

Approved September 22, 2016

New Jersey Drinking Water Quality Institute (DWQI)  
Thursday June 30, 2016, 1 pm  
**Meeting Minutes**

Members Present:

Keith Cooper (Chair)  
Jessie Gleason  
Laura Cummings  
Pat Gardner  
Judith Klotz  
Sandra Krietzman  
Anthony Matarazzo

Norman Nelson  
Bahman Parsa  
Gloria Post  
Daniel Salvito  
Sheng-lu Soong  
Carol Storms  
George Van Orden

Members Absent:

None

Non-members Present:

Yin Zhou (NJ Division of Law)  
Sandra Goodrow, Gary Buchanan, Lee Lippincott, Erica Bergman, Katrina Angarone, Linda Bonnette, Coretta Tommy, Mark Theiler, Sonya Jacobsen, Daniel Millemann, Jesse Evenson, Kristin Tedesco (NJDEP)  
Tina Fan (NJ Department of Health)  
Sam Jones (Chemistry Council of NJ)  
Jon Hurdle (NJ Spotlight)  
Perry Cohn (retired)  
Kevin Bagenstose (Calkins Media)  
Tracy Carluccio (Delaware Riverkeeper Network)  
Ed Rodgers (Delaware Riverkeeper Network)  
Lisa Pertriello (Moorestown Council)  
Adam Hackenberg (Langan Engineering)  
Randy Irwin, Sandra Irwin (Arcadis, Inc.)  
Dawn Marling (Somerset County)  
Bill Wolfe (citizen)  
Chris Roe (Fox Rothchild)  
Mitch Gertz (Solvay Specialty Polymers)  
Judi Durda (Integral Consulting)  
Tom Inbrugiotta (USGS)  
Joseph Guarnaccia (BASF)  
Briana Lombord (PHEL)  
Robert Workman (Novardis)

The meeting was open to the public. All attendees were asked to sign in and provide contact information.

**1. Comments from the Chair & Introductions** – Chairman Cooper welcomed all in attendance and reminded them to please sign in. He noted that the agenda being handed out was slightly different from that posted on the web. He noted the change in terminology with respect to perfluorinated compounds (PFCs) now being referred to more commonly as per- and polyfluoroalkyl substances (PFASs). He also introduced the new member, Dr. Daniel Salvito, and announced the resignation of Laura Cummings, chair of the Treatment Subcommittee. Chairman Cooper thanked Ms. Cummings for her leadership and service while she was a member of the Institute.

**2. Review of the October 28, 2015 minutes** - Judith Klotz and Gloria Post provided minor, grammatical edits. Laura Cummings asked to remove “and advanced oxidation” from the notes regarding the 2009 report on 1,2,3-TCP as granular activated carbon was the “best available technology” identified, not advanced oxidation. George Van Orden made a motion to approve the minutes; Judy Klotz seconded the motion. The minutes were approved unanimously. Chairman Cooper indicated that they would be posted on the DWQI website.

### **3. 1,2,3-Trichloropropane**

- Overview of Next Steps – Keith Cooper  
Chairman Cooper reminded attendees that the Health Effects and Testing subcommittees had presented full presentations at the October 28, 2015 meeting (see <http://www.nj.gov/dep/watersupply/pdf/minutes151028.pdf> for copies of those presentations). At that time the Treatment subcommittee required additional time to complete its report on this compound.
- Report from Treatment Subcommittee on Review of 2009 DWQI MCL recommendation ([PDF](#) | [PPT](#))– Laura Cummings  
The Treatment Subcommittee described the additional information that they considered and concluded that there was no reason to amend the 2009 report. Granular activated carbon is still the best available treatment for 1,2,3-TCP. There were no questions on the Treatment Subcommittee report.
- Overview of the DWQI role in the MCL Development  
The Chairman referred to the [public process](#) for participation in MCL development that is posted on the DWQI website with respect to 1,2,3-TCP. He indicated that the 1,2,3-TCP documents would be posted for public comment and that each subcommittee would review the submitted comments. The comments submitted would be posted after the close of the comment period at the DWQI website. After review and consideration of the comments, the full DWQI will reconvene to vote on a final recommended MCL to be transmitted to the Commissioner of the Department of Environmental Protection (DEP).

