

## **Meeting of the TUR Administrative Council**

September 22, 2015

9:00 AM – 11:00 AM

100 Cambridge Street, Conference Room D

Boston MA, 02114

### **Members Attending:**

Dan Sieger, Executive Office of Energy and Environmental Affairs (EOEEA)

Jennifer Hoyt, Department of Fire Services (DFS)

Michael Flanagan, Department of Labor Standards (DLS)

Nancy Seidman, Department of Environmental Protection (MassDEP)

Marc Nascarella, Department of Public Health (DPH)

### **Others Attending:**

Heather Tenney (Toxics Use Reduction Institute [TURI]), Rachel Massey (TURI), Liz Harriman (TURI), Tricia McCarthy (ACC), Gabriel Porter (OSHA), Suzi Peck (MassDEP), Jill Vernes (Capaccio Environmental Engineering), Danielle Domingos (Office of Technical Assistance [OTA]), Chris Koretski (DFS), Rich Bizzozero (EEA), Mike Ellenbecker (TURI), Katherine Robertson, Massachusetts Chemistry Alliance (MCTA)

### **Welcome and Council Member Introductions**

The Chair of the Council welcomed everyone to meeting, and especially noted that there were two new Administrative Council members present at the meeting.

### **Meeting Minutes from September 19, 2014**

The meeting minutes from the September 19, 2014 Administrative Council meeting were distributed and the Council members asked to vote approve the minutes. One Council member voted to approve the minutes and four members abstained, as they were not present at the September 19 meeting.

### **TURA Program Overview**

A representative from the TURA program distributed slides from a PowerPoint presentation that outlined the TURA program. She noted that the TURA program was enacted in 1989 and implemented in 1990, and TURA filers are required to report on chemical use, pay a fee, and perform TUR planning every two years. The TURA program has found that through TUR planning, companies are able to find ways to reduce toxics use by examining facilities as a whole.

The full TURA Program Overview presentation is available as a PDF with the meeting handouts.

### **Program Agency Updates**

#### **Executive Director Update**

The Executive Director noted that the Council voted in FY15 to designate five chemicals as HHS. Four of the chemicals, n-propyl bromide (nPB), hydrogen fluoride (HF),

dimethylformamide (DMF), and cyanide compounds were promulgated into regulation in FY15. The fifth chemical, toluene diisocyanates (TDI), had a second public comment period and is currently on hold due to the regulatory pause at the Governor's Office.

The regulation regarding the TURA fees is also on hold due to the regulatory pause. Following the public comment period, a response to comments was prepared and submitted to the Governor's office. The regulation remains under review.

He also noted that the Advisory Committee has five new members and that there is currently one vacancy on the committee for a small business representative. The Executive Director asked Council members to send him any recommendations they might have to fill the vacancy.

### **MassDEP**

A representative from MassDEP stated that the reports due July 1 are all in and that approximately 480 facilities filed TURA reports this year. MassDEP also issued five notices of noncompliance (NONs) to facilities for failure to file. MassDEP is also planning a data platform upgrade, which will facilitate Form S e-filing.

MassDEP explained the TURA reporting amnesty program, which is currently in place, noting that companies that have missed filing for chemicals or have never previously filed are encouraged to enter the program over the coming year, as they will only be required to pay current fees.

MassDEP also noted that the department is currently working on the 2013 Data Release, which will include more information and analysis than previous data releases.

### **TURI**

Representatives from TURI presented an overview of the FY16 grants, which were recently awarded. Three companies: Siemens Healthcare, ITW Polymer Sealants, and Savogran were awarded the research grants, and Bentley University, the Silent Spring Institute, YWCA Lowell, Greenfield Health Department, and Town of Natick were awarded community grants. It was noted that the small business grant is still available and information about the grant was given out to all attendees. TURI also handed out a recently completed report on hexavalent chromium-free sealants in the aerospace and defense sectors.

TURI handed out a calendar that chronicled upcoming trainings and events being held by the TURA program, which included demonstration events, the currently ongoing TUR planner course, and upcoming TUR Planners Continuing Education Conferences.

TURI then provided an update on the Science Advisory Board (SAB), who recently completed a review of the phthalate esters category for MassDEP. The report, which was a three-year project, includes a review of the current science and will now be handed over to TURI, who will add policy information.

### **OTA**

In 2012, formaldehyde was designated as a HHS and in 2015 OTA completed the priority user segment recommendation (PrUS) for the use of the chemical in Massachusetts. The report found that the chemical is widely-used in pharmaceuticals, beauty shops, barber shops, and funeral homes. Although widely-used, the report found that these sectors used small quantities and there was no recommendation for a PrUS in any of the sectors. The report also found that Massachusetts is the only state that requires beauty parlors and barber shops to maintain formaldehyde or paraformaldehyde onsite for sanitization and OTA is working with the Board of Cosmetology to review this regulation.

The representative from OTA noted that two senior OTA staff recently utilized the early retirement incentive program that the state offered.

OTA is currently working on completing the CRASH course update, entitled MassCAR, which was an EPA-grant funded project. The updated guidance was recently completed and OTA will be hosting a series of events that demonstrate the best practices outlined in the document across the state.

OTA was also recently awarded another grant from the EPA which will focus on preventative emergency planning. The grant, which will begin in October, will focus on working with businesses that utilize chemicals at their facilities and are in high-risk areas due to increasing violent weather due to climate change. The grant will assist these facilities in becoming climate change resilient.

Recently, OTA has begun working with NSTAR and Eversource to provide incentives to dry cleaners that switch from using solvents (perc) to professional wet cleaning.

### **Review of Decision-making Document**

A representative from the TURA program reviewed the Decision-making Document, which was created following a request by the Administrative Council to have a document to use as a reference when making decisions regarding TURA. It was noted that this document is a “living” document, which is continually updated and added to over time.

The review of the document included definitions that pertain to the TURA program, decision-making roles and responsibilities of each agency body, making decisions under uncertainty, and a review of the information in the appendices.

It was noted that the responsibilities of the Administrative Council include:

- Maintenance of the Chemical List.
- Designating higher or lower hazard substances.
- Determining lower reporting thresholds (PrUS).
- Determining program fee.
- Coordinating issues around toxic chemicals among state agencies.

### **Schedule next Council Meeting**

It was determined via consensus that the next meeting would be scheduled electronically.

## **Adjourn**

### **Handouts:**

TUR Administrative Council 9/22/15 Meeting Agenda

TURA Program Overview PowerPoint Slides

Decision-Making under TURA: Resources for the Administrative Council and Advisory Bodies,  
January 2015

Designation of TURA Higher and Lower Hazard Substances

2014 Final Response to Comments 301\_CM\_41 00 Toxic or Hazardous Substance List

TURA Services for MA Businesses

TURA: Overview

FY14 Toxics Use Reduction Program Governor's Report

TURA 25<sup>th</sup> Anniversary Brochure

FY16 Community Grants and Academic Research Grants

FY16 Small Business Grant RFP

Description of the Peer-Mentoring Workgroup

"Hex Chromium-Free Sealants for Defense and Aerospace" Report

TURA FY16 Training Calendar