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# **Polychlorinated Biphenyl Inspection Manual**

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## **Disclaimer**

The purpose of this manual is to provide inspectors with an in-depth knowledge of the Toxic Substances Control Act (TSCA) Polychlorinated Biphenyl (PCB) inspection process. The mention of trade names, commercial products, or organizations does not imply endorsement by the U.S. Government.

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## Glossary of Terms

**Bushing:** a rigid conductor that is placed between the transformer-winding leads and the external conductor. Usually consists of a solid copper rod surrounded by porcelain.

**Destructive sample:** a discrete sample such as a piece of wood, paving, or brick (EPA Field Manual for Grid Sampling of PCB Spill Sites to Verify Cleanup.)

**Destructive sampling:** using chisels, drills, and/or hole saws, to remove sufficient sample for analysis.

**High-concentration PCBs (as defined in §761.123):** PCBs that contain 500 ppm or greater PCBs, or those materials which EPA requires to be assumed to contain 500 ppm or greater PCBs in the absence of testing.

**Investment Casting Wax:** wax used to either cast small models of precious metals (mostly jewelry) or larger parts of steel, titanium, or alloys (precision casting).

**Liquid PCBs (as defined in §761.3):** a homogenous flowable material containing PCBs and no more than 0.5 percent by weight non-dissolved material.

**Low-concentration PCBs (as defined in §761.123):** PCBs that are tested and found to contain less than 500 ppm PCBs, or those PCB-containing materials which EPA requires to be assumed to be at concentrations below 500 ppm (i.e., untested mineral oil dielectric fluid).

**NPCD:** National Program Chemicals Division.

**Network Transformer:** transformers hooked up in parallel systems so that if one transformer fails another one will pick up the load.

**Non-liquid PCBs (as defined in §761.3):** materials containing PCBs that by visual inspection do not flow at room temperature (25 °C or 77 °F) or from which no liquid passes when a 100 g or 100 ml representative sample is placed in a mesh number 60 ±5 percent paint filter and allowed to drain at room temperature for 5 minutes.

**PCB and PCBs (as defined in §761.3):** any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contains such substance. Refer to §761.1(b) for applicable concentrations of PCBs. PCB and PCBs as contained in PCB items are defined in §761.3. For any purposes under this part, inadvertently generated non-Aroclor PCBs are defined as the total PCBs calculated following division of the quantity of monochlorinated biphenyls by 50 and dichlorinated biphenyls by 5.

**PCB Article (as defined in §761.3):** any manufactured article, other than a PCB Container, that contains PCBs and whose surface(s) has been in direct contact with PCBs. "PCB Article" includes capacitors, transformers, electric motors, pumps, pipes and any other manufactured item (1) which is formed to a specific shape or design during manufacture, (2) which has end use function(s) dependent in whole or in part upon its shape or design during end use, and (3) which has either no change of chemical composition during its end use or only those changes of composition which have no commercial purpose separate from that of the PCB Article.

**PCB Article Container (as defined in §761.3):** any package, can, bottle, bag, barrel, drum, tank, or other device used to contain PCB Articles or PCB Equipment, and whose surface(s) has not been in direct contact with PCBs.

**PCB bulk product waste (as defined in §761.3):** 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. 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. Items are defined in §761.3. For any purposes under this part, inadvertently generated non-Aroclor PCBs are defined as the total PCBs calculated following division of the quantity of monochlorinated biphenyls by 50 and dichlorinated biphenyls by 5.
- (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 Capacitor (as defined in §761.3):** any capacitor that contains  $\geq 500$  ppm PCB. Concentration assumptions applicable to capacitors appear under §761.2.

**PCB Container (as defined in §761.3):** any package, can, bottle, bag, barrel, drum, tank, or other device that contains PCBs or PCB Articles and whose surface(s) has been in direct contact with PCBs.

**PCB-Contaminated Electrical Equipment (as defined in §761.3):** any electrical equipment including, but not limited to, transformers (including those used in railway locomotives and self-propelled cars), capacitors, circuit breakers, reclosers, voltage regulators, switches (including sectionalizers and motor starters), electromagnets, and cable, that contains PCBs at concentrations of  $\geq 50$  ppm and  $< 500$  ppm in the contaminating fluid. In the absence of liquids, electrical equipment is PCB-Contaminated if it has PCBs at  $> 10 \mu\text{g}/100 \text{ cm}^2$  and  $< 100 \mu\text{g}/100 \text{ cm}^2$  as measured by a standard wipe test (as defined in § 761.123) of a non-porous surface.

