Spokane Regional Toxics Task Force
TSCA Workgroup
Proposed Plan of Activities
August 1, 2018 Meeting Summary

Conference Call Attendees: Doug Krapas (Inland Empire Paper Company)
Lisa Dally Wilson (Dally Environmental)
Tom Agnew (Liberty Lake Sewer & Water District)
Elsa Pond (WA DOT)
Doug Greenlund (City of Spokane)
Lauren Heine (NW Green Chemistry)
Ben Floyd (White Bluffs Consulting)

Members Not in Attendance: Mike Peterson (The Lands Council)
Adriane Borgias (Ecology)
Cadie Olson (City of Spokane)
Lucy Edmondson (EPA)

Meeting Notes (General):

- Meeting notes for this month’s meeting are shown in Blue
- Action Items are shown in Red.
- Greg Lahtig of WA DOT has extended his retirement plans to work on fish passage projects. Elsa stated that he will have limited participation, if any, in the TSCA workgroup. We will keep Greg on the distribution list until further notice. Elsa mentioned that Tammie Williams (Env. Mgr.) from their Eastern Region office will also be engaging.
- Lauren Heine joined the TSCA workgroup due to her work in Green Chemistry and relationships developed in reaching out to ink suppliers and users.
- The next meeting of the TSCA Workgroup will be via conference call on Wednesday, October 3rd from 10:00 to 11:00.
- Note that the September 5th meeting has been cancelled due to Doug’s shoulder surgery.
- White Bluff Consulting is now the originator of the TSCA Workgroup Meeting Schedule and conference call in numbers.

1. Task #1 – Yellow Road Paint Pilot
   a. Description – complete work started with the American Coatings Association (ACA) to eliminate the use of diarylide yellow pigments in road paints in WA State and perhaps across the U.S. WA DOT needs to follow-up and incorporate into their purchasing specification, along with the City of Spokane and Spokane County. Also need to work on a national level to and consolidate the number of paint formulations from the current 38 down to approximately 8 (cost reduction).
b. Responsible Parties – Doug Krapas, Lisa Dally Wilson, Mike Peterson, WA DOT, City of Spokane, Spokane County, EPA

Meeting Notes for Task #1:

- The City has hired a new Streets Director that will ultimately appoint a leader to address this issue for the City. In the interim, Doug Greenlund and Jeff Donovan have responsibility for evaluating. Doug Greenlund mentioned that the City buys off of the State contract and will fall back onto non-chlorinated alternatives.

- Doug K followed up with all recipients of the SRRTTF letter to see if they intend to adopt similar provisions for the use of non-chlorinated road paints. The following municipalities/organizations intend to use non diarylide yellow road paints:

  - City of Spokane
  - Spokane County
  - City of Liberty Lake
  - City of Post Falls

- **Action Item:** Doug K continues to follow-up with the balance of recipients on the letter.

- Elsa provided an update on her conversations with DES regarding the purchasing policy. Lowest level of PCBs get 5% purchasing preference, specific to PCBs in all products, not just paints. Purchasing policy not finalized yet. Discussed having a presentation by the DES to the Task Force some time in the future.

- **Action Item:** It would be helpful to have a Fact Sheet with a list of Approved Products (Road Paints, Multiple Bidders, Quality Products List (QPL), etc.). Perhaps Elsa and Doug K to develop based on what has currently been identified.

- Discussed the action item to investigate national level standardization of road striping paints to both reduce the number of formulations and eliminate diarylide yellow based paints:
  - Elsa stated that conversations within WA DOT have identified two Federal agencies that were likely to have jurisdiction over such decisions: AASHTO – The American Association of State Highway Transportation Officials (AASHTO) and the Federal Highway Administration (FHWA)
  - Doug K had conversations with the American Coatings Association (ACA) and they suggested that we keep our powder dry until we have some time to evaluate how this works in WA State first.
The TSCA workgroup was in agreement that we should take some time to evaluate the effects in WA State before developing strategies to extend on a national basis. This task will remain on our Task List for future evaluation.

**Action Items:**

1. The TSCA Workgroup needs to solicit progress reports from WA DOT, City of Spokane, Spokane County and other involved parties to evaluate how the use of non-chlorinated road paints is working. Need to develop bullet points for this evaluation (products, multiple bidders, durability, application, etc.) Schedule check-ins every six months, beginning in January, 2019.

