

Spokane River Regional Toxics Task Force
Agenda Item for Discussion May 22, 2013
Proposal to meet with EPA's National Program Chemicals Division

Subject: 2010 Advanced Notice of Proposed Rulemaking (ANPR) Reassessment of PCB Use Authorizations – Meeting with EPA Headquarters staff to discuss status and encourage TSCA reform to reduce and/or eliminate current use authorizations for inadvertently formed PCB's as a byproduct or impurity in chemical manufacturing processes

Background: In 2010, EPA ANPR solicited comments and data needed to characterize and understand ongoing sources and releases of PCBs, including:

- Elimination of most use authorizations at levels \geq 50 ppm
- Non-liquid PCBs (including caulk)
- Use of 50 ppm level for excluded products

EPA received 242 comments in response to this ANPR, including a collaborative comment letter from Inland Empire Paper Company, Riverkeepers and the Lands Council.

Past Ecology Director, Ted Sturdevant, also served as Chair of the Environmental Council of States (ECOS) Cross-Media Committee and helped champion a presentation on this issue by Doug Krapas (IEP), Rick Eichstaedt (Riverkeepers) and Dr. Lisa Rodenburg (Rutgers University) at the annual ECOS Meeting on August 28, 2012. This resulted in unanimous support for an ECOS resolution encouraging EPA to make the necessary changes to TSCA to address the PCB's in manufactured products concern.

Numerous resolutions based on the ECOS resolution have been adopted by various Trade organizations have subsequently been sent to EPA.

To date, no action to the ANPR has been made.

Proposal: Adriane Borgias of WA Department of Ecology will be attending the ACS Green Chemistry conference in Washington D.C. June 18 -20, as will Dr. Lisa Rodenburg of Rutgers University. We propose to have Adriane Borgias, acting on behalf of the SRRTTF, contact EPA HQ and arrange to meet with appropriate EPA staff during her trip to Washington D.C. to discuss the following:

1. Provide Background on the SRRTTF and the challenges that we are facing.
2. Discuss the importance of EPA's TSCA PCB allowance that is contributing to our watershed, likely making it impossible for us to achieve our goal.
3. What is the status of EPA's ANPRM reassessment of use authorizations for PCB's?
4. What is the anticipated date for completion of this work?
5. What is EPA's position regarding the 50 ppm/25 ppm exclusions?
6. What is EPA's position on the inadvertent PCB's in inks and pigments issue?
7. On behalf of the SRRTTF, encourage EPA to make the appropriate decisions regarding the current PCB use authorizations
8. What can the SRRTTF do to assist EPA in this process?

SRRTTF Action Request: Provide approval to have Adriane Borgias meet with appropriate EPA HQ staff to provide background on the SRRTTF, discuss the status of the PCB ANPRM, and encourage EPA to make the appropriate decision regarding the federal allowance for PCB's in manufactured products as outlined above.