

TSCA/iPCB Workgroup Meeting Summary

September 2, 2020

TSCA Members in Attendance:

Joel Breems (Avista)	Cheryl Niemi (Ecology)
David Darling (ACA)	Michael Ober (TDSC)
Jeff Donovan (City of Spokane)	Mike Peterson (The Lands Council)
Ben Floyd (White Bluffs Consulting)	Elsa Pond (WA DOT)
Lauren Heine (NW Green Chemistry)	Karl Rains (Ecology)
Gary Jones (Printing United Alliance)	Jay West (American Chemistry Council)
Doug Krapas (IEP)	Lisa Dally Wilson (Dally Environmental)
Anna Montgomery (NWGC)	David Wawer (CPMA)
Robert Mott (Mott Consulting, LLC)	

Agenda Items Discussed:

General:

- a. David Wawer, Executive Director of the Color Pigments Manufacturers Association, Inc. (CPMA) joined our call as a special guest.

1. Road Paint Paper:

- a. With approval of the Road Paint Paper by the SRRTTF at the June meeting, the paper is now posted to the SRRTTF website: http://srrttf.org/wp-content/uploads/2020/07/SRRTTF-iPCB-Road-Paint-Case-Study-Final_061720.pdf

2. Update on PCB EPA Method 1668 study of TiO₂ Pigments: M. Ober provided the following update on the TDSC project (**Action J. West & M. Ober to continue updates**):

- a. Training for sampling of the various TiO₂ pigments used in coatings, plastics and paper has been completed and sampling is now dependent on manufacturer's availability.

Previous Meeting Notes:

- b. All samples will be submitted to SGS-AXYS in North Carolina for analysis.
- c. If all goes well, they are scheduled to report results before the end of the year.
- d. There were requests on the format for presenting the data (range of results vs. aggregate), but Michael cautioned that the data must be presented in a manner to protect the confidentiality and proprietary nature of the participating manufacturers.

3. PCB's in products data base updates:

- a. **Gonzaga Research Project: Action M. Peterson & K. Shimabuku to provide project status updates**
 - Kyle contacted Sarah Grace Longworth, Project Manager at ECOS for a status update on ECOS Resolution #12-9 regarding inadvertent PCBs in Products. Sarah intends to include this subject in one of their forthcoming newsletters.

Previous Meeting Notes:

- At the July meeting, the SRRTTF approved a contract with Gonzaga University to research iPCBs in products to support a potential data base (Phase 1 approach):
- The project is scheduled for completion by December 31, 2020
- Recommended leads for possible data include Rutgers University, University of

Iowa, San Francisco Bay Regional Water Quality Control Board, Delaware River Basin Commission, and EPA Method 1668 laboratories.

- M. Peterson is working with K. Shimabuku (Gonzaga University) in reaching out to the Environmental Council of States (ECOS) to help support Gonzaga's research efforts into the data base for iPCB products and to further investigate ECOS efforts on the TSCA/WQS paradox.
- C. Niemi & K. Zarker provided the following contact at ECOS: Sarah Grace Longsworth, Project Manager: <https://www.ecos.org/about-ecos/staff/sarah-grace-longsworth/>

b. **Monsanto Settlement: Action K. Rains to continue updates**

- The water quality program received additional questions from the Governor's office requesting rough estimates and prioritizations on proposed projects. **Action Lisa Dally Wilson to identify potential projects**
- Suggestion for letters of support from the SRRTTF and members was discussed:
 - Ecology leadership could see no downside, although Ecology would not be the appropriate author since they cannot lobby.
 - The letters should be directed to the Governor's office, House & Senate Leadership, and local legislators.
 - A draft of the support letter will be completed by the end of the day and sent to K. Rains with the final draft sent to the SRRTTF by Friday. **Action Ben Floyd to develop draft letter of support for SRRTTF approval**

Previous Meeting Notes:

