

**HTRW Center of Expertise
Environmental Regulatory
Fact Sheet 99-04**

PCB Storage Requirements

Purpose

PCB regulatory amendments were published in the Federal Register on 29 June 1998. The rule contains multiple new requirements for managing PCBs. The purpose of this fact sheet is to discuss the storage requirements under the new rule.

Summary of Requirements

PCBs removed from service are stored either for reuse, temporary storage prior to disposal (30 days or less), or long term storage prior to disposal (more than 30 days, less than 1 year). Storage for reuse is found in 40 CFR 761.35 and storage for disposal is located at 40 CFR 761.65. A summary for each is provided, as shown.

Storage for Reuse

Previously, PCB Articles removed from service and stored for reuse could be stored indefinitely, without restrictions. The final rule has added a new section (§761.35) that specifically regulates PCB articles that are being stored for potential reuse.

PCB articles may be Stored for Reuse under the following conditions:

- a. Storage without meeting the requirements of §761.65(b) (conforming storage requirements) for up to five years by complying with the following conditions:
 - (1) The five year period is calculated from the date the item is removed from service or from the effective date of the final rule (28 Aug 98), whichever is first.
 - (2) Follow the use requirements at 761.30
 - (3) Comply with marking requirements at Subpart C (761.40). Mark PCB equipment not previously marked.
 - (4) Maintain records identifying the storage dates, projected servicing, and potential future use.

- b. EPA can grant additional storage periods upon written request for an extension. The item-by-item justification for the desired extension must be submitted at least 6 months before the 5-year storage for reuse period expires.

Record retention requirements under 761.180(a) (Annual Document Log) must be met.

c. Indefinite storage:

- (1) Storage can occur indefinitely in a unit/area that meets PCB storage facility design requirements in compliance with §761.65(b),
- (2) A unit/area permitted under section 3004 of RCRA to manage hazardous wastes in containers, or
- (3) A unit/area permitted under section 3006 of RCRA to manage hazardous waste.

Temporary Storage for Disposal:

EPA allows temporary storage of the following types of PCBs for up to 30 days, provided a notation is attached indicating the date the Article/Equipment was removed from service:

- Non-leaking PCB articles and PCB equipment.
- Leaking articles and equipment packaged in non-leaking containers with adsorbent.
- Non-liquid PCBs in containers
- Liquid PCBs greater than or equal to 50 ppm packaged in Department of Transportation containers provided a Spill Prevention Control and Countermeasure Plan has been prepared for the temporary storage area.
- All PCB Items in storage shall be checked for leaks at least once every 30 days.
- Records of inspections, maintenance, cleanup and disposal must be maintained in accordance with Section 761.180(a) and (b).

Bulk PCB remediation waste or PCB bulk product waste may be stored at the clean-up site or site of generation for 180 days if

- the waste is placed in a pile and protected from the elements.
- the waste will not generate leachate through decomposition or other reactions;
- the storage site has a liner to prevent migration of wastes.

Long Term Storage for Disposal:

EPA has eased some of the storage requirements under 761.65. Facilities storing PCB waste beyond 30 days now have longer storage limitations, as discussed below:

- Additional one year extension to the one year storage for disposal if the following conditions are met:

- Notification justifying a need for an extension received 30 days before the initial 1-year time limits expire by the Regional Administrator for the region in which the PCB waste is stored;
 - Written record documenting all attempts to secure disposal, and records available for inspection or submission if requested by EPA;
 - Continuing attempts to secure disposal are initiated within 270 days after waste was first subject to the 1-year storage for disposal requirement;
 - Failure to initiate and continue attempts to secure disposal throughout the total time the waste is in storage will automatically disqualify the notifier from receiving an automatic extension.
- The Regional Administrator (RA) or Headquarters, EPA, may authorize additional extensions beyond the 1-year extension if the requester provides the following information:
 - Specific justification for additional extensions.
 - Specific information on measures being taken to secure disposal of the waste, or
 - Indicates why the waste could not be disposed of during the extension period.

Also, the RA or HQ EPA may require specific conditions for additional extensions, i.e., marking, inspection, recordkeeping or financial assurance.

Mixed PCB/Radioactive Waste:

Mixed PCB/radioactive waste is exempt from the one-year limit until a disposal technology becomes available (provided that the waste disposal attempts are documented and maintained in accordance with the rule).

Storage for Disposal Facilities:

EPA now allows flexibility in the type of facilities that can store PCB waste. The types of facilities that can now store PCB waste include:

- Facilities permitted by EPA under Section 3004 of RCRA to manage hazardous waste in containers and spills of PCBs are cleaned up in accordance with the Spill Cleanup Policy.
- Facilities that qualify for interim status under Section 3005 of RCRA to manage hazardous waste in containers.
- Facilities permitted by a State authorized under Section 3006 of RCRA to manage hazardous waste in containers.
- Facilities certified under a TSCA coordinated approval.

Reference:

For additional details, see 63 Federal Register 35383, 29 June 1998, Disposal of Polychlorinated Biphenyls.

Point of Contact:

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