**PCB Equipment (as defined in §761.3):** any manufactured item, other than a PCB Container or a PCB Article Container, which contains a PCB Article or other PCB Equipment, and includes microwave ovens, electronic equipment, and fluorescent light ballasts and fixtures.

**PCB Household Waste (as defined in §761.3):** PCB waste that is generated by residents on the premises of a temporary or permanent residence for individuals (including individually owned or rented units of a multi-unit construction), and that is composed primarily of materials found in wastes generated by consumers in their homes. PCB household waste includes unwanted or discarded non-commercial vehicles (prior to shredding), household items, and appliances or appliance parts and wastes generated on the premises of a residence for individuals as a result



of routine household maintenance by or on behalf of the resident. Bulk or commingled liquid PCB wastes at concentrations of  $\geq 50$  ppm, demolition and renovation wastes, and industrial or heavy duty equipment with PCBs are not household wastes.

**PCB Item (as defined in §761.3):** any PCB Article, PCB Article Container, PCB Container, PCB Equipment, or anything that deliberately or unintentionally contains or has as a part of it any PCB or PCBs.

**PCB Transformer (as defined in §761.3):** any transformer that contains  $\geq 500$  ppm PCBs. For PCB concentration assumptions applicable to transformers containing 1.36 kilograms (3 lbs.) or more of fluid other than mineral oil, see §761.2. For provisions permitting reclassification of electrical equipment, including PCB Transformers, containing  $\geq 500$  ppm PCBs to PCB-Contaminated Electrical Equipment, see § 761.30(a) and (h).

**PCB Waste(s) (as defined in §761.3):** those PCBs and PCB Items that are subject to the disposal requirements of subpart D of this part.

**Posing an Exposure Risk to Food/Feed (as defined in §761.3):** being in any location where human food or animal feed products could be exposed to PCBs released from a PCB Item. A PCB Item poses an exposure risk to food or feed if PCBs released in any way from the PCB Item have a potential pathway to human food or animal feed. EPA considers human food or animal feed to include items regulated by the U.S. Department of Agriculture or the Food and Drug Administration as human food or animal feed; this includes direct additives. Food or feed is excluded from this definition if it is used or stored in private homes.

**Radial Transformer:** transformers hooked up in a single line method, and if the transformer fails, the load is not picked up by another transformer.

**Recloser:** circuit breakers with an automatic close feature, which are used to minimize outage time when temporary problems occur.

**Retrofill (as defined in §761.3):** to remove PCB or PCB-contaminated dielectric fluid and to replace it with either PCB, PCB-contaminated, or non-PCB dielectric fluid.

**Self-implementing Clean-up:** applicable for sites one acre or smaller (definition of moderately sized site). This method includes: site characterizations, notification to Regional Administrator or Director of State and/or local government environmental agency, and clean up levels have to be followed according to 40 CFR 761.61(a)(4).

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## Foreword

EPA developed this inspection manual to guide inspectors in conducting inspections to ensure compliance with regulations promulgated under section 6(e) of the Toxic Substances Control Act (TSCA) pertaining to polychlorinated biphenyls (PCBs). The pertinent regulations are found at Part 761 of Title 40 of the Code of Federal Regulations (CFR). This manual contains frequent citations to the regulations; all citations, unless otherwise noted, are to Title 40 of the CFR.

The manual gives inspectors an overview of the regulations they will use in determining compliance. EPA case development/enforcement personnel make the ultimate determination of where a violation has occurred.

Inspectors need to refer to the regulations as well as the manual. Appendices supplement information in the manual. The chapters and appendices of the manual are summarized below:

**Chapter One - PCBs: Facts** contains an introduction, including a brief discussion of PCBs and an overview of the PCB regulations.

**Chapter Two - Pre-Inspection Activities** contains general pre-inspection preparation procedures.

**Chapter Three - Inspection Procedures** contains general inspection procedures, entry and opening conference procedures, records assessment and verification, disposal provisions, storage assessment, and closing conference procedures. Inspectors should use this chapter in conjunction with Chapter Five, which covers specific regulatory requirements.

**Chapter Four - Equipment-Specific Information** presents an overview of PCB-containing equipment that an inspector is likely to encounter during a PCB inspection. This chapter includes general background information on the equipment, the locations of such items in the economic sector, and a partial list of manufacturers and trade names. Regulations applicable to such equipment are contained in Chapter Five.

