

TSCA/iPCB/Green Chemistry Workgroup Meeting Summary
January 5, 2022

TSCA Members in Attendance

Vikki Barthels (SRHD)	Robert Mott (Mott Consulting, LLC)
Scott Braithwaite (ACA)	Amelia Nestler (ChemForward)
Jeff Donovan (City of Spokane)	Cheryl Niemi (Ecology)
Ben Floyd (White Bluffs Consulting)	Karl Rains (Ecology)
Doug Krapas (IEP)	Lisa Dally Wilson (Dally Environmental)
Anna Montgomery (Braided River)	Riaz Zaman (American Coatings Assoc.)

Guests: None

General: None

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. **HHWQC:** Estimated schedule for rulemaking:
 - April, 2022 for Draft Rule
 - June, 2022 for Public Comment
 - January 2023 for Final Rule
 - b. **Settlement requiring EPA to complete a PCB TMDL for the Spokane River:**
 - EPA to complete a TMDL for PCBs in the Spokane River by September 30, 2024.
2. **Update on PCB EPA Method 1668 study of TiO₂ Pigments:** Testing of TiO₂ using chloride process sold into the following end-use markets in the U.S.: paints and coatings, paper and paperboard, and plastic (Avg. of 0.086 to 1.458 ppb or 86,000 to 1,458,000 ppq)
 - a. **Questions from SRRTTF:** response to questions summarized from J. West (ACC) email dated December 15, 2021 below shown in red:
 1. A final report of the project results must be provided to memorialize this study. **No, the slides presented on September 22 are the final report to the task force**
 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 **No answer/Proprietary**
 3. Confirm that all samples are from North America? **Yes**
 4. Confirm that all of the samples studied used the chloride process and if any used the sulfate process **Yes**
 5. What process controls (if any) are used to reduce PCB levels in TiO₂? **No answer/Proprietary**
 6. Are there ways to reduce the amount of iPCBs formed? **No answer/Proprietary**
 7. Are there ways to remove the PCBs that are formed from the product before it is sold? **No answer/Proprietary**
 8. Have these processes changed over time? **No answer/Proprietary**

9. What specific congeners were associated with the TiO₂ processes? **No answer/Proprietary**
10. What percentage of overall domestic consumption do the TiO₂ samples studied represent? **Did not collect information on market volume/share of the products tested**

b. Discussion by the workgroup:

- i. The workgroup discussed the value of having congener specific data associated with TiO₂ to determine contributions to municipal and industrial treatment plants, water column and fish tissue. An example of the value to treatment plants is being able to identify the soluble versus non-soluble PCBs to determine treatment plans, regulatory exclusions for those PCBs not bio-accumulating and source reduction opportunities.
- ii. J. Donovan provided the following product testing references:
 - PCBs in Municipal Products conducted by the City of Spokane: <https://static.spokanecity.org/documents/publicworks/wastewater/pcbs/pcbs-in-municipal-products-report-revised-2015-07-21.pdf>
 - Ecology Polychlorinated Biphenyls (PCBs) in General Consumer Products: <https://apps.ecology.wa.gov/publications/SummaryPages/1404035.html>
- iii. A. Nestler stated that Europe under the European Food Safety Authority (EFSA) has changed their position on TiO₂ as not being safe for food consumption. <https://www.efsa.europa.eu/en/news/titanium-dioxide-e171-no-longer-considered-safe-when-used-food-additive>
- iv. FDA Reference for TiO₂, CFR Title 21, Chapter 1, Part 73, Subpart A, Sec. 73.575 Titanium dioxide: <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfrcfr/cfrsearch.cfm?fr=73.575>

c. Additional Actions suggested by SRRTTF? Action Item: D. Krapas to add the following suggestions to the list of 2022 projects for consideration

- Test known TiO₂ containing products with nexus to Spokane River to determine PCB concentrations and identify specific congeners
- Determine if there are any EPA or Ecology product testing programs to collaborate with the SRRTTF to perform testing of TiO₂ products. **Action Item: K. Rains to discuss with C. Niemi & D. Krapas to discuss with EPA**
- Evaluate existing product testing data to determine if TiO₂ specific congeners can be identified
- L. Heine suggested a statistical analysis of the data provided
- PMF analysis to determine significance in WWTP's, water and/or fish tissue
- Market Awareness/Driver's for consumer products known to contain TiO₂ (i.e.: Crest Toothpaste: <https://crest.com/en-us/oral-care-tips/toothpaste/titanium-dioxide-toothpaste-what-you-need-to-know>)

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

- a. The SRRTTF Advisory Committee approved the final draft of the iPCB National Campaign website at the December meeting.
- b. No representatives were available from TLC to provide a status update for this project

- c. We did receive word that C. Updegrave is no longer with TLC, and therefore need to know who at TLC will now be responsible for this project lead.
- d. D. Krapas received the following questions from G. Jones of the Printing United Alliance via email on 01/04/2022:

Due to an unexpected conflict, I will not be able to make tomorrows meeting. I am not sure if the iPCB Free web page will be discussed, but I have the following questions:

- When will be able to see the final version of it?
- There were several outstanding items that needed to be addressed as identified in the comment response document and do you know if they were addressed and if so, how?
- During the December Task Force meeting, it was mentioned that the web page is a “work in progress” and will be periodically reviewed. What is the review schedule and the process for review?
- When does the funding for the project run out?
- What happens to the web page when the funding for the project runs out? If it is not taken down, who becomes responsible for maintaining it and updating it?