The Chairman indicated that the DWQI is not involved in policy or cost recommendations. These are matters that are handled by the DEP. However, the DWQI Treatment Subcommittee does consider costs when evaluating the feasibility of treatment.

Once the DWQI recommendation is submitted, the DWQI responsibility is fulfilled and the DWQI is no longer involved. Stakeholder groups should understand that this. The Chairman noted that the DWQI is transparent in developing its recommendations. As such, the draft 1,2,3-TCP documents will be posted within the next two weeks and public comments will be accepted. The DWQI acts in an advisory capacity with respect to the scientific basis for MCL development. As such the DWQI works to pull data together and evaluate it. If it appears that the DWQI is moving slowly, it is important to remember that the DWQI is a volunteer organization. We are thankful to those that volunteer their time and to those who provide comments.

- Public Comments
  - Tracy Carluccio was concerned that that process should not become a means of delay. She inquired as to where PFOA was in the MCL development process. The Chairman indicated that PFOA was slightly behind 1,2,3-TCP in the process. He said that the DWQI needs to meet in a closed technical session to have all subcommittees discuss their progress on PFOA. Ms. Carluccio asked if the public would know where PFOA stands after the closed session. Chairman Cooper indicated that he envisioned having another meeting in the future to discuss PFOA after the draft PFOA documents are posted.
  - Bill Wolfe stated that with respect to the science, the DWQI is constrained by the Institute's enabling statute with respect to risk level. Chairman Cooper agreed that the cancer risk to be considered is set by statute.
  - Bill Wolfe asked when the DWQI might meet next to address 1,2,3-TCP. The Chairman noted that after the comment period, hopefully in September, the DWQI would convene to vote on 1,2,3-TCP. He reminded the audience that at the last meeting (October 28, 2015), the Treatment Subcommittee indicated that they wanted more information. The Subcommittees do not have NJSEP support staff assigned to gather these data in all cases, and this is an area that needs to be improved. For similar advisory groups such as the National Academy of Sciences, there information can be requested from support staff. One way that the DWQI obtains information is from the

public. When information is received that points the DWQI in a direction, we need to explore that information.

- Joe Guarnaccia asked where 1,2,3-TCP is in the public input process. The Chairman indicated that the next step was the second pink circle labelled “Recommended MCL” on the [flowchart](#) displayed in his [presentation](#).
- Perry Cohn, former DWQI member, asked whether the PFOA recommendation reports would be posted prior to the September meeting. The Chairman said that he intended to post the documents prior to a September meeting.
- Tracy Carluccio asked what the delay was with regard to the PFOA documents. The Chairman indicated that there were a few reports that were not complete as of yet. He indicated that once they are final, they would be posted.
- Chris Roe asked if the DWQI was skipping a step by not presenting the PFOA documents. The Chairman indicated that no steps were being skipped.
- Moorestown Councilwoman Lisa Petriello asked if there is any safe level of 1,2,3-TCP. The Chairman replied that the draft DWQI recommendation is at the practical quantitation level (i.e. the level to which the compound can be reliably and consistently measured). Gloria Post explained that the DWQI enabling legislation sets a goal of 1 in 1 million risk of cancer over a lifetime, but that, for some compounds, the level at which can be quantified or treated is higher than this health-based goal. In those cases, the goal is that analytical and treatment considerations should achieve a level that results in less than 1 in 10,000 cancer risk– as a rule of thumb. The draft practical quantitation level for 1,2,3-TCP represents less than 1 in 10,000 risk, so the recommendation meets that goal. Sandy Krietzman concurred.
- Councilwoman Petriello asked the DWQI how long they had been working on a recommendation for 1,2,3-TCP. Gloria Post explained that the NJDEP set a guidance level in 1999, and the DWQI made an MCL recommendation in 2009. *Note: The current review of 1,2,3-TCP was requested by the Commissioner of NJDEP to establish whether new information available since 2009 would change the 2009 DWQI recommendation.*
- Chairman Cooper stated that the DWQI was dealing with a backlog of contaminants. He noted that he was hopeful that the DWQI would be able

to go back and review various compounds again over a 5-year period to incorporate new technologies and information.