2. **Task #2 – Printing Inks Pilot (Packaging/Newsprint)**
   a. Description – similar to Task #1 above, continue working with the Color Pigment Manufacturers Association (CPMA) and Mark Vincent of Dominion Colour towards the development of non-chlorinated pigment based inks used in the publishing of newspaper, magazines and advertisements. Perhaps run trials with select publishers to assess the characteristics of alternative non-chlorinated products.
   b. Suggest using purchasing power, contracts and marketing strategies to educate the purchasers of TSCA containing PCB products (examples: Amazon, HP, Apple, publishers). A caution that we need to get our facts straight before pursuing.
   c. Responsible Parties – Doug Krapas, Doug Grenlund, Adriane Borgias (TSCA concerns), Mike Peterson’ David Wawer (CPMA), Mark Vincent (Dominion Colour), Publishers

**Meeting Notes for Task #2:**

- Doug & Lauren Heine spoke with a representative from HP that produces inks for a variety of uses, including printing and packaging. They are aware to the issue and appear to be willing to work with us. We will continue these discussions with HP and others to encourage development of non-chlorinated alternatives.
- **HP & Apple** intend to modify their purchasing and product specifications to be a few orders of magnitude below the TSCA allowance of 50 ppm (currently confidential). Suppliers feel that this is achievable, however they need a umber to shoot for as zero PCBs is not possible.

**Action Items:**

1. Sustainable Packaging Coalition is interested in meeting with us. Lauren and Doug K to arrange for a meeting.
2. Perhaps work with Sate to adopt a lower threshold limit for PCBs similar to HP & Apple?
3. Develop a whitepaper on the above. Will require full SRRTTF approval for work and any funding. Lauren

3. Task #3 – Investigate Technical, Legal and Policy Solutions
   a. Description – continue investigation of the Technical, Legal and Policy Solutions document (attached) to determine what, if any, may be worth pursuing. This includes ranking the solution list according to feasibility, resources and timing, then pursuing any feasible options.
   b. Responsible Parties – Doug Krapas, Lucy Edmondson (EPA), Lisa Dally Wilson, Adriane Borgias

Meeting Notes for Task #3:

- Lucy stated that EPA is focused on getting a response to the SRRTTF letter to Chris Hladick, and then they will focus on the Solutions Document.

Action Items:

1. EPA to provide a response to SRRTTF letter to Chris Hladick
2. Lucy to review solutions document with Region 10 and EPA HQ as a first cut to evaluate feasibility.
3. Doug, Lucy, Lisa and Adriane will conduct a follow-up meeting to discuss the first cut findings and then develop a prioritization of options.

4. Task #4 – PCB-11 Risk Assessment
   a. Description – EPA in a letter of response to the SRRTTF dated February 24, 2015 (attached), EPA requested that toxicity testing be conducted on PCB-11 by the National Toxicology Program at the National Institute of Environmental Health Sciences. This promise was made 3 years ago in 2015 and we have not had any feedback from EPA on the results of this study. Need a champion within EPA to follow-up on the status of this project.
   b. Responsible Parties – Doug Krapas, Lucy Edmondson, Ecology

Meeting Notes for Task #4:

- Lucy obtained additional information that the National Toxicology Program at the National Institute of Environmental Health Sciences is currently working on this request. There is currently no scheduled date for completion.
**Action Items:**

1. Lucy to continue follow-up.

5. **Task #5 – Public Relations Campaign**
   a. Description – continue work on educating regulating agencies, legislators, end users (publishers, packaging, consumers, etc.), environmental interests, tribes, and the general public on the TSCA concern, its implications and potential remedies.
   b. Responsible Parties – Doug Krapas, Education Workgroup, Green Chemistry Workgroup, Dr. Lauren Heine and Charlotte Trebilcock (NW green Chemistry), Tony Kingsbury and many others.

Meeting Notes for Task #5:
   - The group felt that there was not an immediate need to coordinate with the Education and Public Outreach group until we have further developed our own strategies. **We will keep this task as a placeholder for future efforts.**

6. **Task #6 – SRRTTF to submit Issues Letter to Chris Hladick (EPA Director):**

Meeting Notes for Task #6:
   - **This task has been completed** and we are currently awaiting EPA response (see Meeting Notes and Action Items for Task #3 and #4 above)

7. **New Task #7 – Workshop:**
   a. Description – Lisa proposed the idea for a future stakeholder workshop that includes participation by business, industry, and regulators to discuss and develop solutions to pigment related TSCA issues, including working with industry (HP, CPMA, ACA, etc.) to investigate inks and dyes alternatives, investigate various elements of the Solutions Document, etc.
   b. Responsible Parties – Lisa to take a leadership role in development of this concept

**Action Items:**

1. Lisa to develop a couple paragraph description of the workshop for presentation to the full SRRTTF for approval to develop, including any estimated funding needs.
2. Also need to organize a planning committee to develop workshop concept, attendees (HP, ink Manufacturers, SPC, etc.).