

State/local views on use of TSCA CDR data

TSCA CDR Negotiated Rulemaking Meeting June 8-9, 2017

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**** Meeting materials submitted by Minnesota Pollution Control Agency (MPCA)
for public committee meeting with EPA on June 8, 2017 ****

State/local use of TSCA CDR data

Caveats:

- Inorganic byproducts have had only three reporting cycles under TSCA CDR - 2006, 2012, 2016
- 'Byproducts' are not flagged/searchable in TSCA data
- Lautenberg Act apparently provides states with more access to TSCA data (especially CBI), however this is new and not widely used
- Under Lautenberg Act, states apparently have more opportunity to assist with and monitor US EPA chemical risk evaluation processes; however this is new so the state-federal process is being developed and states are developing internal capacity and expertise

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State/local use of TSCA CDR data

Actual and potential data uses:

- Development of Policy and Legislation
- State chemical risk evaluation processes
- Emergency Response Planning/Community Right to Know
- State OSHA/worker health and safety
- Facility Siting and Permitting (most likely air and water permits)
- Compliance and enforcement for disposal/releases/mismanagement
- Pollution Prevention Planning and Implementation
- Technical Assistance Programs
- Legacy site cleanup – in the future

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State/local use of TSCA CDR data

- Quality data must be available for use in the future for known and 'unknown' purposes, since there have been only three reporting cycles for inorganic byproducts and TSCA was revised effective 2016
- Given pre-emption issues, states want to ensure that US EPA has complete and reliable data for effective implementation of new TSCA
- States and the general public are interested in the fate of inorganic byproducts when they are exempt from reporting - incineration, land disposal, 'soil enrichment,' 'not used for a commercial purpose.'
- Situation Assessment Section IV. Interests are all applicable.

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