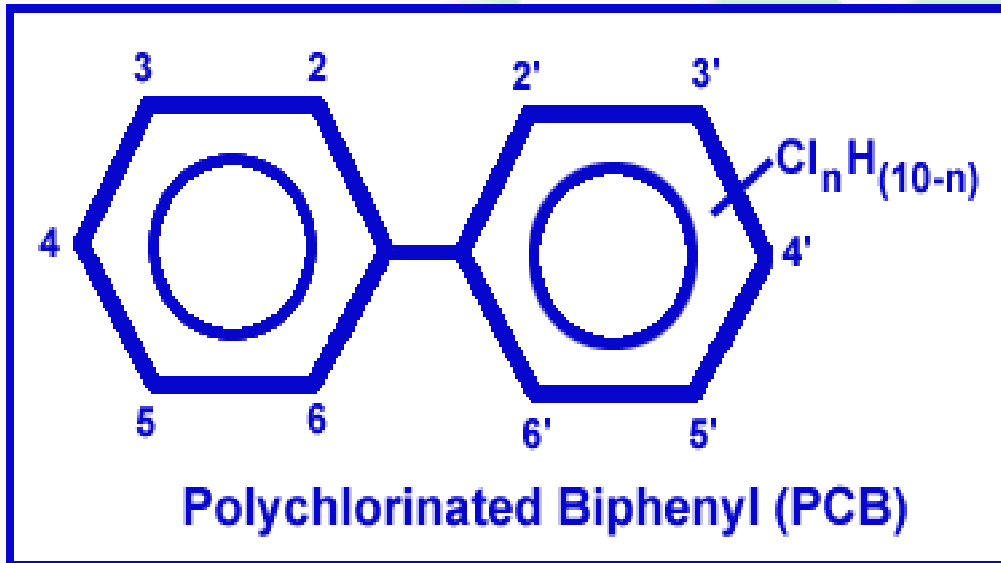


# Polychlorinated Biphenyls

40 CFR Part 761

Mike Dandurand - Region 7 PCB Coordinator



**CAUTION**  
CONTAINS  
**PCBs**  
(Polychlorinated Biphenyls)

A toxic environment contaminant requiring special handling and disposal in accordance with U.S. Environmental Protection Agency regulations 40 CFR 761—for Disposal Information contact the nearest U.S. E.P.A. Office

In case of accident or spill, call toll, free the U.S. Coast Guard National Response Center  
800:424-8802

Also Contact \_\_\_\_\_  
Tel No. \_\_\_\_\_

PCB Printed by LABELMASTER, Div. of AMERICAN LABELMARK CO., CHICAGO, IL 60646



# What are PCBs?

- Polychlorinated biphenyls
- Man-made organic chemicals
- Industrial and commercial applications



# Reinterpretation: Bulk Product Waste vs Remediation Waste

- The reinterpretation specifically addressed the definitions of bulk product and remediation waste.
- This distinction is important as it determines the appropriate cleanup requirements and disposal options.