**Chapter Five - Regulatory Requirements and Inspection Procedures** details the key general regulatory provisions that apply to PCBs, PCB Items, and facilities. Such provisions pertain to authorized activities (e.g., use and servicing), marking, decontamination, and general recordkeeping and reporting. In addition, this chapter contains inspection procedures for documenting compliance/noncompliance with such provisions. For provisions applicable to the commercial disposal and storage facilities (e.g., incinerators and chemical waste landfills), see the appendices.

**Chapter Six - Sampling** is necessary to supplement documented evidence of potential violations of the PCB regulations by determining the presence and concentration of PCBs. This chapter includes guidelines for sampling, priorities sampling, and procedures for sample collection and documentation.

**Chapter Seven - Post-Inspection Activities** discusses the Inspection Report and provides guidance and tips for writing the report.

**Appendices.** There are 17 appendices. Appendix A contains blank forms for Notice of Inspection, TSCA Inspection Confidentiality Notice, and Declaration of Confidential Business Information. Appendix B is the “Role of the EPA Inspector in Providing Compliance Assistance During Inspections.” Appendix C is a large PCB mark at the actual size of six inches by six inches. Appendix D contains the Fiscal Year 2004 Inspection Conclusion Data Sheet Reporting Forms and an accompanying memorandum. Appendix E contains a comprehensive listing of PCB manufacturers and the trade names for PCB materials. Appendix F addresses the use and distribution of PCBs in underground mines and mine-specific training and safety considerations for inspectors. Appendix G discusses requirements pertaining to PCBs in natural gas pipelines. The inspector should refer to the appendix appropriate for the specific type of facility. Appendix H contains the manufacturer’s models and serial numbers of submersible pump units that contain PCBs. The next five appendices address specific disposal methods and storage facilities subject to the regulations:

- ! Appendix I: Incinerators,
- ! Appendix J: Chemical Waste Landfills,
- ! Appendix K: High-Efficiency Boilers,
- ! Appendix L: Alternative Disposal Methods (as authorized by EPA), and
- ! Appendix M: Scrap Metal Recovery Ovens and Smelters

Appendix N contains a table from Part 761 that outlines the procedures for reclassifying retrofilled PCB Transformers.

Appendix O includes blank sample seals and a blank chain-of-custody form.

Appendix P is Department of Transportation Hazardous Materials Training, which is applicable to the handling, packaging, and shipping of hazardous material samples.

Appendix Q provides guidance for inspectors in appearing as a witness in court.

# Chapter One

## PCBs: Facts

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## 1.0 PCBs: Facts

### 1.1 Background

Polychlorinated biphenyls (PCBs) are synthetic organic chemical compounds (aromatic hydrocarbons) produced by substituting chlorine atoms for the hydrogen atoms on a biphenyl molecule. PCBs have ideal properties for industrial applications. They are one of the most stable synthetic compounds known, are inflammable, are resistant to breakdown, and exhibit low electrical conductivity. PCBs can also extend the temperature range of operating fluid and can provide long-lasting heat at a consistent temperature. Accordingly, the majority of PCBs manufactured in the U.S. were used in electrical equipment because their properties made them ideal dielectric and heat transfer fluids. PCBs were used widely in transformers, transformer bushings, capacitors, voltage regulators, hydraulic systems, small PCB capacitors in fluorescent light ballasts, and heat transfer systems. In addition, PCBs were sometimes used in electrical cable, switches, breakers, vacuum pumps, gas turbines, natural gas pipelines, carbonless copy paper, paints, adhesives, caulking compounds, and investment casting wax.

Extensive research has shown a link between PCBs and various human health effects (acute and chronic), including the formation of malignant and benign tumors, fetal deaths, reproductive abnormalities, mutations, liver damage, and skin irritation (chloracne). In addition, experiments have shown that PCBs attack the immunological system and affect the production of enzymes.

PCBs are pervasive throughout the environment. Measurable amounts of PCBs have been found in soils, water, fish, milk of nursing mothers, and human tissue. In addition to being a known hazard to humans, PCBs also present a serious threat to the environment. PCBs have an affinity to be adsorbed onto organic matter and sediments and have been found in significant concentrations in waterways and sediments throughout the world. They are widely spread contaminants of fish and wildlife resources because of their pronounced tendency to bioconcentrate in the tissues or lipids of living organisms. PCBs are highly toxic to aquatic organisms in relatively low concentrations. The following is a list of potential PCB contamination scenarios.

