TSCA/iPCB/Green Chemistry Workgroup Meeting Summary
November 3, 2021

TSCA Members in Attendance

Vikki Barthels (SRHD)
David Darling (ACA)
Jeff Donovan (City of Spokane)
Gary Jones (Printing United Alliance)
Doug Krapas (IEP)
Craig Manahan, Craig (ECY)
Anna Montgomery (NWGC)
Robert Mott (Mott Consulting, LLC)
Michelle Mullin (EPA)
Cheryl Niemi (Ecology)
Karl Rains (Ecology)
Chelsea Updegrove (The Lands Council)
Lisa Dally Wilson (Dally Environmental)

Guests: Xiaoyu Liu, Ph. D., U.S. EPA Office of Research and Development

Inadvertent PCBs in Consumer Products:

A presentation by Michelle Mullin and Xiaoyu Liu of the U.S. EPA Office of Research and Development was made to the iPCB/TSCA workgroup that summarized the findings of an EPA study to evaluate iPCBs in consumer products. A copy of the presentation can be found at the following web link:
file:///C:/Users/doug_krapas.MILL/Downloads/INADVERTENT%20PCBS%20IN%20CONSUMER%20PRODUCTS%20(2).PDF

Michelle Mullin provided EPA's definition of "inadvertent" in an email message after the meeting:

> Inadvertently generated PCBs are defined as part of the Excluded Product, Excluded Manufacturing Process, and PCB definitions in 40 CFR 761.3:
>
> ***Excluded manufacturing process*** means a manufacturing process in which quantities of PCBs, as determined in accordance with the definition of inadvertently generated PCBs, calculated as defined, and from which releases to products, air, and water meet the requirements of paragraphs (1) through (5) of this definition, or the importation of products containing PCBs as unintentional impurities, which products meet the requirements of paragraphs (1) and (2) of this definition.
>
> (1) The concentration of inadvertently generated PCBs in products leaving any manufacturing site or imported into the United States must have an annual average of less than 25 ppm, with a 50 ppm maximum.
>
> (2) The concentration of inadvertently generated PCBs in the components of detergent bars leaving the manufacturing site or imported into the United States must be less than 5 ppm.
>
> (3) The release of inadvertently generated PCBs at the point at which emissions are vented to ambient air must be less than 10 ppm.
>
> (4) The amount of inadvertently generated PCBs added to water discharged from a manufacturing site must be less than 100 micrograms per resolvable gas chromatographic peak per liter of water discharged.

(5) Disposal of any other process wastes above concentrations of 50 ppm PCB must be in accordance with subpart D of this part.

Excluded PCB products means PCB materials which appear at concentrations less than 50 ppm, including but not limited to:

(1) Non-Aroclor inadvertently generated PCBs as a byproduct or impurity resulting from a chemical manufacturing process.

(2) Products contaminated with Aroclor or other PCB materials from historic PCB uses (investment casting waxes are one example).

(3) Recycled fluids and/or equipment contaminated during use involving the products described in paragraphs (1) and (2) of this definition (heat transfer and hydraulic fluids and equipment and other electrical equipment components and fluids are examples).

(4) Used oils, provided that in the cases of paragraphs (1) through (4) of this definition:

(i) The products or source of the products containing <50 ppm concentration PCBs were legally manufactured, processed, distributed in commerce, or used before October 1, 1984.

(ii) The products or source of the products containing <50 ppm concentrations PCBs were legally manufactured, processed, distributed in commerce, or used, i.e., pursuant to authority granted by EPA regulation, by exemption petition, by settlement agreement, or pursuant to other Agency-approved programs;

(iii) The resulting PCB concentration (i.e. below 50 ppm) is not a result of dilution, or leaks and spills of PCBs in concentrations over 50 ppm.

PCB and *PCBs* means any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contains such substance. Refer to § 761.1(b) for applicable concentrations of PCBs. PCB and PCBs as contained in PCB items are defined in § 761.3. For any purposes under this part, inadvertently generated non-Aroclor PCBs are defined as the total PCBs calculated following division of the quantity of monochlorinated biphenyls by 50 and dichlorinated biphenyls by 5.

iPCB/TSCA Agenda Items Discussed:

1. **WA HHWQC Lawsuits: Action: D. Krapas and others (i.e.: Ecology) to provide any updates on the following lawsuits**

    a. No updates since the prior meeting minutes

2. **Update on PCB EPA Method 1668 study of TiO2 Pigments:**

    a. D. Krapas received the following email message from Jay West of the American Chemistry Council on November 2, 2021: "*We should have a response to the questions below next week.*" **Action: TDSC to provide a response to the following questions**