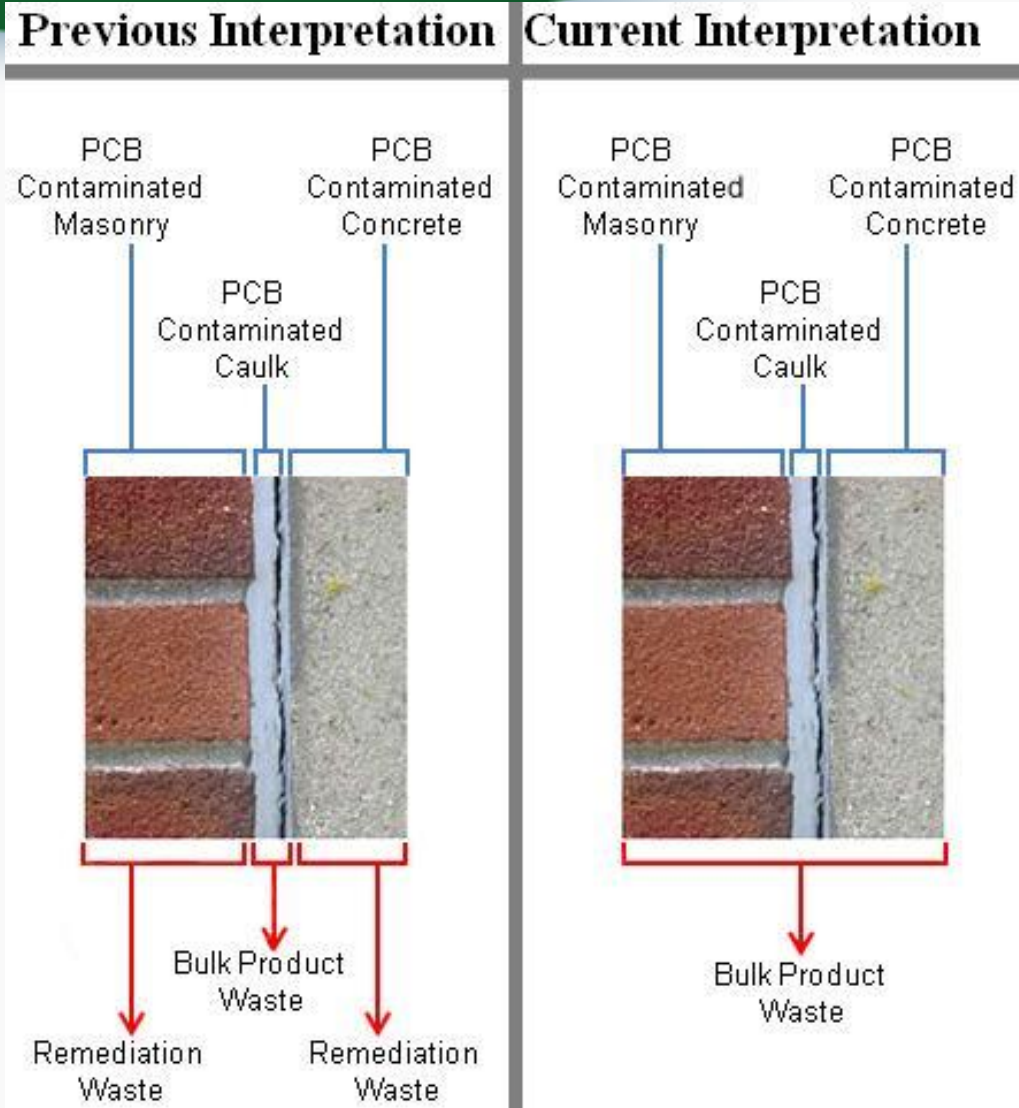
### **PCB bulk product waste:**

- Waste derived from manufactured products containing PCBs in a non-liquid state, at any concentration where the concentration at the time of designation for disposal was  $\geq 50$  ppm PCBs.
- Non-liquid bulk wastes or debris from the demolition of buildings and man-made structures manufactured, coated, or serviced with PCBs.
- **Applied dried paints**, varnishes, waxes or other similar coatings or sealants; **caulking**; **adhesives**; paper.
- **Fluorescent light ballasts** containing PCBs in the potting material.
- PCB bulk product waste does not include debris from the demolition of buildings or other man-made structures that is contaminated by spills from regulated PCBs.



## **PCB remediation waste**

- means waste containing PCBs as a result of a **spill, release, or other unauthorized disposal**... see definition for qualifiers.
- Environmental media containing PCBs, such as soil, gravel, dredged materials...
- Sewage sludge containing < 50 ppm PCBs and not in use according to § 761.20(a)(4);
- **Buildings and other man-made structures** (such as concrete floors, wood floors, or walls contaminated from a leaking PCB or PCB-Contaminated Transformer), porous surfaces, and non-porous surfaces.





## Link to the Reinterpretation Memo

- [http://www.epa.gov/epawaste/hazard/tsd/pcb\\_s/pubs/caulk/pdf/wste-memo\\_102412.pdf](http://www.epa.gov/epawaste/hazard/tsd/pcb_s/pubs/caulk/pdf/wste-memo_102412.pdf)



# Why did EPA Modify Manifest Requirements

- EPA issued the direct final rule to update and clarify several sections of the PCB regulations associated with manifesting requirements.
- The intent was to match manifesting requirements for PCBs under the TSCA to those of RCRA.
- EPA included a crosswalk between the RCRA manifest regulations and the PCB manifest regulations in the direct final rule docket.





