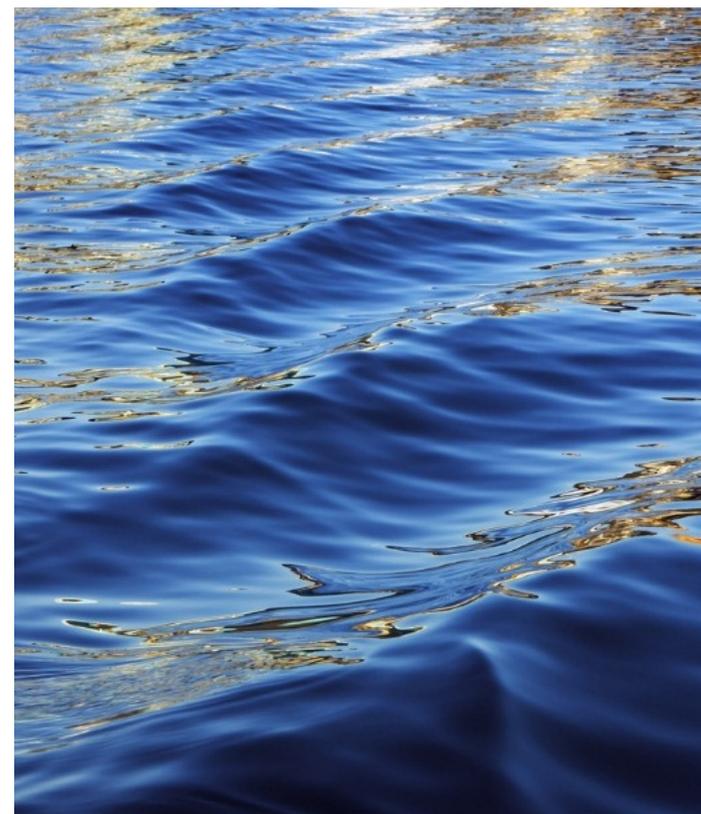


# PCBs in Region 7

PCB FAST Toolbox and Other Resources

**Annah Murray**  
PCB Coordinator  
U.S. EPA Region 7

January 29, 2020



# Some Context: Polychlorinated Biphenyls or PCBs

- **PCBs Manufactured in U.S. from 1929 to 1979**
- **Toxic Substances Control Act, or TSCA, passed by Congress in 1976**
  - TSCA Section 6(e) **banned** the manufacture and use of PCBs
  - EPA issued regulations in 1979 on the use, manufacturing, processing, distribution in commerce, cleanup, and disposal of PCBs
  - Most recent regulatory updates: 2017 Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act – Risk-based chemical assessments and a consistent source of funding
- **TSCA PCB Regulations found at 40 CFR Part 761**
- **PCB Cleanup and Disposal Program evolved separately from other cleanup and disposal programs**
  - Transferred the program to the “RCRA Office” (Office of Resource Conservation and Recovery) in 2007, but the regs stayed the same
  - Regulations regarding the use of PCBs are still managed by the TSCA program office

# Implementation of the PCB Regulations

Unlike RCRA, TSCA not delegated to states  
However TSCA is tracked in a RCRAInfo module, just like RCRA



## Key Advice

- Contact your EPA Regional PCB Coordinator **early** – as soon as you think you might have or know you have PCBs.
- *Why?*
  - Because the PCB regulations require a separate and distinct process that often requires EPA notification/approval; delays are likely if EPA is not involved early.

# Existing Resources – All things PCB

- **Comprehensive Q&A Manual**
  - Commonly asked questions on all manner of topics
- **Sampling Guidance**
  - How to sample natural gas pipeline, apply a grid sampling plan, do wipe sampling, etc.
- **Spill Cleanup Policy Guidance**
  - An enforcement policy that applies to spills less than 72 hours old
- **Checklists for 61(a) and 61(c) cleanup applications**
  - Excellent resource for those submitting cleanup plan

A more complete list of PCB guidance can be found at the EPA website under “**Learn**” at <https://www.epa.gov/pcbs>

# Existing Resources – For cleanups – TSCA FAST

- Between 2014 and 2017, U.S. EPA and stakeholders developed 25 recommendations for expediting application review for PCB cleanups. These were then used in developing and releasing the 2017 PCB Facility Approval Streamlining Toolbox (PCB FAST).
  - Designed to help responsible parties and regulators reduce delays,
  - improve communication,
  - increase efficiency,
  - manage expectations and budgets,
  - provides 4 specific tools to guide PCB-impacted sites through the regulatory requirements.
- <https://www.epa.gov/pcbs/pcb-facility-approval-streamlining-toolbox-fast-streamlining-cleanup-approval-process>
- **Tool 1: Initial Discussion with Responsible Party Checklist**
  - You don't have to know everything about your site.
  - The goal is to engage with your EPA PCB Coordinator as early as possible.
- **Tool 2: PCB Sites Cleanup Framework**
  - A conceptual site model and worksheet to guide you.
- **Tool 3: TSCA Self-Implementing PCB Cleanups Checklist – 61(a)**
- **Tool 4: TSCA Risk-Based PCB Cleanups Checklist – 61(c)**