- ! Spills
  - Maintenance operations
  - Decontamination operations
  - Transport operations
  - Draining, refilling operations
  - Contamination of waste oil
  - Drainage systems, storm water systems, discharge points, sumps, and areas adjacent to surface waters
  - Disconnection/disassembly of railroad transformers
  - Lack of spill containment provisions in work pits/servicing areas

- Poor housekeeping practices.
- Improper storage.
  
- ! Leaks
  - Normal wear of equipment in service (e.g., valves, gaskets, and fittings)
  - Malfunctioning equipment
  - Dismantling/reassembly of equipment
  - Damaged equipment
  - Cracked or damaged transformer bushings
  - Containers used for storage and transport
  - Equipment stored for disposal or reuse.
  
- ! Improper storage of PCB-containing and/or PCB-contaminated equipment.
  
- ! Illegal importation of PCBs.
  
- ! Inadvertent manufacture of PCBs during chemical processing.
  
- ! Low Level of Worker Knowledge of Hazards
  - Spread of contamination through insufficient protective clothing and equipment
  - Improper handling techniques
  - Improper disposal of defective PCB-containing and/or PCB-contaminated equipment.
  
- ! Other
  - Contaminated waste liquids
  - Contaminated rags, filter media, and debris gathered during cleanup operations
  - Contaminated parts
  - Contaminated soil
  - PCBs discarded prior to TSCA regulations
  - Fires.

The number and location of the chlorine atoms attached to the biphenyl ring determine the physical properties and characteristics of the PCB congener. Generally, commercial PCBs tend to be viscous and heavy (11 to 13 pounds per gallon), but also may be solid and waxy. In the United States, the only large producer of PCBs was Monsanto Chemical Company, which manufactured them from 1929 to 1975 under the name Aroclor™. Monsanto Chemical Company assigned a four-digit number to each Aroclor PCB product. The last two numbers indicate the approximate percentage by weight of chlorine (for example, Aroclor 1260 is approximately 60 percent chlorine by weight).



## 1.2 Overview of TSCA Section 6

In recognition of the risks associated with PCBs and their spread throughout the environment, under section 6(e) of the Toxic Substances Control Act (TSCA) of 1976, it is the intent of Congress that EPA regulate the manufacturing, processing, distribution in commerce, use, and disposal of PCBs.<sup>1</sup>

Section 6 states that “no person may manufacture, process, or distribute in commerce or use any [PCB] in any manner other than in a totally enclosed manner” as of one year after the effective date of TSCA (i.e., as of January 1, 1978). However, the EPA Administrator “may by rule authorize the manufacture, processing, distribution in commerce or use (or any combination of such activities) of any [PCB] in a manner other than in a totally enclosed manner if the Administrator finds that such [activities] will not present an unreasonable risk of injury to health or the environment.” Under section 6, a “totally enclosed manner” means any manner that “will ensure that any exposure of human beings or the environment to a [PCB] will be insignificant as determined by the Administrator.”

Section 6 sets additional deadlines after which no person may manufacture, process or distribute in commerce PCBs, regardless of whether in a totally enclosed manner or not. Section 6 states that “no person may manufacture any polychlorinated biphenyl after two years after the effective date” of TSCA (i.e., after January 1, 1979), and that “no person may process or distribute in commerce any polychlorinated biphenyl after two and one-half years” after the effective date of TSCA (i.e., after July 1, 1979). However, “any person may petition the Administrator for an exemption from [the prohibitions above], and the Administrator may grant by rule such an exemption” if the Administrator finds that such an activity will not result in an unreasonable risk to human health or the environment and that good faith efforts have been made to develop a substitute chemical substance that does not pose an unreasonable risk to health and the environment. Section 6 states that such exemptions shall be in effect for a specified period not more than one year.

Under section 6, Congress required EPA to promulgate regulations prescribing methods for the disposal of PCBs. Congress also mandated that EPA require clear and adequate markings, warnings, and instructions with respect to the processing, distribution in commerce, use, and disposal of PCBs.

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<sup>1</sup> Polychlorinated terphenyls (PCTs) were also manufactured and are similar in properties to PCBs. Although PCTs are not covered by the regulations, most were contaminated with up to 10,000 ppm PCBs and, therefore, are regulated.

Regulations promulgated pursuant to section 6 of TSCA are summarized below. Guidance on conducting PCB inspections to ensure compliance with key provisions of the regulations is provided throughout the manual.