# Revisions to Manifesting Continued

- EPA issued a direct final rule with the intent to match, as much as possible, the manifesting requirements for PCBs under TSCA to those of RCRA hazardous waste.
  - The regulations between the two were similar (e.g. both used EPA form 8700-22, the Uniform Hazardous Waste Manifest).
  - However, over the years the two had diverged in a few areas.
  - **The direct final rule took effect December 5, 2012.**
  - More information and a copy of the Federal Register can be found at this link:  
[http://www.epa.gov/wastes/hazard/tsd/pcbs/revisng\\_manifest\\_reg.htm](http://www.epa.gov/wastes/hazard/tsd/pcbs/revisng_manifest_reg.htm)



# Ship Reflagging Guidance

- EPA has developed a draft guidance document to assist ship owners in complying with Maritime Administration (MARAD) procedures for requesting a transfer of a US flagged ship to a foreign registry.
- The comment period ended on April 1, 2013.
- The ship guidance is final and should be published within a couple of weeks.
- More information can be found:
  - [http://www.epa.gov/waste/hazard/tsd/pcbs/pcb\\_shp\\_guidnce.htm](http://www.epa.gov/waste/hazard/tsd/pcbs/pcb_shp_guidnce.htm)
  - <http://www.epa.gov/region9/pcbs/pcb-ship/>



# Ship Reflagging Continued

- Identify potential sources of PCB material on-board.
- Approaches for determining the presence of regulated levels of PCBs within the potential source materials.
- Options for sampling guidelines and non-sampling guidelines.
  - Sampling should be conducted if historical information about the construction materials and manufacturers are not present.
  - Non-sampling approach may be used for situations where there is documentation that the materials used in construction did not contain PCBs



# Recycling Plastics from Shredder Residue

- TSCA section 6(e) generally prohibits the manufacture, processing, distribution in commerce and use of PCBs.
- EPA was approached by the Institute of Scrap Recycling Industries, Inc.(ISRI), regarding separation, recycling, use, and distribution of recycled plastics recovered from metals recycling facilities.
- EPA proposed an interpretation that will generally allow for recycling of plastic separated from automobile and other shredder residue.
- The comment period closed on January 11, 2013. The proposal and submitted comments may be viewed at [Regulations.gov](http://www.regulations.gov).



# Recycling Plastics from Shredder Residue

- EPA issued this interpretation relying principally on the regulatory provision for excluded PCB products at 40 CFR part 761.
- *Excluded PCB products* means PCB materials which appear at concentrations less than 50 ppm.



# Voluntary Procedures Highlights

- Source Control
  - Signage: Post prohibitions against acceptance of any materials containing >50 ppm PCBs.
  - Training: Provide employees with training to identify and remove prohibited items from the feedstock.
- Output Control
  - Monitoring Plans: Establish a plan to sample and analyze the final recycled product prior to distribution in commerce.
  - Records Maintenance: Document product distribution, communication with customers and maintain for 5 years.



# Voluntary Procedures Highlights

- Only accept materials that can be readily inspected without using equipment to separate the material.
- Baled, crushed or otherwise compacted material do not meet the requirements for recycling under these voluntary procedures\*.
- Shredder facilities may require the suppliers to provide a certification that they are aware of the PCB prohibition and that the materials they deliver do not contain PCBs above 50 ppm.
- \*Shredder facilities may accept baled, crushed or compacted material if the supplying facility implements these voluntary procedures prior to delivery.



# USWAG National Approval

- USWAG submitted a letter to EPA requesting approval to dispose of PCB remediation waste, at concentrations less than 50 ppm, in approved solid waste landfills.
- This letter included a request that EPA issue a nation wide approval, with conditions, for all USWAG members that can be applied to sites without requiring a 761.61(c) approval each time.
- The original USWAG application was submitted 2/9/09.
- The comment period ended 11/19/13.
- EPA received 18 comments.





# USWAG National Approval

- The risk-based (761.61(c)) approval would allow USWAG members to send PCB remediation waste < 50 ppm to non-TSCA landfills without waiting for site-specific approval.
- The members would have to post the approval on their websites and submit a notification to EPA each time they use the approval.
- A facility or person who would like a similar approval should contact and submit an application to their respective Region or to ORCR if they have facilities in multiple Regions.



# EPA Region 7 Contact Information

## **EPA Region 7 PCB Program Coordinator:**

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## **EPA Region 7 Alternate Contact:**

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Email: [limesand.kurt@epa.gov](mailto:limesand.kurt@epa.gov)

For More Information

<http://www.epa.gov/epawaste/hazard/tsd/pcbs/index.htm>

EPA's PCBs Toxic Substances Control Act (TSCA) Hotline: 888-835-5372