- K. Rains is exploring potential funding from the State's Monsanto settlement for this and possibly other PCB related projects:
- Various Ecology programs have submitted lists of projects/initiatives for consideration
- The request for the SRRTTF is broader in nature and not necessarily project specific

c. **Ecology Sponsored Data Base: Action Ecology, K. Rains & C. Niemi to consider after Gonzaga study**

- Pending outcome of 3.a. Gonzaga Research project

Previous Meeting Notes:

- More investigation is needed into the Comprehensive Plan provision for a Clearinghouse to be developed by Ecology with SRRTTF support.
- K. Rains confirmed that Ecology already has a products data base, but that it is limited to Ecology related work and that expanding it beyond may be difficult, especially considering resource limitations.
- C. Niemi reported that this element of the Comprehensive Plan may not have been fully understood by Ecology Management, since the existing Ecology data base

cannot easily accept outside data and would be very labor intensive.

- More investigation will be needed if this project develops into subsequent implementation phases to determine if Ecology's data base fits this need. Suggest waiting for the discovery from the Gonzaga research project.

4. Education/Outreach: M. Peterson provided an update on The Lands Council's national outreach campaign to expand knowledge on the iPCB issue:

a. **Roanoke River Conference: Action M. Peterson & K. Shimabuku to provide status updates**

- Gonzaga and the Lands Council received an offer to present on the PCB data base development work for the SRRTTF at the virtual Roanoke River Conference on October 21-22.
- Additionally, sharing the driver behind this need - the discrepancy between what is allowed in products under TSCA vs water quality regulations for PCBs.
- A draft presentation has been developed by Kyle Shimabuku from Gonzaga University. **Action D. Krapas to send presentation to iPCB/TSCA Members**
- Kyle suggested soliciting feedback from the iPCB/TSCA workgroup, so members should provide any comments or suggestions directly to Kyle and Mike no later than next Wednesday, September 9th. **Action iPCB/TSCA Members to provide comment to the draft presentation to Gonzaga by September 9.**

5. iPCB Workshop:

a. D. Krapas provided a draft compilation ("Kitchen Sink") of the outcomes and potential next step projects from the SRRTTF & NGC iPCB Workshops for TSCA/iPCB Workgroup member consideration. The intent is to rank for future discussion and project development for this workgroup:

- Numerous comments made to the broad nature and difficulty in determining specific projects.
- Others believed that there were potential opportunities missing.
- Suggestions were made regarding ranking, such as selecting the top 3.
- The group decided that a review of the topics is warranted prior to polling. **Action for all iPCB/TSCA Workgroup members to review and comment by Friday September 18.**

Previous Meeting Notes:

- b. The slide decks and minutes from all of iPCB Working Group Meetings (Technical Considerations, Government/Regulatory, and Advocacy/Policy) were posted on the SRRTTF website: http://srrtf.org/?page_id=10188
- c. The outcomes and potential next step projects from the iPCB Workshop, the subsequent iPCB Working Group Meetings, and the Road Paint Whitepaper are to be compiled for evaluation by the TSCA/iPCB Workgroup.

6. Safer Products WA: Action Ecology, K. Rains & C. Niemi to continue updates

- a. C. Niemi stated that there will be another webinar in late September
- b. Members questioned the definitions of "safer" and "products"
- c. The law requires restrictions and/or bans only where alternatives are available and feasible

- d. Members were encouraged to attend the webinar for continued discussion

Previous Meeting Notes:

- e. A report was submitted to the legislature that includes iPCBs in Paints and Printing Inks:
<https://fortress.wa.gov/ecy/publications/documents/2004019.pdf>
- f. Ecology's next steps include a public webinar in August to discuss the report

7. Funding: Action L. Dally Wilson & K. Rains to provide updates

- a. L. Dally Wilson developed a list of potential projects
- b. A boilerplate for grant applications is still needed so that we can react swiftly when opportunities arise. **Action B. Floyd to help develop draft boilerplate**
- c. J. Donovan reported that the most recent biennial funding for the SRRTF is fully allocated.
- d. B. Floyd is working on the 2021 SRRTTF Work Plan that will include funding options

Previous Meeting Notes:

- e. TTWG and Funding Workgroups to develop a coordinated strategy and consider how best to use available funding to support SRRTTF efforts.
- f. Karl will put this request onto the Funding workgroup agenda for discussion and bring recommendations to SRRTTF for consideration.
- g. Lisa will put on the TTWG schedule.