1. [Polyfluorinated Alkyl Substances \(PFASs\)](#) – Keith Cooper

- Chairman Cooper in the linked presentation, gave an overview including the timeline of NJDEP and DWQI work on PFOA and an overview of scientific information considered in the health effects evaluation.
- Dr. Cooper also discussed notable dates with respect to PFOA.
- Dr. Cooper hoped to have public review drafts posted in two weeks and to be prepared to vote on 1,2,3-TCP at the next DWQI meeting.
- He indicated that PFOS will be the next compound to be evaluated by the DWQI.
- After public questions, the DWQI will go into a closed technical session to discuss the status of the PFOA draft subcommittee documents and EPA Health Advisories for PFOA and combined PFOA and PFOS.

**5. Public Comments**

- Tracy Carluccio asked if the DWQI was required to meet in open session. Legal counsel for the DWQI (Yin Zhou) indicated that Ms. Carluccio's question not appropriate for discussion at the public session. The Chairman offered that the plan was to have a frank, open technical discussion during the technical session.
- Bill Wolfe inquired about the rule of thumb of 1 in 10,000 as an upper level for lifetime cancer risk that Gloria Post indicated with respect to PQL-driven MCLs. He noted that the PQL concept is an implementation issue and stated that DEP will violate the statute by implementing this rule of thumb. He noted that DEP should rather use the MDL (minimum detection limit) so as not to compromise the health-based standard. Sandy Krietzman noted that the goal for cancer risk is  $10^{-6}$ , but that the statute also speaks to consideration of the availability of treatment technologies. Mr. Wolfe stated that this was a regulatory promulgation issue. He explained that the Dr. Cooper's overview shows why the treatment based approach, rather than a compound by compound approach should be revisited. He also indicated that uncertainty should also be a factor. There are far too many compounds for the DWQI to consider, and by the time they might evaluate them, the recommendations are outdated. He urged the Institute to ask the DEP Commissioner to go to legislature to that end. He noted that the current approach is an endless cycle of delay that never gets us to the goal, and in the meantime we are all drinking this water as a big human health experiment. Chairman Cooper noted that treatment for a specific compound with an MCL will likely also remove other compounds. He noted that he did not

disagree that there is a benefit to such an approach. Mr. Wolfe asked if the DWQI is constrained by requests from the DEP Commissioner? The Chairman stated that the DWQI is not so constrained, but that it is not within the charge of DWQI to make a recommendation with respect to the treatment approach.

- Jon Hurdle asked the Chairman to clarify what is being released for 1,2,3-TCP and PFOA. Gloria Post replied that each subcommittee report is put out for public comment and revised adjusted as needed based on comments received. After an affirmative vote, the conclusions of all of the reports are used to develop a recommended MCL which is forwarded to the Commissioner.
- Tracy Carluccio asked if the draft PFOA documents would be posted after the closed session today, within a month. The Chairman stated that attendees will get an email when documents are posted, and he reminded attendees that this is why it is important to sign in. He also indicated that notice is sent to licensed site remediation professionals. *Note: Notice is also sent to all public community water systems.* Ms. Carluccio asked when the DWQI would reconvene after the public comment period (*presumably for PFOA*). The Chairman indicated that it depended on the number and content of the comments received. Ms. Carluccio stated that the public has been waiting years, while there are 88 facilities according to DEP – greater percent than any other state in the region – that have PFOA detections - probably affecting the largest population of any state in the nation. She said that while the public greatly appreciates the process, we are blindsided by the fact that the documents were not shared today. It would be unacceptable if they are not released by the end of the year.
- Chairman Cooper thanked all in attendance and wished them a safe 4<sup>th</sup> of July.

## **6. Adjourn Public Meeting**

## **7. DWQI Technical Session with legal counsel present.**

Minutes taken by Katrina Angarone