

<u>SUBJECT</u>		<u>DATE</u>
1056. PCB Reporting and Recordkeeping Relief	ENCORE	JAN 12, 2014
1057. Commercial Chemical Products and Unused Batteries	ENCORE	JAN 16, 2014
1058. PCB Annual Records Retention Timeframes		JAN 31, 2014
1059. Satellite Accumulation within a ≤90-day Accumulation Area		FEB 7, 2014
1060. PCB Certificate of Disposal Relief	ENCORE	FEB 13, 2014
1061. Used Oil and Weekly Inspections		FEB 20, 2014
1062. Bags and RCRA Container Definition		FEB 27, 2014
1063. Product Storage Tank Residues and Hazardous Waste Regulations	ENCORE	MAR 6, 2014
1064. Spent Lead-Acid Batteries and Accumulation Time Limits		MAR 13, 2014
1065. Land Disposal Restrictions and Dates of Accumulation		MAR 23, 2014
1066. Universal Waste Accumulation Time Limits and the One Year Rule		MAR 29, 2014
1067. PCB Manifest Discrepancy Reports and Estimated Waste Weights		APR 6, 2014
1068. PCB Wastes, Independent Transporters and Confirmation of Receipt		APR 10, 2014
1069. Paint Wastes and The Applicability of the F001-F005 Listings to Ingredients	ENCORE	APR 20, 2014
1070. Other Paint Wastes and the Applicability of the F001-F005 Listings	ENCORE	APR 24, 2014
1071. Multiple Characteristic Hazardous Waste Codes and Underlying Hazardous Constituents		MAY 1, 2014
1072. TSCA "No PCBs" versus "Non-PCBs" versus "Nondetectable PCBs"	ENCORE	MAY 8, 2014
1073. Purpose of Keeping a Hazardous Waste Container Closed	ENCORE	MAY 15, 2014
1074. PCB Containers and Multiple Removed From Service Dates		MAY 22, 2014
1075. Satellite Accumulation and RCRA Personnel Training		MAY 29, 2014
1076. Transporter Signatures on Hazardous Waste Manifest and Multiple Drivers		JUN 5, 2014
1077. Universal Waste and Nonhazardous Batteries		JUN 12, 2014
1078. Universal Waste and Incandescent Bulbs		JUN 19, 2014
1079. The PCB Mark and the Fields "Also Contact" and "Tel No"	ENCORE	JUN 29, 2014
1080. Halon Fire Extinguishers - Banned or Not Banned?	ENCORE	JUL 5, 2014
1081. Cabinets as RCRA Containers	ENCORE	JUL 13, 2014
1082. LDR Storage Prohibitions and Treated Wastes	ENCORE	JUL 17, 2014
1083. LDR Treatment Standards and F001 "Chlorinated Fluorocarbons"	ENCORE	JUL 24, 2014
1084. RCRA Regulatory Status of Chlorinated Fluorocarbons Used as Refrigerants	ENCORE	JUL 31, 2014
1085. Universal Wastes, Manifesting and DOT Shipping Names		AUG 7, 2014
1086. CERCLA Hazardous Substances – A Brief Definition		AUG 14, 2014
1087. CERCLA Hazardous Substances – The Petroleum Exclusion		AUG 21, 2014
1088. PCB Concentration Assumptions for Use vs. PCB Disposal	ENCORE	AUG 28, 2014

