Policy and Guidance for Polychlorinated Biphenyl (PCBs)

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Useful Links Related to PCB Policy and Guidance

- Cleanup of PCB Remediation Waste
- PCBs in Ships

General Resources for PCB Issues

The PCB Question and Answer (Q&A) Manual is a good place to start when researching EPA policy and guidance on PCB regulations. The PCB Question and Answer Manual covers the breadth of PCB regulations, including the use, cleanup, and disposal of PCBs.

The Manual is revised and updatedperiodically. Be sure to check the EPA website for updates instead of relying on a single hard copy. Each update or revision will be denoted with an "As of..." date, which will not change until the next revision is made.

The Manual also provides PCB responses to comment documents that were developed for several rulemakings, as well as a wide range of other PCB topics including the following:

- 2004 Supplemental Response to Comments Document on the Proposed Rule - Disposal of PCBs
- 1998 Response to Comments Documents
- 1994 Q&As Document

PCB Sampling

The Sampling Guidance for 40 CFR 761 subparts M, O, P and R gives visual guidance to help users understand how to sample certain types of PCB waste (e.g., natural gas pipelines, PCB remediation waste after cleanup, non-porous surfaces, and PCB bulk product waste).

Fluorescent Light Ballasts (FLB) Disposal

PCBs were commonly used in the small capacitor within fluorescent light ballasts. Ballasts manufactured through 1979 may contain PCBs.

PCB containing ballasts become a concern if they are leaking or they will be removed and disposed of as hazardous waste.

According to EPA Toxic Substances Control Act (TSCA) regulations, the material must be incinerated. The entire lighting fixture does not need special handling and disposal as long as the ballast (electrical box) is not leaking. The non-leaking ballasts can be removed and recycled or disposed of properly.

PCB-containing FLBs that are currently in use have exceeded their designed life span. Sudden rupture of PCB-containing FLBs may pose health hazards to the occupants and is difficult and costly to clean up.

EPA recommends removing PCB-containing FLBs from buildings as soon as possible to prevent potential inhalation or dermal exposure. Even intact PCB-containing FLBs may emit small amounts of PCBs into the air during normal use.

Removal of PCB-containing FLBs, as part of lighting upgrades or a stand-alone project, is an investment that may pay off with long-term benefits to students, school staff, the community, and the environment.

- TSCA Disposal Requirements for Fluorescent Light Ballasts
- Proper Maintenance, Removal, and Disposal of PCB-Containing Fluorescent Light Ballasts

Recycling Plastics from Shredder Residue

EPA is interpreting its PCB regulations under the TSCA to generally allow for recycling of plastic separated from automobile and other shredder residue.

The Agency believes this interpretation responds to stakeholder interest in the use and distribution of recycled plastics from shredder residue recovered from metals recycling facilities.

Furthermore, it is the Agency's position that recycling material that would otherwise become waste can generate a host of environmental and economic benefits while protecting people's health.

- EPA's Interpretation on Recycling Plastics from Shredder Residue

Real Estate Contaminated with PCBs

The TSCA generally prohibits the distribution in commerce of PCBs. Previous to 2003, the Agency interpreted this statutory prohibition to apply to the sale of real property contaminated with PCBs if the contamination occurred after 1978.

For the reasons set forth in the memorandum, the Agency reexamined this interpretation and determined that it is not required under TSCA. Check out EPA's Interpretation of Change in Ownership of Real Property Contaminated with PCBs.

PCB Site Revitalization Guidance

The PCB Site Revitalization Guidance Under the TSCA provides information on PCB waste including the following:

- characterizing
- cleaning up
- containing
- and disposing of

Examples include soil and other debris generated as a result of any PCB spill cleanup. The document may be useful to Brownfields grant recipients or others revitalizing old properties that involve PCB cleanups under TSCA.

The Guidance discusses the factors that must be considered when determining appropriate cleanup levels, like the type of PCB waste or the intended use of the Brownfields site.

The Guidance also discusses the requirements for verifying that cleanup standard have been met and for establishing deed restrictions where necessary as well as the options available for disposing of PCB wastes.

In addition, other relevant TSCA PCB requirements are mentioned, such as covering/capping PCB-contaminated areas, waste storage, waste container marking, manifesting and recordkeeping requirements.

This guidance does not replace or supplant the requirements of the TSCA PCB regulations, nor does it establish a presumption against enforcement should any violations of PCB cleanup and disposal regulations be discovered.

For specific regulatory and legal requirements, please refer to the PCB regulations at 40 CFR Part 761 (PDF).

You can also contact the appropriate EPA Regional PCB Coordinator if you have more questions concerning acceptable remediation practices.

- Federal Register Notice for PCB Site Revitalization Guide

Planning for PCB Waste Management after Natural Disasters

Planning for PCB-Containing Debris provides suggestions to local emergency planning committees and local governments on planning for the management of damaged, PCB-containing electrical equipment and materials contaminated with PCBs.

These incidents can occur as a result of PCB spills or other environmental releases during an emergency situation caused by a natural disaster.

For emergency responders, the document describes TSCA regulations that apply to damaged, PCB-containing electrical equipment, and the approaches under TSCA to assess, clean up and dispose of materials contaminated with PCBs.

PCB Penalty Policy

When EPA identifies violations of the PCB provisions of TSCA, EPA responds to such violations in accordance with the April 9, 1990 PCB Penalty Policy.

The purpose of the PCB Penalty Policy is to ensure that penalties for violations of the various PCB regulations are fair, uniform and consistent, and to deter people from committing PCB violations.

The policy implements a system for determining penalties in administrative civil actions brought pursuant to section 16 of the TSCA. Penalties are determined in two stages: (1) determination of a "gravity based penalty" (GBP), (2) adjustments to the gravity based penalty.

To determine the GBP, the following factors affecting a violation's gravity are considered:

- The "nature" of the violation
- The extent of potential or actual environmental harm from a given violation
- The circumstances of the violation

Treatment of Waste Containing PCBs

EPA received a letter from US Ecology in November 2016 asking about the need for a TSCA PCB approval for a facility that is conducting treatment on PCB-containing waste under RCRA, prior to land disposal. EPA responded to US Ecology clarifying the intersection between the PCB regulations and the RCRA regulations with regard to specific forms of treatment. Although the letter is specific to US Ecology's circumstances, we believe it will be helpful to many facilities that handle both RCRA and TSCA PCB wastes.

- EPA's Response Letter to US Ecology Regarding Treatment of Waste Containing PCBs

Guidance about Planning for Polychlorinated Biphenyl Containing Disaster Debris

As a result of recent natural disasters, questions have arisen regarding the assessment, cleanup, and disposal of Polychlorinated Biphenyls (PCBs) during and immediately after an emergency situation caused by a natural disaster. This document supplements the Environmental Protection Agency's "Planning for Natural Disaster Debris Guidance" to provide more detailed information on the management of PCB-containing disaster debris in emergency situations that arise from natural disasters.

- Planning for Polychlorinated Biphenyl Containing Disaster Debris

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