Action: Address the questions above when a new project lead is appointed by TLC for this project.

3. iPCB/TSCA Workgroup Projects:

2021 Projects:

- a. ***PCB-11: Sources and Pathways to the Spokane River:*** the TTWG workgroup met on November 3rd and determined that projects to identify unknown sources of PCB-11 to the Spokane River watershed is not a priority project. This is due to a reevaluation by D. Dilks working with L. Rodenburg on blank correcting the data that determined there is likely not a significant contribution of PCB-11 from unknown sources. However, this work will be discussed at the data synthesis workshop in early 2022. **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 and will be providing updates to the iPCB/TSCA workgroup at our monthly meetings. See the attached presentation for the January, 2022 update (SRRTTF 1st Project Update_Braided River 010422). **Action Item: Braided River Consulting to provide updates at the iPCB/TSCA monthly meetings.**
- c. ***Develop Industry List of Pigments: Chlorinated vs. Non-Chlorinated:*** The SRRTTF approved the proposal from ChemForward at the December meeting and will be providing updates to the iPCB/TSCA workgroup at our monthly meetings. **Action Item: ChemForward to provide updates at the iPCB/TSCA monthly meetings.**

2022 Proposed Projects: Action Item: D. Krapas to develop a new list of 2022 projects for workgroup consideration

- a. The workgroup discussed the following list of projects from the 2021 proposed list:

Proposed iPCB/TSCA Workgroup Project Description
Develop Industry List of Pigments (Chlorinated vs. Non-Chlorinated)
Newsprint/Graphic Printing Trials w/Non-Chlorinated Inks/Pigments
Further Develop iPCB Education & Outreach Campaign Objectives
Lower Procurement Limits Campaign, Phase 1 - 3rd Party research effort
Sources & Pathways of PCB-11, Phase 1 - 3rd Party research effort
Petition EPA to enforce PCBs in products under TSCA
EPA to perform Cost/Benefit Analysis and reevaluate TSCA

- b. Those projects highlighted in **yellow** are projects that were approved and are currently in process.
- c. The “Newsprint/Graphic Printing Trials w/Non-Chlorinated Inks/Pigments” is a Phase 2 project following completion of the Develop Industry List of Pigments (Chlorinated vs. Non-Chlorinated) project and is therefore not yet ready for consideration
- d. The workgroup decided that the “Petition EPA to enforce PCBs in products under TSCA” project was not worth pursuing and has been removed from the list. Our ability to affect change in this policy is limited for the amount of resources that would be needed.
- e. The “EPA to perform Cost/Benefit Analysis and reevaluate TSCA” is ready for consideration and will be discussed for development in subsequent workgroup meetings. There is a window of opportunity with the latest revisions of TSCA. **Action: K. Rains to investigate this opportunity and provide the workgroup with additional information to develop a plan/process.**

4. Safer Products WA: Action Ecology, C. Niemi and C. Manahan to continue updates

The overall website for SPWA is below. This is the place to start for those interested in SPWA. People can sign up for the listserve at this website.

<https://ecology.wa.gov/Waste-Toxics/Reducing-toxic-chemicals/Safer-products>

The EZ View site below is for those who are interested in following the process. People can sign up for the listserve at this website.

https://www.ezview.wa.gov/site/alias_1962/37555/safer_products_for_washington.aspx

- 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 completed a draft report on regulatory determinations on November 17 and will be holding a public comment period from Nov. 17 - Jan. 28, 2022
- c. A public webinar on the draft report was held today (January 5, 2022) from 08:00 to 10:30 AM. There were over 90 participants. The primary concern appears to be confusion on the development of regulatory determinations/implementation.
- d. Another public webinar on the draft report will be held tomorrow evening (January 6, 2022) from 6:00 to 7:30 PM
- e. Dr. Mott questioned why restrictions are not being placed on black, cyan, magenta and yellow.

5. **TTWG and Funding Groups: Action: L. Dally Wilson & K. Rains to provide updates**
 - a. L. D. Wilson reported that no date has yet been set for the Technical Workshop
 - b. K. Rains reported no updates for the Funding Workgroup as it pertains to iPCB/TSCA work

6. **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 in the October, 2021 meeting minutes
 - c. **NTP risk study of various Congeners and Aroclors:**
 - D. Krapas received a letter of response from EPA dated November 15, 2021 (**EPA Letter to SRRTTF_111521.pdf**) to the letter sent by the SRRTTF inquiring about the status of the NTP work.
 - The EPA letter provides an update on the work being done with PCB-11, but is silent on the other Aroclors and congeners. The iPCB/TSCA workgroup should discuss the necessity to send a follow-up letter inquiring about this other work. **Action: D. Krapas to develop a draft response to the EPA letter.**