

Interagency Committee on Chemical Management
ICCM/CAP Meeting
Meeting Minutes: April 11, 2018
Montpelier Room, 1 National Life Drive, Montpelier, VT 05620
Facilitated by Peter Walke, ANR Deputy Secretary

1. Welcome and Introductions

2. Meeting Agenda and CAP Feedback Process

Walke provided an overview of the CAP feedback process and the timelines in order to facilitate compilation of comments.

3. EO Section III(A)(2) – Reporting System

Telep handed out a bulleted user narrative for the reporting system at the meeting, which will be provided following the meeting. Telep provided a presentation on recommended unified reporting system and current state evaluation, lean event, system envisioning session. Telep then walked through the diagram provided in the meeting materials. Discussion of data standards and tech options, including state existing system, Microsoft Dynamics, or a vendor. Next steps include additional analysis of current systems, consider tech options, benchmark evaluation (do other states have unified system), primary system admin, estimate timeline, and estimate costs. Costs include project planning, hardware and hosting, software and services, consulting/vendor support, development, training, maintenance and administration costs for implementation and 5-year life cycle.

4. EO Section III(A)(3) – Risk Assessment

Walke discussed EO Section III and the need for a long-term process for reviewing recommendations to evaluate if we have all information we need, and to evaluate impacts and thresholds. Written recommendations to be provided next week to CAP for written comment. Recommendations generally discussed, which include creation of a structure where ICCM identifies chemicals or groups of chemicals and their uses/storage/disposal, and then recommend that the technical team evaluate them to see how they are reported, if there are gaps, if there are thresholds. The review is then approved by the ICCM. Technical team then provides current state and proposed recommendations. ICCM evaluates that, and if so, given to the technical team to review. CAP would then be brought in to evaluate the recommendations. CAP then reviews and comments, but it is not a voting member of ICCM. ICCM takes CAP comments and approves of the action for the Agency to undertake. Monitoring network is part of it, but need to take action on

individual chemicals, often by individual agencies. Three chemical examples that would be on the initial list – TCE, 1-4 dioxine, diisosianates. If ICCM approved that list, it would ask the technical team to do a review, identify the current state and gaps, and make recommendations on that list. The ICCM would then ask the CAP for comments. CAP asked how this would be started – i.e. what lists would be used? Walke indicated that rather than looking at what needs to be added to a list, start with what do we know based on the existing requirements, and what additional info would we need. CAP also asked how we decide we are done looking at gaps? Walke indicated this charge speaks to use/storage/disposal pieces in place, i.e. The monitoring network. The three chemicals identified would need combination of use and health concerns to evaluate further.

5. EO Section III(A)(4) – TURA

Metcalf discussed TURA subgroup recommendations, walking through the recommendations table. The process first started with a discussion with stakeholders using a webinar – 20 planners participated in webinar, and also received additional feedback before and afterwards. A small group then met to discuss the EO charges, using a facilitated discussion rather than specific lean tool. Each recommendation taken in turn and discussed:

1. List of chemicals – 25 chemicals would be added to existing TRI list from Toxics Children list – these are already identified as chemicals of concern. The group didn't want to massively expand the list. CAP asked is the list static? Metcalf indicated it would depend on how we did it in the rulemaking.

2. Thresholds – the group considered changing hazardous waste reporting thresholds – but lower thresholds would capture smaller businesses who don't have capacity to plan. The group also considered thresholds for chemical users and recommended we use a lower threshold for the most hazardous chemicals (for example, PBTs which are on the TRI list) given their highly hazardous nature – it would thus lower the threshold for 21 chemicals, but keep same for the remainder.

3. Persons/entities required to report – the group didn't want to change generator status to be different from hazardous waste generator status, as it would result in confusion. For users, the group recommends keeping existing thresholds, but modernize statute (different classification system) and amend to 10 FTE or 500 total employees – this is based on DOL small business definition. Rationale is that businesses of this size have the capacity to do planning. The group conducted a sensitivity analysis using DOL data – and it would only increase the number of business planners by 3%.