        1. A final report or whitepaper of the project results must be provided to memorialize this study
        2. We really need to see the range, high and low values; it is not sufficient to see just the median and average; it was noted that when the average is much higher than the mean, that means there are high values; this should not give us any insight into the producers of the high and low values
        3. Confirm that all samples are from North America?
        4. Confirm that all of the samples studied used the chloride process and if any used the sulfate process
        5. What process controls (if any) are used to reduce PCB levels in TiO2?
        6. Are there ways to reduce the amount of iPCBs formed?
        7. Are there ways to remove the PCBs that are formed from the product before it is sold?
        8. Have these processes changed over time?
        9. What specific congeners were associated with the TiO2 processes?
        10. What percentage of overall domestic consumption do the TiO2 samples studied represent?

    b. The iPCB/TSCA workgroup will continue to discuss the implications of the study on the Spokane River watershed and determine any next steps. **Action Item: iPCB/TSCA workgroup to consider next steps**

3. **Education/Outreach: Action: The Lands Council (TLC) is to provide updates on the iPCB National Outreach Campaign project:**

    a. TLC presented the final draft of the iPCB National Campaign website (www.ipcbfree.org, Password: thelandscouncil) to the SRRTTF Advisory Committee for approval at the October meeting.
    b. TLC also responded to industry comments that were also posted for SRRTTF review and consideration. However, many members of the SRRTTF, including the iPCB/TSCA and Education and Outreach workgroups did not have an opportunity to review. The SRRTTF Advisory Committee suggested tabling approval until TLC response to comments could be reviewed by the workgroups. Members of both the iPCB/TSCA and Education and Outreach workgroups discussed the response to comments with industry

representatives at the November 3rd meeting. Since limited time was available at this meeting, a decision was made to arrange for a meeting between key SRRTTF members and the industry representatives to further discuss the response to comments. **Action: D. Krapas to arrange meeting.**

4. **2021 Proposed Projects:**
   a. ***PCB-11: Sources and Pathways to the Spokane River:*** the TTWG workgroup continue to develop next step projects to identify unknown sources of PCB-11 to the Spokane River watershed **Action Item: L.D. Wilson to provide updates on the progress of the TTWG on this project**

   b. ***Lower Procurement Limits Campaign, Phase 1: 3rd Party Research Effort:*** The SRRTTF approved the proposal from Braided River Consulting at the October meeting. **Action Item: D. Krapas to arrange for a kick-off meeting with Braided River Consulting**

   c. ***Develop Industry List of Pigments: Chlorinated vs. Non-Chlorinated:*** Next steps for evaluation and selection of the successful bidder (Gonzaga, ChemForward, Non-Toxic Certified) is to form a small selection committee comprised of a cross-section of SRRTTF representatives that have an understanding and interest in these projects. Recommendations from the selection committee will be provided to the SRRTTF for approval at the December meeting. **Action: D. Krapas to form selection committee and distribute materials for consideration**

5. **Safer Products WA: Action Ecology, C. Niemi and C. Manahan to continue updates**
   a. C. Niemi reported that Ecology is required to provide a draft report to the legislature by June 1, 2022. This report will include regulatory action determinations for the current priority chemical classes, including PCBs in paints and printing inks.
   b. Ecology intends to have a draft report completed by mid to late November
   c. A public webinar will be held sometime in November or December, 2021

6. **TTWG and Funding Groups: Action: L. Dally Wilson & K. Rains to provide updates**
   a. L. D. Wilson reported that a TTWG meeting has been scheduled for November 3rd from 11:00 AM to 1:30 PM. Items of interest to the iPCB/TSCA workgroup include discussions on Phase 2 of the PCB-11 Sources and Pathways to the Spokane River and revisiting the Comprehensive Plan.

7. **EPA research opportunities: Action: EPA updates by M. Mullin & L. Edmondson**
   a. **iPCB Key words for Scholarly Articles**: M. Mullin had no updates on this project, but committed to following up on the status. **Action: M. Mullin to follow-up on status**
   b. **Children's Product Testing:** See the summary for the presentation by EPA at the beginning of these meeting minutes
   c. **NTP risk study of various Congeners and Aroclors**:
      - D. Krapas and B. Floyd developed a draft of the letter to EPA that was approved by the SRRTTF Advisory Committee meeting at the October meeting. **Action: B. Floyd to submit the letter to EPA**