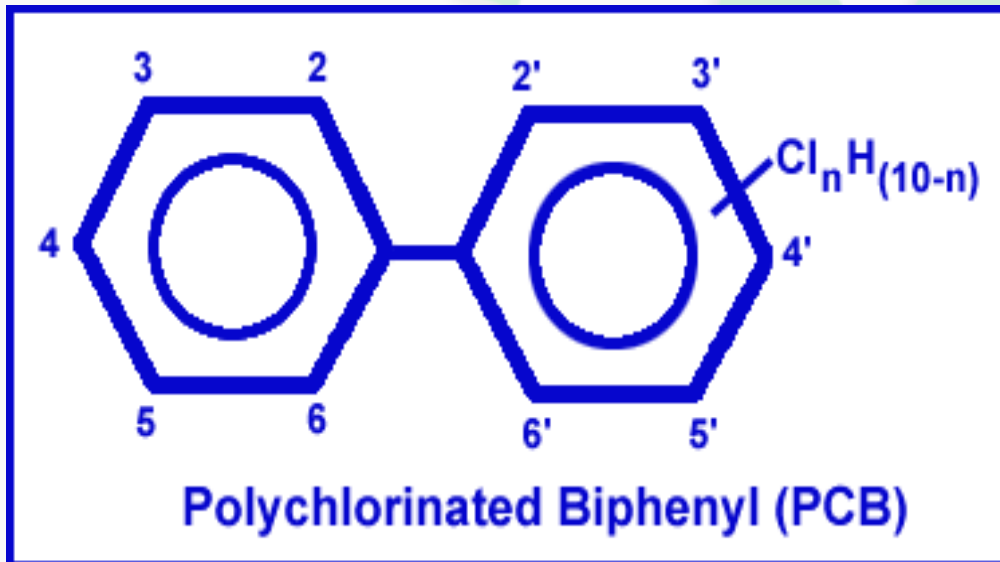


Polychlorinated Biphenyls

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 means 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 ≥ 50 ppm PCBs. PCB bulk product waste does not include PCBs or PCB Items regulated for disposal under § 761.60(a) through (c), § 761.61, § 761.63, or § 761.64. PCB bulk product waste includes, but is not limited to:

- (1) Non-liquid bulk wastes or debris from the demolition of buildings and other man-made structures manufactured, coated, or serviced with PCBs. 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 which have not been disposed of, decontaminated, or otherwise cleaned up in accordance with subpart D of this part.
- (2) PCB-containing wastes from the shredding of automobiles, household appliances, or industrial appliances.
- (3) Plastics (such as plastic insulation from wire or cable; radio, television and computer casings; **vehicle parts**; or furniture laminates); preformed or molded rubber parts and components; **applied dried paints**, varnishes, waxes or other similar coatings or sealants; **caulking**; **adhesives**; paper; Galbestos; sound deadening or other types of insulation; and felt or fabric products such as gaskets.
- (4) **Fluorescent light ballasts** containing PCBs in the potting material.



