holahan
Tom L
Jerome Lang
Larson Matuck
N14597
Bob Rio
Katherine Robertson

Minutes

Introductions and Welcome to New Members

Tiffany Skogstrom welcomed new members to the Advisory Committee.

Approval of June 27, 2023 Meeting Minutes

Michael Fiore moved to accept the meeting minutes from June 27, 2023. Karen Blood seconded. There was a unanimous roll call to accept the minutes.

Orientation and TURA Program Strengthening Ad Hoc Committee Review

The Executive Director presented on a brief orientation of the TURA Program for new members. TURA Program staff members described the roles of each of the three TURA implementing agencies. Questions were invited from members of the committee and then from attendees.

An attendee representing an industry association stated that their industry association has never called for the abolition of TURA, and noted that the chemical fee is assessed to a relatively small number of filers, and does not include the cost of the planning process; thus, the entire cost of the program with the exception of occasional grants falls on TURA filers. The attendee also described the results of a survey conducted among their membership to evaluate the impact of the TURA program on industry, stating that our members generally derived value from the first planning process and that the value of planning declined for filers after the first couple planning cycles. The attendee closed with a request to identify the new members of the committee.

The Executive Director noted that the attendee's comments could be addressed during the Ad Hoc Committee agenda item. After ensuring that there were no additional questions, Undersecretary Cooper invited members to introduce themselves.

The Executive Director thanked the members of the Ad Hoc Committee and presented on the process and outcomes to date of the TURA Program Strengthening Ad Hoc Committee, as well as on potential future options.

A member asked for clarification about facilities that are not covered users. Program staff offered examples, such as hospitals, universities, and federal facilities.

A member asked if there has been any legislative contact about proceeding with potential statutory changes, and whether we are resolved to go ahead with those. The Executive Director noted that the implementing agencies are first pursuing items that don't require regulatory or statutory changes, and that decisions would need to be made by the Administrative Council before pursuing those options that do require such changes.

A member asked whether power generating facilities and auto shops are covered under TURA. Program staff responded that both are covered, but auto shops are typically under the 10-employee limit and likely under chemical use thresholds as well.

Questions were invited from attendees. An attendee noted that companies providing services to governments do have to pay fees, even though governments do not. For instance, municipalities are also exempt, but companies that provide them with chemicals (e.g., to maintain water treatment services) pay fees, and so do asphalt batch plants required to use certain chemicals required under government specifications.

A member asked whether water treatment facilities are filers. Program staff clarified that they are not filers but that the program does engage with them for referrals to upstream manufacturers and TURA filers.

A member noted that if companies manufacture toxics and then sell them to users within Massachusetts, the toxics are being counted twice. The Executive Director responded that the goal would be toxics use reduction for both facilities. Another staff member noted that the intention in including distributors is that there is an option to reduce waste when it comes to repackaging.

An attendee stated that they would support offering plan relief for companies with no further options: not giving up on TUR planning, but dedicating company resources to changes that are truly feasible rather than doing planning by rote every 2 years.

Interagency History of Nanomaterials and Update on TURA Program Consideration of Carbon Nanotubes and Carbon Nanofibers

Program staff, joined by Committee member Laura Spark, delivered a presentation on nanomaterials, including:

- Background on the definition and applications of nanomaterials
- A history of the Interagency work group convened around 2006
- TURA Program efforts to date to determine how nanomaterials may be being used by TURA filers
- Considerations related to the use and safe management of nanomaterials
- Clean Water Action's work with first responders and municipalities
- The SAB's consideration of multi- and single-walled carbon nanotubes and nanofibers
- Work completed to date on the TURI policy analysis on carbon multi- and single-walled nanotubes and nanofibers.

Program staff noted the threshold considerations related to a potential listing, and invited input from the committee and attendees about this question, and oriented the group about the next steps in the policy analysis development and the regulatory process.

The Executive Director invited Committee members to comment and ask questions.

In an addendum to her presentation, Laura Spark clarified that the petition's rationale for lowering the threshold was because with TURA was originally passed, nanomaterials were not considered, and the thresholds under the statute are not really relevant for these materials.

A member asked about the SAB's decision not to list single-walled carbon nanotubes (SWCNTs) and carbon nanofibers (CNFs) as higher-hazard substances (HHSs). Program staff replied that for multi-walled carbon nanotubes (MWCNTs), there was much more science concerning carcinogenicity and mesothelioma, which tipped it over into HHS territory. IARC had classified MWCNTs as carcinogens as well. There was less science on SWCNTs and CNFs. The member went on to say that it's very unlikely that companies will be using these anywhere near the thresholds, and that while a TURA Program listing would communicate the need to develop safer alternatives, the threshold would not be effective. This member asked what other thresholds are used by other bodies. Program staff responded that existing regulations are different from TURA and don't necessarily apply thresholds. This statement was corrected by a representative from a company that manufactures SWCNTs in MA, who clarified that under EU REACH, in order to do a registration dossier, the materials needs to be manufactured or imported at a tonnage of at least >1 metric ton. If you manufacture or import at a lower weight, you do not have to register.

A member asked about the density of these materials; i.e., would even a small mass correspond to a large volume of materials? Program staff noted that it is not a large volume but it is a variable one.

A member asked in the chat about the threshold for dioxins, which is 0.1 gram (this threshold comes from EPA and reflects dioxin's status as a PBT (persistent bioaccumulative toxic)).

Comment was invited from attendees.

An attendee asked whether Dr. Mike Ellenbecker had been on the state committee mentioned earlier; he had not been, though he had been involved in the SAB's early discussions of nanomaterials. The attendee further asked for a clarification on the slide related to nanomaterial users presented by Laura Spark. Laura Spark clarified that the 230 facilities are only businesses and do not include hospitals or universities. The attendee further asked how many TURA filers would be impacted by a listing; program staff had not yet identified an estimated number.

Undersecretary Cooper indicated that TURI will use the day's input to finalize the policy analysis, and asked about other next steps. The Executive Director stated that an Admin Council meeting is planned for early December, and that the Council will likely receive a very similar presentation, with the addition of any feedback received following this meeting, and told the Advisory Committee to expect an iterative process similar to that for the Certain PFAS NOL listing.

An attendee asked a question in the chat about hair and nail salons, to which program staff responded that they are covered under the TURA SIC codes for personal services, but mostly fall below employee limits and chemical use thresholds.

[TURA Program Update](#)

This agenda item was omitted in the interest of time.

[Adjourn](#)

Undersecretary Cooper thanked the Committee and shared an expected schedule for the next three quarterly meetings in 2025: January 16, April 17, and July 17 (2-4pm).

A motion to adjourn was invited. Karen Blood moved, and Wismelda Perez seconded. Meeting adjourned.