**DISCLAIMER** - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

## TWO MINUTE TRAINING

**TO:** CH2M HILL PLATEAU REMEDIATION COMPANY

**FROM:** PAUL W. MARTIN, Senior Environmental Compliance Officer  
CHPRC Environmental Protection, Hanford, WA

**SUBJECT:** PCB CONCENTRATION ASSUMPTIONS FOR USE VS. PCB DISPOSAL

**DATE:** AUGUST 28, 2014

<u>CHPRC Projects</u>	<u>CH PRC - Env. Protection</u>	<u>MSA</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Richard Austin Tania Bates Ty Blackford Bob Cathel Rene Catlow Richard Clinton Larry Cole John Dent Brian Dixon Eric Erpenbeck Tom Gilmore Stuart Hildreth Mike Jennings Stephanie Johansen Dan Kimball Jeanne Kisielnicki Melvin Lakes Jim McGrogan Stuart Mortensen Dean Nester Dave Richards Phil Sheely Connie Simiele Roni Swan Michael Waters Jeff Westcott Jeff Widney	Brett Barnes Ron Brunke Bill Cox Lorna Dittmer Rick Engelmann Jim Leary Dale McKenney Rick Oldham Linda Petersen Fred Ruck Jennie Seaver Wayne Toebe Lee Tuott Daniel Turlington Dave Watson Joel Williams	Jerry Cammann Jeff Ehlis Garin Erickson Lori Fritz Panfilo Gonzales Jr. Darlene Hagel Dashia Huff Mark Kamberg Edwin Lamm Candice Marple Saul Martinez Matt Mills Anthony Nagel Jennifer Ollero Jon Perry Thomas Pysto Phillip Rogers Don Rokkan Lana Strickling Lou Upton Christina Zerby	Alan Campbell Grant McCalmant  <u>DOE RL, ORP, WIPP</u>  Mary Beth Burandt Cliff Clark Mike Collins Tony McKarns Ellen Mattlin Greg Sinton Scott Stubblebine	Bill Bachmann Dean Baker Scott Baker Lucinda Borneman Paul Crane Tina Crane Greta Davis Jeff DeLine Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Joe Fritts Rob Gregory Gene Grohs James Hamilton Andy Hobbs Ryan Johnson Megan Lerchen Richard Lipinski Charles (Mike) Lowery Michael Madison Terri Mars Cary Martin Steve Metzger Tony Miskho Tom Moon Chuck Mulkey Judith Nielsen Mandy Pascual Kirk Peterson Jean Quigley Mark Rollison Dan Saueressig Merrie Schilperoort Joelle Stamm	Glen Triner Greg Varljen Julie Waddoups Kyle Webster Ted Wooley

**DISCLAIMER** - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

## TWO MINUTE TRAINING

**SUBJECT:** PCB Concentration Assumptions for Use vs. PCB Disposal

**Q:** A customer has several small transformers containing <3 pounds of fluid. The customer has been using the PCB concentration assumptions for use at 40 CFR 761.2(a)(1) which basically allow any person to assume that transformers with < 3 pounds of unestablished fluid have a PCB concentration of < 50 ppm. The customer now wants to dispose of the transformers that have been assumed to be <50 ppm PCBs. Can the customer continue to assume the transformers are <50 ppm PCBs and dispose as PCB nonregulated wastes?

**A:** Per TSCA EPA's January 2009 Version of the Revisions to the PCB Question and Answer Manual on page 6 it states:

**“Q: Do the PCB concentration assumptions in §761.2 apply to use, storage and disposal, or only use?”**

**A:** *The assumptions apply to use and to storage for reuse. They do not apply to disposal or to storage for disposal. For example, if you are the owner of a transformer manufactured before July 2, 1979, that contains  $\geq 3$  pounds of fluid other than mineral oil at an unknown concentration, while the transformer is in use you must assume it is a PCB Transformer, i.e., that it contains  $\geq 500$  ppm PCBs. Once you decide to dispose of the transformer, you are no longer required to assume that it is a PCB Transformer. You must know the concentration at the time of disposal in order to assure compliance with the regulations. However, if you place the transformer into storage for disposal without having determined its concentration, EPA recommends that you store it as if it contains PCBs at regulated levels to avoid a violation.”*

The example given by EPA ( $\geq 3$  pounds of fluid) does not apply to the customer's situation; however, the main points of EPA's answer do apply. The assumptions for use apply to use and to storage for reuse; and you must know the concentration of PCBs at the time of disposal to comply with 40 CFR 761.

Therefore, our customer cannot assume that their transformers with <3 lbs of fluid are <50 ppm PCBs at the time of disposal and per 40 CFR 761.2(c) the customer must test the fluid or use manufacturer's information and service records to document the concentration PCBs.

### SUMMARY:

- The PCB concentration assumptions for use at 40 CFR 761.2 apply to use and to storage for reuse.
- Once a PCB item is removed from service for disposal, the PCB concentration assumptions for use do not apply and the PCB concentrations must be known at the time of disposal.
- PCB items destined for disposal must have their PCB concentrations established per 40 CFR 761.2(c) by testing, or by manufacturer's information and service records.

40 CFR 761.2 and excerpts from the January 2009 PCB Q&A Manual are attached to the e-mail. If you have any questions, please contact me at “Paul\_W\_Martin@rl.gov” or at (509) 376-6620.

**FROM:** Paul W. Martin

**DATE:** 8/28/14

**FILE:** c:\...\2MT\2014\082814.rtf

**PG:** 1

**DISCLAIMER** - “Two Minute Training” (“2MT”) is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.

## TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** PCB Concentration Assumptions for Use vs. PCB Disposal

### §761.2 PCB concentration assumptions for use

(a)

(1) Any person may assume that transformers with < 3 pounds (1.36 kilograms (kgs)) of fluid, circuit breakers, reclosers, oil-filled cable, and rectifiers whose PCB concentration is not established contain PCBs at < 50 ppm.

