

Transfer of the PCB Cleanup and Disposal Program from OPPTS to OSWER Fact Sheet

What action is the Agency taking?

In an effort to improve program and administrative efficiencies, EPA is transferring management of the PCB cleanup and disposal program to the Office of Solid Waste and Emergency Response (OSWER), with an expected effective date of October 1, 2007. The PCB program is currently administered by the Office of Prevention, Pesticides and Toxic Substances (OPPTS).

Why is the Agency taking this action?

OSWER is the office within EPA that manages most cleanup and disposal activities. OSWER provides policy guidance and direction for:

- safely managing waste;
- preparing for and preventing chemical and oil spills;
- responding to accidents and emergencies; and
- cleaning up and reusing contaminated property.

Moving the PCB cleanup and disposal activities to OSWER is a natural fit, since it will group together similar activities in one office.

When will this transfer take place?

The President's FY 2008 budget includes the transfer of the PCB cleanup and disposal program. The transfer is expected to be effective on October 1, 2007.

What sections of the PCB regulations will move to OSWER?

In general, all of the sections of the PCB regulations at 40 CFR 761 relating to cleanup and disposal will be administered by OSWER.

- Cleanup and Disposal of PCBs – 40 CFR 761.50 and 40 CFR 761.60
 - PCB Remediation Waste – 40 CFR 761.61
 - PCB Bulk Product Waste – 40 CFR 761.62
 - PCB Household Waste – 40 CFR 761.63
 - Research and Development Waste – 40 CFR 761.64
- Marking that applies to cleanup and disposal – 40 CFR 761.40 and 40 CFR 761.45
- Storage of PCBs for Disposal – 40 CFR 761.65 (to include financial assurance)
- Incineration of PCBs – 40 CFR 761.70
- High Efficiency Boilers – 40 CFR 761.71
- Scrap Metal Recovery Ovens – 40 CFR 761.72
- Chemical Waste Landfills – 40 CFR 761.75
- Coordinated Approvals – 40 CFR 761.77
- Decontamination of PCBs – 40 CFR 761.79

- Import/Export for disposal – 40 CFR 761 Subpart F
- PCB Spill Cleanup Policy – 40 CFR 761 Subpart G
- Recordkeeping and Reporting requirements that apply to cleanup and disposal – 40 CFR 761 Subpart J
- PCB Waste Disposal Records and Reports (to include PADS database) – 40 CFR 761 Subpart K
- 40 CFR 761 Subparts M, N, O, P, Q, R, S, T (Sampling subparts)

What sections of the PCB regulations will stay in OPPTS?

In general, all of the PCB regulations at 40 CFR 761 relating to the use of PCBs will be administered by OPPTS. OPPTS will maintain the following sections of the PCB regulations:

- PCB Concentration Assumptions for Use – 40 CFR 761.2
- PCB Use Authorizations – 40 CFR 761.30 (excluding .30(p)-(u))
- PCB Storage for Reuse – 40 CFR 761.35
- Open Burning at Army Ammunition Facilities
- Marking that applies to Use – 40 CFR 761.40 and 40 CFR 761.45
- Import/export for use
- Recordkeeping and Reporting requirements that apply to use – 40 CFR 761 Subpart J

How will this transfer take place?

In the coming months, EPA will publish a procedural rule to move the administration of the TSCA PCB cleanup and disposal regulations from OPPTS to OSWER with an expected effective date of October 1, 2007.

How can I learn more?

OPPTS will work closely with OSWER and EPA's regional offices during 2007 to ensure a smooth transfer of the PCB program's regulatory history and current projects. Updates and information will be posted as they become available on EPA's website at <http://www.epa.gov/pcb>.

Who can I contact for more information?

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