EPA regulations implementing section 6 of TSCA are found at 40 CFR Part 761. All citations to the regulations are to Title 40 unless otherwise noted. The following is a summary of regulatory actions concerning PCBs and a brief overview of major components of the regulations. For more detail on regulatory provisions, see Chapter Five.

Regulations concerning PCBs have evolved over a number of years. EPA promulgated its initial PCB rule under section 6(e) on February 17, 1978 (43 *Federal Register* 7150). This rule prohibited the manufacture, processing, distribution in commerce, or use of any substance containing intentionally manufactured PCBs with concentrations of 50 parts per million (ppm) or more, except in a manner that is "totally enclosed" or unless other uses are specifically authorized by the Administrator.

EPA has amended the PCB regulations several times, including:

- ! **Ban Rule:** On May 31, 1979, EPA promulgated Interim Procedural Rules for Exemptions from the PCB Processing and Distribution in Commerce Bans.
- ! **Electronic Equipment Rule:** On August 25, 1982, EPA promulgated this rule, addressing totally enclosed PCB use.
- ! **Fires Rule:** On July 19, 1988, EPA promulgated the PCBs in Electrical Transformers Rule.
- ! **Notification and Manifesting Rule:** On December 21, 1989, EPA promulgated this rule, requiring notification of PCB activity, manifesting, and other recordkeeping requirements.
- ! **Approval Criteria for Commercial Storage of PCBs for Disposal:** On November 9, 1993, EPA promulgated Criteria for Granting Approval for Commercial Storage of PCBs for Disposal.
- ! **Import Rule (overturned):** On March 18, 1996, EPA promulgated regulations allowing the importation of PCBs for disposal at 50 ppm or greater under certain circumstances. These regulations were superceded by the June 29, 1998 amendments, which removed the language allowing such imports.

- ! **Disposal of Polychlorinated Biphenyls (PCBs) or “Mega Rule”:** On June 29, 1998, EPA promulgated a major revision to the PCB regulations, often referred to as the Mega Rule. The revisions covered many aspects of PCB use and disposal, including revisions of:
- PCB Registration to EPA Headquarters
  - Prohibitions and exemptions
  - Marking requirements
  - Storage for disposal requirements
  - Disposal requirements
  - Transboundary (international) shipment of PCBs for disposal
  - Records and monitoring requirements
  - Certificate of Disposal deadlines
  - 30-day storage inspection.

The revisions included new requirements to address:

- The assumed concentration of PCBs where actual data are unavailable
  - Storage for reuse
  - Waste handling
  - PCB spill cleanup requirements
  - Sampling procedures for several types of projects
  - Decontamination procedures.
- ! **Reclassification of PCB and PCB-Contaminated Electrical Equipment:** On April 2, 2001, EPA promulgated a rule regarding the reclassification of PCB and PCB-Contaminated electrical equipment.
- ! **Polychlorinated Biphenyls; Manufacturing (Import) Exemptions:** On January 31, 2003, EPA promulgated manufacturing (import) exemptions.
- ! **Polychlorinated Biphenyls (PCBs); Use of Porous Surfaces, Amendment in Response to Court Decision:** On June 20, 2003, EPA amended the regulations regarding the use of porous surfaces in response to a court decision that stated that the regulatory language was unclear.

In general, TSCA and the PCB regulations are designed to ban the manufacture of PCBs and ensure the proper disposal of PCBs and PCB Items, while minimizing the risk posed by the storage, use, and handling of the substance. The PCB regulations apply to any substance, mixture, or item with a concentration of 50 ppm PCBs or greater or with a concentration below 50 ppm that resulted from dilution. There are certain exceptions; for example, the regulations restrict the marketing and burning of used oil containing any quantifiable PCB level (2 ppm) and prohibit the use of waste oil that contains any detectible concentration of PCBs as a sealant, coating, or dust control agent. Some of the major provisions of the PCB regulations include:

- ! General (Subpart A). In addition to identifying who is regulated, establishing definitions, and listing reference documents, this subpart prescribes the assumed PCB

concentrations, for regulatory purposes, of various articles (such as oil filled capacitors) for which the actual PCB concentration is unknown.