8. EU Recast of POP Regulations:

- a. Dr. Mott provided the following summary in regards to various PCB regulations and test methods: **Action Dr. Mott to provide a written summary of his discovery**
 - Not much has changed in the U.S. except for the use of EPA Method 1668
 - Regulations in Canada have recently been updated. Mono- and Di-chlorinated PCBs are not in the scope and there is no test method identified.
 - European Union is confusing with so many amendments and corrections since the original POP regulations in 1976.
 - The most recent recast of POP regulations in July specified all chlorinated congeners of PCBs and the exemption of mono- and di-chlorinated congeners disappeared.
 - Incidental generation of PCBs is no longer in the scope, and only existing regulations from 1984 reference the use of colorants and plastics. L. Heine recalled seeing incidentals addressed in the annex. **Action L. Heine to provide the reference to incidental PCBs in POP annex**
 - The regulations reference Analytical Methods APA 981 (<5ppm) and EPA Method 608

Previous Meeting Notes:

- b. The recent recast of the European Union regulations regarding persistent organic pollutants appears to disallow any contamination of PCBs in products.
- c. J. West provided the following links to information regarding the POP Regulations:
 - https://www.chemsafetypro.com/Topics/EU/new_changes_recast_POPs_regulation_EU_2019_1021.html

- <https://www.tuvsud.com/en-us/e-ssentials-newsletter/consumer-products-and-retail-essentials/e-ssentials-10-2019/eu-pops-regulation-recast-is-now-published>
 - <https://www.intertek.com/consumer/insight-bulletins/recast-on-persistent-organic-pollutants-regulation-published/>
 - <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1021&rid=3> (the recast language itself)
- d. Regarding PCBs, the recast appears to incorporate terms of a 1996 Council Directive concerning management of equipment (transformers, capacitors, etc.) containing PCBs.
 - e. L. Heine believes that the recast is also applicable to pigments.
 - f. Dr. Mott explained that in the EU and Canada, “PCBs” means 3 or more chlorination’s, so chemical companies do not even look for mono or di-chlorinated congeners.
 - g. L. Heine believes that the regulation is applicable to all 209 congeners.
 - h. Dr. Mott to locate the citation that identifies this exclusion and the test methods used in Europe and Canada to evaluate PCBs at the homologue level
- 9. EPA research opportunities:** no representatives from EPA were on the call to provide an update to the following projects:
- a. The workgroup discussed obtaining a contact at the NTP, so that a representative from Ecology could contact for regular status updates.
 - d. D. Krapas had a follow-up conversation with L. Edmondson regarding the status of EPA projects:
 - Lucy stated that with the COVID situation, projects at EPA have slowed down
 - Lucy had no specific updates on the EPA projects, but will attempt to get for the TSCA/iPCB Workgroup meeting in September which she should be able to attend.
 - Lucy will attempt to track down a contact at NTP for the TSCA/iPCB Workgroup
 - b. **iPCB Key words for Scholarly Articles:** Michelle stated during our February, 2020 call that EPA is resource limited and is focused on higher priority projects such as site clean-ups and iPCB product testing (see below Children’s Product Testing), so this particular project has been assigned a lower priority and is currently on the back burner. **Action EPA, M. Mullin& L. Edmondson**
 - c. **Children’s Product Testing:** Michelle stated during our February, 2020 call that this remains a work in progress, as EPA attempts to understand the variability of the results and other environmental influences (air emissions, dust adsorption, etc.). **Action EPA, M. Mullin& L. Edmondson**
 - d. **NTP risk study of various Congeners and Aroclors:** NTP is evaluating toxicity of PCB congeners 11, 95, 126, 153 and Aroclors 1016 and 1254. **Action EPA, M. Mullin& L. Edmondson**