4. Training requirements for planners – The group considered Massachusetts requirements for mandatory training - but it would be too much – the group heard this from stakeholders. The recommendation of 8 hours per 3-year cycle is fairly modest and

would meet our objectives of providing training and prompt Agency to provide/reinvigorate the training program.

5. Streamline/modernize program – the group recommends an electronic reporting system to report and pay online, and feed into the unified reporting system. It would allow for targeted technical assistance and a better way to update planners. Alternate planning is used by Massachusetts. This process contemplates that a planner who has met a certain threshold for waste reduction/elimination would then transition to planning for reduction in other areas. The group felt this would have benefits.

6. Staffing/funding – the group recommended 1 FTE – with some efficiencies realized in the long term.

7. Other state programs – through the ICCM process, the TURA program has identified overlaps with DOL/VOSHA Project Worksafe – and a need for renewing their partnership. Massachusetts toxics use reduction program is also recommended for consideration as a model for adding chemicals.

CAP question about looking at a typical plan – plans are not public records – but can provide a planner guide that contains the worksheets needed to create a plan. Ian Balcolm – regarding the interim reporting platform – it might be a little bit annoying to learn/re-learn. Metcalf indicated the interim system would fit into new system. Telep indicated it would also depend on the overall timeline of unified system if isn't implemented for another 3-4 years. Interim system would be easy to use, easy to transition. Any change would be an improvement, and database is needed to feed into unified system anyway. Metcalf indicated it would also present an opportunity to streamline reporting form. Metcalf will share planner guide and planning information with the group if possible.

Walke reminded CAP to provide feedback. CAP question - What kind of feedback do you want? Committee asked for identification of any gaps we might have missed, discussion of the CAP comment process, and that this is an iterative process. For example, comments on what the system would look like may inform costs and implementation. Providing draft recommendations now as concepts is helpful in order to check-in to determine how we are doing. Ian Balcolm – how changing TURA would cast a wider net to actually prevent St. Cobain issue. Are the existing lists robust/dynamic enough to address that concern? Metcalf indicated TURA is just one piece. ICCM is looking to get at those larger issues. TURA is focused on moving users to use less hazardous materials or different materials. Gonda indicated this is a fundamental step to understand what is regulated now, and looking at potential health related risks based on existing use. It would enable the state to be more on top of issues like PFOA. The emerging contaminants piece is the tricky one – this is the first step to address those

issues. Walke indicated section 3 would be the mechanism to begin addressing those issues.

6. Next Steps

Zaikowski will send a separate email out to the CAP with all materials. CAP will send their comments to Zaikowski, who will compile them for the ICCM's next meeting.

Committee Members in attendance, or on conference line:

Giguere, Cary, *Agency of Agriculture, Food & Markets*
Meyer, Scott, *Department of Labor*
Mock, Casey, *Agency of Commerce and Community Development*
Telep, Peter, *Agency of Digital Services*
Walke, Peter, *Agency of Natural Resources*

CAP Members in attendance, or on conference line:

Balcolm, Ian, *Lyndon State College*
Patterson, Barb, *Stone Environmental*
Rainville, Adam, *Maple Landmark*
Wignall, Jessica, *ICF*
Rumelt, Ken, *VLS*
Ruma Kohli, *Global Foundries*
Deborah Hirtz, *UVM*
Dostmann, Wolfgang, *UVM*

Agency Staff in attendance, or on conference line:

Gonda, Jordan, *Agency of Natural Resources*
Levey, Rick, *Agency of Natural Resources*
Zaikowski, John, *Agency of Natural Resources*
Schwer, Chuck, *Agency of Natural Resources*
Kelley, Ernie, *Agency of Natural Resources*
Berschling, Jenny, *Agency of Natural Resources*
Metcalf, Lynn, *Agency of Natural Resources*
Twohig, Eamon, *Agency of Natural Resources*
Parr Doering, Ellen, *Agency of Natural Resources*
Vose, Sarah, *Department of Health*