- ! Prohibitions/Authorizations (Subpart B). There are numerous prohibitions on the use of PCBs or PCB Items in a manner other than in a totally enclosed manner; on the manufacture of PCBs for use within the United States or for export; and on the processing and distribution of PCBs and PCB Items for use within the United States or for export. However, the regulations also establish numerous exceptions and authorized activities (e.g., where "non-totally enclosed" activities may be conducted). Such authorizations pertain to the use of PCBs and servicing of PCBs in various PCB Equipment, such as transformers, capacitors, natural gas pipelines, and hydraulic systems; the manufacturing of certain products with inadvertent, low-concentration production of PCBs; and the use of sewage sludge with PCBs where such sludge use is regulated by other parts of 40 CFR. Owners of PCB Transformers must register the transformers with EPA. Owners of PCB Articles may store them for reuse subject to storage area specifications, maximum storage periods, and/or recordkeeping requirements.
- ! Marking (Subpart C). Specified items including PCB Equipment (e.g., heat transfer systems using PCBs, PCB large low voltage capacitors, and storage areas used to store PCBs/PCB Items) must bear markings warning of PCBs in accordance with prescribed formats. The regulation does not require PCB-contaminated electrical equipment to be marked.
- ! Storage and Disposal (Subpart D). Regulations govern storage (for reuse or disposal) and disposal of PCBs, PCB waste, and PCB Items, including PCB Articles (e.g., transformers, capacitors, and hydraulic machines) and PCB Containers. The subpart includes separate sections that set out disposal requirements and allowed disposal methods for PCB remediation waste, PCB bulk product waste, and PCB waste from research and development activities. The regulations exempt PCB household waste from regulatory requirements. The regulations also set out requirements applicable to PCB waste and PCB Items in storage for disposal and decontamination of various surfaces. Further regulatory sections specify requirements for each disposal method, including incineration, high-efficiency boilers, scrap metal recovery ovens and smelters, and chemical waste landfills. PCB disposal and PCB commercial storage facilities must obtain written final approval to operate facilities.
- ! Exemptions (Subpart E). This subpart grants exemptions to specific companies or groups of companies for the manufacture, processing, and distribution in commerce of PCBs for specified purposes, including microscopy, research and development, and laboratory sampling and analysis.
- ! Transboundary Shipments of PCBs for Disposal (Subpart F). EPA prohibits the importation of PCBs for disposal without an exemption issued under the authority of TSCA section 6(e)(3). EPA prohibits the exportation of PCBs for disposal at concentrations greater than or equal to 50 ppm. Shipments that leave the United States only as part of their transit from one part of the United States to another are not considered exports or imports. Shipments passing through from Canada to Mexico or vice versa are not considered exports or imports.

- ! Recordkeeping/Reporting (Subpart J). Owners and operators of facilities with PCBs and PCB Items in service or projected for disposal, commercial storage facilities of PCB waste, incineration facilities, chemical waste landfill facilities, high efficiency boiler facilities, importers, facilities generating PCBs in excluded manufacturing processes, and facilities that manufacture, import, process, distribute in commerce, or use chemicals containing inadvertently generated PCBs must comply with recordkeeping and reporting requirements. Some types of data for which records may be required to be kept include PCB weights; the identification and numbers of items; storage, transfer, and disposal dates; and the identification of shippers and receivers.
- ! PCB Waste Disposal Records and Reports (Subpart K). Some generators and all transporters, storers, and disposers of PCB wastes must notify EPA that they are engaging in such activity, and obtain an identification number from EPA. When a PCB waste generator sends such wastes offsite, the generator, transporter, and disposer must prepare and maintain manifests identifying the waste and tracking the dates and parties involved in the disposal process. The disposer must prepare a Certificate of Disposal and send it to the generator identified on the manifest. The subpart also includes recordkeeping requirements and procedures for cases in which manifests or Certificate of Disposal are not prepared by one of the parties in a transaction.
- ! Sampling and Decontamination Procedures for Wastes and Surfaces (Subparts M through T). These subparts set out recommended procedures for sampling PCBs in various wastes and surfaces, including sample site and size selection, sample collection, analytical requirements, and interpretation of results. The regulations also set out a method for decontaminating non-porous surfaces and requirements for studies of new decontamination solvents.

### 1.3 Overview of TSCA Confidential Business Information

During the course of TSCA PCB inspections, inspectors may encounter information which may be entitled to confidential treatment under TSCA Section 14 and EPA regulations (40 CFR Part 2). This section of the Statute and the regulations are designed to protect confidential business information (CBI) from unauthorized disclosure. CBI includes information considered to be trade secrets (including chemical identity, process, formulation, or production data) that could damage a company's competitive position if it became public. Inspectors must be cleared to handle CBI, however inspectors who have not been cleared to handle CBI can still inspect a facility. Many PCB facilities do not have any CBI information.

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