

# TURA Legislative and Regulatory Changes

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# TURA

- Requires certain facilities that use listed toxics above reporting thresholds to:
  - Report annually their use of toxics and pay a toxics use fee
  - Develop a toxics use reduction plan and update the plan every two years
- Achieved statutory goal of 50% reduction in toxic byproducts in 1998 (normalized for production)

# 2006 Statute Amendments

- Improved / streamlined reporting and planning requirements
- Option of Resource Conservation Plan or Environmental Management System (EMS)
- Higher Hazard and Lower Hazard Substances categorization
- Other Changes

# Regulation Changes (310 CMR 50.00)

- ***Phase I:*** Reporting revisions in May 2007 for 2006 toxics use reports due July 1, 2007
- ***Phase II:*** Resource Conservation Plan and EMS options in January 2008 for plans due July 1, 2008
- ***Future:*** Toxics List (301 CMR 41.00), Toxics Use Fees (301 CMR 40.00) changes

# TURA Phase I Changes

- Exempts toxics in fuel oil combusted except if power plant (does not affect TRI)
- Adds NAICS codes
- Harmonizes 10,000/25,000 pound reporting with TRI (no longer report manufactured / processed below 25,000 pounds unless a PBT or higher hazard substance)

# TURA Phase I Changes

- Following TRI, Form A waste threshold raised from 500 to 5,000 pounds
  - provided no more than 2,000 pounds total releases
- TURA does not allow Form A for PBTs
  - TRI does allow Form A for PBTs if zero releases and no more than 500 lbs other waste

# TURA Phase I Changes

- Byproduct definition: “Otherwise used substances shall be counted as byproduct when they leave a production unit”
- Expands range codes for reporting use by production unit. Adds:
  - >10,000 pounds  $\leq$  100,000 pounds
  - > 100,000 pounds  $\leq$  500,000 pounds, and
  - > 500,000 pounds

# TURA Phase I Changes

- Production unit metrics reporting
  - Eliminates BRI, ERI, base year, and toxics use reduction matrix from Form S
  - Adds explanation of significant changes (i.e., 10% or more) in use or byproduct compared to previous year

# Form S Production Unit Changes

Section 4: Toxics Use by Production Unit					
a. Production Unit #		b. Quantity of Chemical Code:			
Use	<input type="checkbox"/> 1. $\leq 5,000$ lbs.	<input type="checkbox"/> 2. $> 5,000 \leq 10,000$ lbs.	<input type="checkbox"/> 3. $> 10,000$ lbs. $\leq 100,000$ lbs.		
	<input type="checkbox"/> 4. $> 100,000$ lbs. $\leq 500,000$ lbs.	<input type="checkbox"/> 5. $> 500,000$ lbs.			
c. Did the use of this chemical in this production unit increase or decrease by 10 percent or more compared with the previous reporting year and/or did you implement toxics use reduction?					
<input type="checkbox"/> Yes		<input type="checkbox"/> No*		*If your answer is No, skip ahead to g. below.	
Process code(s) where most significant changes occurred (up to three in descending order)		Type of Change (Enter "I" for Increase, "D" for Decrease)	Technique Code(s) (up to three per process code)		
d.1.		2.	3a.	3b.	3c.
e.1.		2.	3a.	3b.	3c.
f.1.		2.	3a.	3b.	3c.

# Form S Production Unit Changes

<b>Byproduct</b>	g. Was byproduct generated for this chemical less than 1 percent of use in this production unit?				
	<input type="checkbox"/> Yes*	<input type="checkbox"/> No	*If your answer is Yes, skip ahead to I. on Page 3.		
	h. Did the byproduct generated for this chemical in this production unit increase or decrease by 10 percent or more compared with the previous reporting year and/or did you implement toxics use reduction?				
	<input type="checkbox"/> Yes	<input type="checkbox"/> No*	*If your answer is No, skip ahead to I. on Page 3.		
	Process code(s) where most significant changes occurred (up to three in descending order)	Type of Change (Enter "I" for Increase, "D" for Decrease)	Technique Code(s) (up to three per process code)		
	i.1.	2.	3a.	3b.	3c.
	j.1.	2.	3a.	3b.	3c.
	k.1.	2.	3a.	3b.	3c.

# TURA Phase I Changes

- Replaces escalating late fees with flat \$1,000 late fee
- Gives MassDEP responsibility for fee waiver requests (instead of EOEEA)

# TURA Phase II Changes

- New planning options once a facility has developed 1 toxics use reduction plan and 2 plan updates:
  - Resource Conservation plan (option every other planning cycle)
  - EMS that integrates TUR planning (no future TUR plan updates required)

# Resource Conservation Plan

- Address water, energy, materials, or non-reportable toxics
- Planning process similar to TUR process
- Report progress two years later with next TUR plan update
- May return to resource conservation plan four years later

# Resource Conservation Plan

- Must be signed by a TUR planner with adequate training in resource conservation
- TURA program developing guidance to assist in developing plans

# Environmental Management Systems

- Identify all reportable toxics as significant aspects / cover all TURA production units
- Meet specific criteria (e.g., policy, planning, implementation, checking / corrective action, management review)
- Signed by a TUR planner with EMS training or EMS Professional with TUR training
- Report EMS progress to MassDEP

# Joint TURA/TRI Trainings

- April 24, Worcester
- May 3, Holyoke
- May 8, Chelmsford
- May 17, Framingham
- May 22, Fall River
- More info: [www.mass.gov/dep/toxics/](http://www.mass.gov/dep/toxics/)

# TURA Contacts

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