

TUR Advisory Committee
Meeting Summary
January 9, 2020
Saltonstall Building
100 Cambridge Street, Boston
Second Floor, Conference Room D

Members Attending: Bill Judd (Industrial Compliance Group), Lucy Servidio (Capaccio Engineering), Elizabeth Saunders (Clean Water Action), Kathy Flannery (Department of Labor Standards), Andrew Goldberg (Attorney General's Office), Rebecca Weidman (Massachusetts Water Resources Authority [MWRA]), Mark Monique (Savogran), Jodi Sugerman-Brozan (MassCOSH), Karen Blood (Hollingsworth and Vose), Keri Sasportas (Lexington Health Department)

Others Attending: Katherine Robertson (Massachusetts Chemistry Technology Alliance [MCTA]), Margaret Gorman (American Chemistry Council [ACC]), Renée Lani (FluoroCouncil), Tricia McCarthy (Coyne Law Office for ACC), Kevin Conroy (Foley Hoag), Steve Korzeniowski (FluoroCouncil), Elizabeth Harriman (Toxics Use Reduction Institute [TURI]), Rachel Massey (TURI), Heather Tenney (TURI), Pam Eliason (TURI), Rich Bizzozero (Executive Office of Energy and Environmental Affairs [EOEEA]), Tiffany Skogstrom (Office of Technical Assistance [OTA]), Lynn Cain (MassDEP), Laura Spark (Clean Water Action), Elizabeth Gugliotti (Irwin Engineers), Richard Blanchet (MassDEP), Veronica O'Donnell (MassDEP), Jim Cain (OTA), Daniel Sieger (EOEEA)

Welcome

The Executive Director welcomed members and attendees. Members of the Advisory Committee introduced themselves.

Approval of Meeting Minutes March 13, 2019

The minutes from the March 13, 2019 meeting were distributed and the Executive Director asked for questions and comments. None of the members had additional changes for the minutes and a motion to accept minutes as written was made and seconded. The minutes were accepted by all Committee attendees with no votes against and no members abstaining.

Update on Nonylphenol Ethoxylates (NPE) Category Regulations

The Executive Director provided a brief explanation concerning the TURA statute and when the federal Toxic Release Inventory (TRI) program adds or modifies their list of reportable chemicals the TURA program must make those changes as well. The state regulations adopting the new federal NPE category went final at the end of calendar year 2019 and companies will track 2020 calendar year use and report to Mass DEP by July 1, 2021.

A Committee member asked if any companies reported this past year under the federal TRI. A staff member stated he saw one company that had reported the category. One Committee member stated that companies got out of using them, especially when the state of Maine passed legislation limiting them.

SAB Update

A representative of TURI provided an update on the activities of the Science Advisory Board (SAB). A handout entitled Summary of SAB Recommendations on PFAS (Per- and Polyfluoroalkyl Substances) dated November 14, 2019 was distributed, showing a summary of the SAB's work on PFAS chemicals since the winter of 2017. The SAB's work drew upon peer reviewed literature, reports from authoritative bodies, and other information, as described in greater detail in the draft policy analysis. For example, the SAB reviewed in-depth information from the C8 Science Panel study of epidemiological data on individuals exposed to C8 compounds in drinking water in Parkersburg, West Virginia.

PFAS Draft Policy Analysis

TURI representatives presented the Draft PFAS Policy Analysis dated January 2020. PFAS are a large class of chemicals that includes more than 4700 individual chemical abstract numbers (CAS). In order to understand the many PFAS sub-classes, the document references the system developed by the Organization for Economic Cooperation and Development (OECD). PFAS properties include persistence in the environment, mobility in groundwater and the ecosystem, and their breakdown products that pose health and environmental concerns.

Questions were posed by Committee members concerning how TURI picked the 11 chemicals to study. The eleven chemicals chosen represent a variety of chain lengths (C4-C9 plus certain ethers) and have more scientific information publicly available than other PFAS.

The SAB determination about 3M's Adona was questioned and the rationale for not making a recommendation. There was only one industry sponsored scientific study on Adona. The SAB decided they did not have enough peer reviewed information to make a recommendation to list, however, with Adona the SAB saw the same pattern of hazards as other PFAS.

The Executive Director stated that he had personally attended most SAB meetings since April 2017. It's a very detailed and deliberative process. The ACC attends all meetings and is an active participant in the process including providing some experts and studies.

Committee members made statements and asked about PFAS chemical uses. Most surfactants are used at concentrations less than 5 percent so it will take a lot of use to reach a 10,000-pound reporting threshold.

The Executive Director recently reviewed a single product that contained 20 different PFAS chemicals, most of which were in concentrations from 0.1 to 4 percent.

A Committee member asked about DEP's regulation of drinking water and ground water clean-up - MCLs and MCP. A suggestion was made that DEP should come to a future meeting and explain their new regulations and the scope of water contamination in the Commonwealth.

The Executive Director asked the Committee what they would like to see added to the PFAS Policy Analysis. One committee member asked if there were any successful substitutions. Examples of successful substitutions include: PFAS free aqueous film forming foams (AFFF), food contact paper, water repellant textiles, carpet, and dental floss.

Additional questions and comments were posed by Committee members, including:

What are the chemicals that are precursors and should they be listed?

There are concerns about worker exposure to floor waxes and polishes and the fact that the people applying them might not even know the PFAS is in them.

What concentrations of PFAS are used in lubricant formulations? The response was the concentration is probably small, but they are widely used. The member said they would like input on whether these are likely to be reported.

It was noted that there is a large PFAS Science Conference that is going to be held here in Massachusetts at the end of March.

A member of the public asked if we could include some information around alternatives to PFAS fume suppressants used by platers.

Ad Hoc Committee on TURA Improvement

The Administrative Council chair presented a short PowerPoint presentation entitled TUR Program Review dated January 9, 2020. The presentation outlined a proposal for an ad hoc subcommittee of the TURA Advisory Committee to review some specific current program activities and services. The committee would work with program staff and based on that review a report would be drafted with a list of recommendations.

A member of the Committee asked why an ad hoc committee was being proposed, as opposed to just using the Advisory Committee, and how sub-committee members would be selected? The chair stated that there was an interest in potentially broadening participation, but that the Advisory Committee members would be considered first before adding members of the public.

Between now and the next couple of weeks, the Chair asked that Committee members and members of the public think about the proposal and get back to him or the Executive Director with any recommendations on the proposal or make-up of the sub-committee. The Council would then bring back a more fully formed proposal for the Committee's deliberation. Six members of the Committee (Bill Judd, Mark Monique, Lucy Servidio, Elizabeth Saunders, Kari Sasportas, and Jodi Sugarman-Brozan) expressed interest in participating on the ad hoc committee.

See the January 2020 Program Update handout distributed at the meeting for additional information.

Adjourn

Handouts

March 13, 2019 Draft Advisory Committee Meeting Minutes

January 9, 2020 Advisory Committee Meeting Agenda

TURA Program Update January 2020

Per- and Poly-fluoroalkyl Substances (PFAS) Policy Analysis Draft January 2020

Summary of SAB Recommendations on PFAS

TUR Program Review, TURA Advisory Committee Meeting January 9, 2020