# NEW in 2019 - Region 7 - PCB Quick Reference Guide

- One page, front and back, digital document
- Numbers to know
- Clickable map of disposal locations and contact
- Common Questions with links to relevant information
- Testing and renovation methods with links
- Clickable links to PCB FAST, regulations and more
- Cleanup options summary with helpful resources
- **See Guide for more!**

## PCB Cleanup Options

The PCB regulations include three options for management of PCB remediation waste:

①

### Self-implementing cleanup and disposal

[\[40 CFR section 761.61\(a\)\]](#)

This option links cleanup levels with the expected occupancy rates of the area or building where the contaminated materials are present.

The disposal requirements of this option vary based on the type of contaminated material and concentration of PCBs in the materials. *You must notify EPA if you intend to utilize the self-implementing option.*

★ Consider using Tool 3, TSCA Self-Implementing PCB Cleanups Checklist, provided in the [PCB Facility Approval Streamlining Toolbox \(PCB FAST\)](#) on Page 29.

②

### Performance-based disposal

[\[40 CFR section 761.61\(b\)\]](#)

Through this option, facilities:

- Dispose of contaminated non-liquid materials in a TSCA chemical waste landfill, TSCA incinerator, or in a TSCA-approved alternate disposal method,
- Decontaminate non-liquid contaminated material under TSCA-regulated decontamination procedures, or
- Dispose of non-liquid contaminated materials in a facility with a coordinated approval issued under TSCA

Section 761.61(b) only addresses disposal of PCB remediation waste. *EPA notification and approval is not required under this option; however, you are encouraged to contact your Regional PCB Coordinator with questions.* Facilities are required to follow any manifesting, transportation and storage requirements that may apply.

Materials left on site > 1 ppm PCBs would still have TSCA obligations for those remaining materials.

③

### Risk-based cleanup and disposal

[\[40 CFR section 761.61\(c\)\]](#)

This option allows for a site-specific approval to sample, cleanup or dispose of PCB remediation waste in a manner other than the self-implementing or the performance-based disposal options. *This option requires you to obtain an approval from EPA based on a finding that the proposal will not present an unreasonable risk of injury to health or the environment.*

★ Consider using Tool 4, TSCA Risk-Based PCB Cleanups Checklist, provided in the [PCB Facility Approval Streamlining Toolbox \(PCB FAST\)](#) on Page 39.

# NEW in 2019 – Applicants Guidance for Incinerators and Alt. Tech.

- The 2019 [\*Guidance for Applicants Requesting To Treat/Dispose of PCBs Using Incineration or an Alternative Method\*](#) is an update to two versions from 1986.
- It is for persons applying to EPA for approval to dispose of PCBs using thermal and non-thermal alternative methods ([40 CFR 761.60\(e\)](#)) or incineration ([§ 761.70](#)).
- The update modernizes the document format and puts all of the relevant existing policies in one place. The document presents and discusses the format, content and level of detail necessary for:
  - Approval applications;
  - Trial burn and demonstration (demo) test plans; and
  - Test reports.
- For more information, including the draft and final versions of the guidance, visit the [Docket EPA-HQ-OLEM-2018-0305 on regulations.gov](#).

GUIDANCE FOR APPLICANTS REQUESTING  
TO TREAT/DISPOSE OF PCBs USING  
INCINERATION OR AN ALTERNATIVE  
METHOD

[A WALK-THROUGH OF THE APPLICATION PROCESS](#)

Office of Resource Conservation and Recovery  
Office of Land and Emergency Management  
U.S. Environmental Protection Agency

# Coming in 2020 – PCB Extraction Rule Making

- EPA is pursuing a Rulemaking to allow for more flexibility in the allowable extraction methods for PCB wastes.
- We are currently working on a proposed rulemaking that we will publish for public comment. We would then consider public comments in promulgating a final rulemaking.
- The proposed rulemaking will appear in the next Semiannual Regulatory Agenda, set to come out sometime between April-June 2020. The Regulatory Agenda will include additional information on this Rulemaking, as well as a preliminary schedule. **Please keep a look out for this information.**
- To access EPA's most recent Regulatory Plan and Semiannual Regulatory Agenda, please reference this website: <https://www.epa.gov/laws-regulations/regulatory-agendas-and-regulatory-plans>.



# Questions?

**Annah Murray**

PCB Coordinator

U.S. EPA Region 7

913-551-7895

[Murray.Annah@epa.gov](mailto:Murray.Annah@epa.gov)