(2) Any person must assume that mineral oil-filled electrical equipment that was manufactured before July 2, 1979, and whose PCB concentration is not established is PCB-Contaminated Electrical Equipment (i.e., contains  $\geq 50$  ppm PCB, but < 500 ppm PCB). All pole-top and pad-mounted distribution transformers manufactured before July 2, 1979, must be assumed to be mineral-oil filled. Any person may assume that electrical equipment manufactured after July 2, 1979, is non-PCB (i.e., < 50 ppm PCBs). If the date of manufacture of mineral oil-filled electrical equipment is unknown, any person must assume it to be PCB-Contaminated.

(3) Any person must assume that a transformer manufactured prior to July 2, 1979, that contains 1.36 kg (3 pounds) or more of fluid other than mineral oil and whose PCB concentration is not established, is a PCB Transformer (i.e.,  $\geq 500$  ppm). If the date of manufacture and the type of dielectric fluid are unknown, any person must assume the transformer to be a PCB Transformer.

(4) Any person must assume that a capacitor manufactured prior to July 2, 1979, whose PCB concentration is not established contains  $\geq 500$  ppm PCBs. Any person may assume that a capacitor manufactured after July 2, 1979, is non-PCB (i.e., < 50 ppm PCBs). If the date of manufacture is unknown, any person must assume the capacitor contains  $\geq 500$  ppm PCBs. Any person may assume that a capacitor marked at the time of manufacture with the statement "No PCBs" in accordance with §761.40(g) is non-PCB.

(b) PCB concentration may be established by:

(1) Testing the equipment; or

(2)

(i) A permanent label, mark, or other documentation from the manufacturer of the equipment indicating its PCB concentration at the time of manufacture; and

(ii) Service records or other documentation indicating the PCB concentration of all fluids used in servicing the equipment since it was first manufactured.

[63 FR 35436, June 29, 1998, as amended at 64 FR 33759, June 24, 1999]

## TWO MINUTE TRAINING - ATTACHMENT

**SUBJECT:** PCB Concentration Assumptions for Use vs. PCB Disposal

### January 2009 Version Revisions to the PCB Q and A Manual

#### §761.2 Assumptions

General

**1. Q: Do the PCB concentration assumptions in §761.2 apply to use, storage and disposal, or only use?**

A: The assumptions apply to use and to storage for reuse. They do not apply to disposal or to storage for disposal. For example, if you are the owner of a transformer manufactured before July 2, 1979, that contains  $\geq 3$  pounds of fluid other than mineral oil at an unknown concentration, while the transformer is in use you must assume it is a PCB Transformer, i.e., that it contains  $\geq 500$  ppm PCBs. Once you decide to dispose of the transformer, you are no longer required to assume that it is a PCB Transformer. You must know the concentration at the time of disposal in order to assure compliance with the regulations. However, if you place the transformer into storage for disposal without having determined its concentration, EPA recommends that you store it as if it contains PCBs at regulated levels to avoid a violation.

**2. Q: Can I dispose of equipment manufactured after July 2, 1979, without testing to determine if it is non-PCB?**

A: No. The PCB concentration assumptions in §761.2 apply only while the equipment is in use. At the time of disposal you must know the equipment's actual PCB concentration.

**3. Q: If PCBs are not used in an authorized manner and are released, can the assumptions in these sections still be made?**

A: No, for two reasons. First, the assumptions apply only to authorized uses. Second, the assumptions only apply while the equipment is in use or stored for reuse. They do not apply to PCBs that have spilled or been otherwise released from the equipment.

**4. Q: Can I clean up a spill from a transformer manufactured after 1979 assuming the PCB concentration of the spill is <50 ppm? Similarly, can I clean up a spill from a transformer containing less than 3 pounds of PCBs assuming the concentration is <50 ppm?**

A: No. The PCB concentration assumptions in §761.2 apply only while the equipment is in use or stored for reuse. At the time of disposal you must know the equipment's actual PCB concentration. The concentration assumptions do not apply to PCBs that have spilled or been otherwise released from the equipment.

**FROM:** Paul W. Martin

**DATE:** 8/28/14

**FILE:** c:\...\2MT\2014\082814.rtf

**PG:** 3

**DISCLAIMER** - "Two Minute Training" ("2MT") is a peer-to-peer communication, presented to share the benefit of the author's work experience with other professionals, who can independently evaluate his analysis. 2MT does not necessarily reflect the opinions, conclusions or policies of the author's past or current employers or the US Department of Energy. The author's employers do not take any responsibility for the accuracy of its conclusions. 2MT is not intended to be used as authoritative guidance or direction by any person or entity. Anyone transmitting or reproducing it is prohibited from modifying its content, this disclaimer, or other text, or republishing it independent of its original source.