



Massachusetts Chemistry & Technology Alliance, Inc.

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Chemistry Makes Your Life Better Every Day

Newsletter

April 2015

Executive Director's Message

MCTA has gotten off to a strong start in 2015. Supported by a strong Executive Committee and Board of Directors, we are taking steps to strengthen the organization, grow membership, build collaborations, expand the resources and benefits we provide to members, and advocate effectively with legislators, regulators and the Baker/Polito administration.

On April 2nd, nearly 40 MCTA members attended the spring Members Meeting which was hosted by Dow Chemical in Marlboro. Ned Bartlett, Undersecretary of the Executive Office of Energy & Environmental Affairs was the guest speaker. Undersecretary Bartlett devoted the majority of his time to fielding questions from MCTA members, and listening to the challenges they faced doing business in the Commonwealth.

The timing for Undersecretary Bartlett's appearance could not have been better. The regulatory pause Governor Baker instituted two weeks after taking office had just ended and Executive Order 562 (EO 562) which extends the pause and calls for the sunset of existing regulations that don't pass regulatory muster was about to be announced.

We cannot stress enough what Executive Order could mean to us. To be clear, it does not declare open season on our environment nor does it undermine important protections. In fact, EO 562 specifically exempts regulations that protect human health and the environment. What it does do is ask for proof, and demand accountably and transparency. For MCTA, which has always advocated for science-based decision making and a fair and open process, this is a breath of fresh air.

EO 562 lays out criteria it expects agencies to meet and substantiated during the review process. Agencies must show that:

- There is a clearly identified need for government intervention;
- The costs of the regulation to not exceed its benefits;
- The regulation does not exceed federal requirements or duplicate local requirements;
- The regulation does not unduly and adversely affect Massachusetts Citizens and consumers of the Commonwealth, or the competitive environment in Massachusetts
- The Agency has a process and schedule in place to measure the effectiveness of the regulation, and:
- The regulation is time-limited or provides for regular review.

Regulations will be sunsetted on March 31, 2016 if a review has not been conducted and if the regulation or regulations do not comply with the criteria listed above.

There is a brief window where MCTA and its members can advocate for science based, cost-effective and transparent regulatory process. We are currently reviewing the statutory intent driving regulations that impact the chemical industry, and expect to work with Undersecretary Bartlett and his colleagues in the Administration as well as with regulators and legislators during the upcoming year to insure that the regulations that impact our industry are based in science; that the process is fair and transparent; and that the benefit outweighs the cost. We will continue to update you on our efforts.

For more information, please go to:

<http://www.mass.gov/governor/legislationexecorder/execorders/executive-order-no-562.html>

On another front, Undersecretary Bartlett is interested in meeting with members who are struggling to convince corporate headquarters that Massachusetts is a good place to do business or expand. Please let me know if you would like to be part of the MCTA delegation making the case for a more positive business environment. I can be reached at katherine@masscta.org.

MCTA Website

MCTA's website has been redesigned and is expected to go live in the next few weeks. The redesigned website will serve as an educational and marketing tool, and will provide members with information and updates on MCTA events and issues that impact them. It will also provide links to other organizations, so our members can see what is going on nationally as well as in other states. Once the site goes live, I will be providing members with a password enabling them to get into the "Members Only" portal.

Legislative & Regulatory Update:

MCTA will be resuming its legislative and regulatory calls on May 28th. They will be held on the 4th Thursday of every month at 4 pm. Board Member Chris Foster, a Partner with Robinson + Cole, will join our legislative and regulatory team and provide insights into the impact of federal laws and regulations on industry in the Commonwealth. Please contact Laurie Stewart, Chair of MCTA's Regulatory & Legislative Committee, if you are not on the contact list and want to participate. She can be reached at lstewart@barrday.com.