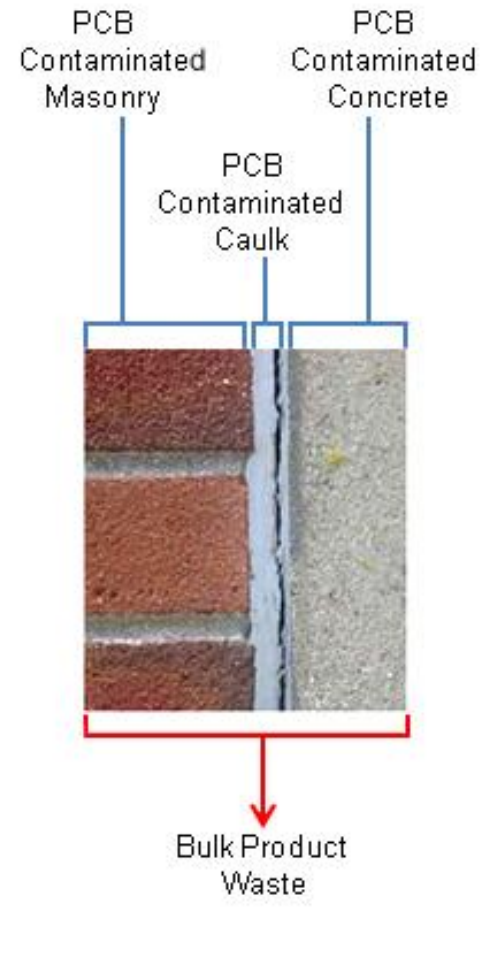
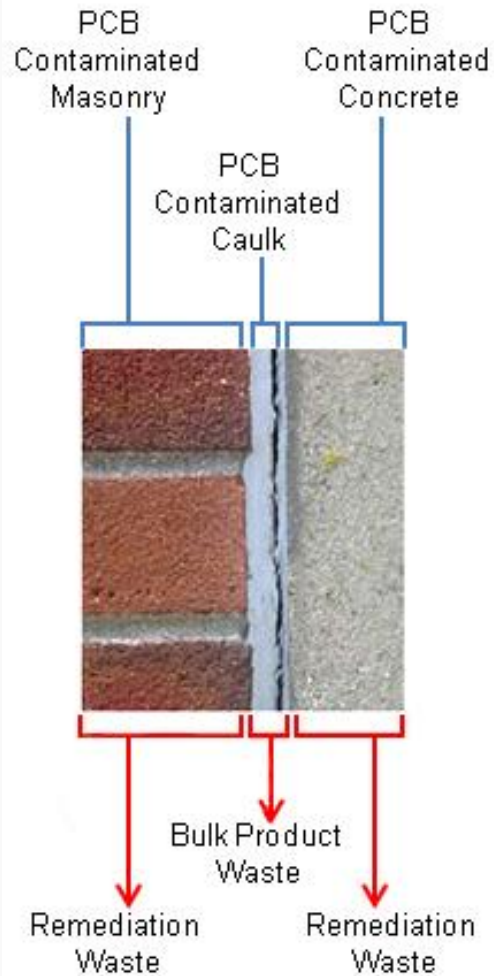
PCB remediation waste means waste containing PCBs as a result of a **spill, release, or other unauthorized disposal**, at the following concentrations: Materials disposed of prior to April 18, 1978, that are currently at concentrations ≥ 50 ppm PCBs, regardless of the concentration of the original spill; materials which are currently at any volume or concentration **where the original source was ≥ 500 ppm PCBs** beginning on April 18, 1978, or ≥ 50 ppm PCBs beginning on July 2, 1979; and materials which are currently at any concentration if the PCBs are spilled or released from a source not authorized for use under this part. PCB remediation waste **means soil, rags, and other debris** generated as a result of any PCB spill cleanup, including, but not limited to:

- (1) Environmental media containing PCBs, such as soil and gravel; dredged materials, such as sediments, settled sediment fines, and aqueous decantate from sediment.
- (2) Sewage sludge containing < 50 ppm PCBs and not in use according to § 761.20(a)(4); PCB sewage sludge; commercial or industrial sludge contaminated as the result of a spill of PCBs including sludges located in or removed from any pollution control device; aqueous decantate from an industrial sludge.
- (3) **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.



Previous Interpretation

Current Interpretation





Link to the Reinterpretation Memo

- http://www.epa.gov/epawaste/hazard/tsd/pcbs/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 accompanying proposed 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 sets of regulations had been managed by two different offices and had diverged in a few areas.
 - The Comment period closed November 5, 2012. No adverse comments on the rule were received, so **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



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.
- On June 27, 2011, Department of Transportation's (DOT) Maritime Administration (MARAD) published a Clarification in the Federal Register titled "Approval Process for Transfers to Foreign Registry of US Documented Vessels Over 1,000 Gross Tons", (76 FR 37280). The Clarification states that requests for transfer to a foreign registry of US flagged ships require vessel owners to self-certify that there are no regulated levels of PCBs on the vessel.
- The comment period ended on April 1, 2013.
- More information can be found:
 - 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.
- All loads intended for feedstock in the plastics recycling program must be, at a minimum, visually inspected.
- *Shredder facilities may accept baled, crushed or compacted material if the supplying facility implements these voluntary procedures prior to delivery.



EPA Region 7 Contact Information

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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