In Washington, the Udall/Vitter bill to reform the Toxic Substances Control Act continues to pick up steam and broaden its base of support. The bill, which has bipartisan support, is viewed as the best hope to reform TSCA which is widely viewed as broken and ineffective. For additional information, please click on the following link: http://www.tomudall.senate.gov/?p=press_release&id=1886

Back at home, the Massachusetts Legislature has been slow out of the gate a factor partly due to a difficult winter, but also attributable to strains between the two chambers regarding the composition of joint committees. The House has released its bills, but the Senate has yet to assign numbers or name members to joint committees. MCTA's regulatory team is currently reviewing the House Bills and developing a strategy for the upcoming year.

MCTA is planning a series of site visits where legislators tour member companies to gain a better understanding of what we do and how we operate. Please contact Katherine Robertson if you would like to participate at katherine@masscta.org.

MCTA is also planning a Legislative awareness day in October where MCTA members will meet in Boston for a day of meetings and office visits. We will provide additional information as we firm up the details.

On the Regulatory side, things have also slowed down somewhat although the TUR Advisory Committee and the SAB both met in late March and early April. Four new chemicals were designated for inclusion in the Higher Hazard Substance list:

- 1-Bromopropane (n-Propyl Bromide)
- Dimethylformamide
- Hydrogen Fluoride
- Cyanide Compounds

MassDEP TURA Reporting Amnesty:

MassDEP has announced an enforcement amnesty from April 9, 2015 through June 30, 2016 for facilities that voluntarily disclose past failure to file one or more TURA Annual Chemical Use Reports.

During the amnesty, facilities that voluntarily submit one or more previously-owed Form S's will only receive a "warning letter" and be required to pay one year of past owed chemical use fees for the unreported chemical(s) plus the mandated \$1,000, administrative late fee regardless of how many years they should have been reporting the chemical(s). Under this amnesty program, companies are still required to submit Form S's for all back years for which they owe a report on the chemical, up to a maximum of three years.

To take advantage of this amnesty, Massachusetts companies must submit any Form S's that are owed by June 30, 2016. Facilities have fourteen months to review their chemical use records and identify and submit any Form S's that are owed.

Board Business:

MCTA's Board of Directors has elected new officers, and voted in several new members. The Executive Committee is:

- Chairman, Bob Napolitano, Astro Chemical
- Vice Chairman, Ted Stolz, ITW Performance Polymers
- Treasurer, Laurie Stewart, Barrday Composite Solutions
- Clerk, Paul Connor, Dow Chemical

In addition to the Executive Committee, the following also serve on the Board:

- Steve Page, John. R. Hess & Company: Chair Membership Committee
- Brian Morrill, GZA GeoEnvironmental, Inc.: Chair Golf Committee
- Tom Cleveland, OMNOVA Solutions Incorporated
- Chris Foster, Robinson + Cole
- Bruce Houghton, Houghton Chemical Corporation
- David Lahr, Solutia, a wholly-owned subsidiary of Eastman Chemical Company
- Mark Monique, Savogran Company
- Mark Ruggeri, Webco Chemical Corp.

The Board has openings for full members. If you have any interest in serving, please contact me at 508-781-0445.

Calendar:

Board Meeting: June 24, 2015, 8 am

Boardroom, GZA GeoEnvironmental, 249 Vanderbilt Ave, Norwood

Members Meeting: June 24, 2015

Boardroom, GZA GeoEnvironmental, 249 Vanderbilt Ave, Norwood

- 9:30 am: registration & coffee
- 10 am: members meeting
- Noon: Lunch

Board Meeting & Golf Tournament: September 10, 2015

(In Collaboration with the Chemical Club of New England)

Sea Crest Hotel/Golf Club of Cape Cod

Time/TBD

Board Meeting: November 18, 2015

Time/Location TBD

Member Regulatory/Legislative Update Calls

Member Regulatory/Legislative Calls occur on the 4th Thursday of every month at 4 pm. Call-in information will be provided prior to the call.

Legislative and Regulatory Meetings

Legislative and Regulatory Meetings will be posted as they are announced. Member participation in these meetings is welcome.