

GUIDANCE FOR COORDINATED APPROVAL OF POLYCHLORINATED BIPHENYL (PCB) SITES



**Florida Department of Environmental Protection
District & Business Support Program**

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1.0 APPLICABILITY

Polychlorinated biphenyls (PCBs) are regulated under the federal Toxic Substances Control Act (TSCA). Since the TSCA program cannot be delegated to the States, U.S. EPA Region 4 (USEPA) and the Florida Department of Environmental Protection (FDEP) have agreed to enter into a Memorandum of Agreement (MOA) to maximize use of the PCB Coordinated Approval provision set forth in 40 CFR § 761.77. Although both FDEP and USEPA approvals are required for PCB contaminated sites, in some instances a coordinated approval is appropriate. As discussed in the MOA, not all sites impacted with PCBs are eligible for coordinated approval under this MOA. Sites are categorized into three types of sites based on concentration of PCBs in the source material, the year of the discharge, and/or the concentrations of PCBs found in the site soil. The intent of this guidance is to help determine if a site is eligible for the MOA (i.e. site Type C), and to provide technical guidelines to help Responsible Parties (RPs) meet both federal and state requirements concurrently.

This guidance is intended to be supplemental guidance for people managing PCB impacted sites under FDEP. Section 2 of the guidance provides a summary of the different PCB site types to help determine if a PCB impacted site is eligible for the MOA. More specific details on the different site categories is provided in the actual MOA. Section 3 of this guidance calls attention to some differences in the TSCA and FDEP cleanup requirements. TSCA and FDEP regulations are still required to be met, but by meeting the stricter of the cleanup requirements both federal and state requirements can be met in tandem. Templates of an initial notification letter and a PCB Coordinated Approval Order are included as Sections 3 and 4 to help facilitate communication between the RP, FDEP, and USEPA. An overview of the PCB remediation process and additional resources are also included in this guidance in Sections 5 and 6.

2.0 MEMORANDUM OF AGREEMENT SITE TYPES

Three categories of sites are considered for PCB cleanup. Specific criteria to determine the category of the site and agency review for a site are identified in this section. The screening criteria is used to determine whether a PCB site will be subject to approval for remedial actions under FDEP and USEPA review and approval outside of the PCB MOA (Type A), under FDEP review and approval only (Type B), or under FDEP and USEPA review and approval under the PCB MOA (Type C). Once an appropriate determination has been made regarding the category of site involved, FDEP and USEPA will determine the procedures for a proper investigation, cleanup and disposal of the contamination. The three types of sites are defined in the MOA and include:

- Type A: PCB sites not subject to coordinated review and approval under the MOA, but subject to FDEP and USEPA review and approval outside of the MOA. The MOA is not applicable to Type A categorized sites. Type A sites include sites with:
 - Widespread sediment impacts;
 - Sewers or sewage treatment systems;

- Private or public drinking water sources;
 - RP has not met FDEP's Standard Operating Procedures (SOPs); or,
 - Under existing federal authority.
- Type B: PCB sites are generally not subject to TSCA Section 6(e) and are only subject to FDEP review and approval. The MOA is not applicable to Type B categorized sites. Type B sites include:
 - Releases prior to 1978 and PCBs <50 parts per million (ppm);
 - Releases between 04/18/1978 and 07/02/1979 and source PCBs between 50 and 500 ppm;
 - Releases between 04/18/1978 and 07/02/1979 and PCBs < 50 ppm; or,
 - Releases after 07/02/1979 and source PCBs < 50 ppm.
 - Type C: PCB sites subject to FDEP review and approval under the MOA, with USEPA TSCA Section 6(e) coordinated review and approval. The MOA is applicable to Type C categorized sites, which include sites with:
 - Releases prior to 04/18/1978 and PCBs ≥ 50 ppm;
 - Releases between 04/18/1978 and 07/02/1979 and source PCBs ≥ 500 ppm and site concentrations ≥ 50 ppm; or,
 - Releases after 07/02/1979 and the source PCBs ≥ 50 ppm.

The following table summarizes the PCB site categories.

PCB SITE CATEGORIES

PCB Discharge Concentration ¹	Discharge Date			
	Prior to April 18, 1978	April 18, 1978 to July 2, 1979		After July 2, 1979
< 50 ppm	Type B	Type B		Type B
50 – 500 ppm	Type C	Type B ²	Type C ³	Type A or C
> 500 ppm	Type C	Type A or C		Type A or C

Note:

ppm – parts per million

- 1 – The discharge concentration is different than the concentration of PCBs detected in soil. If the discharge concentration is unknown (i.e. the source is unknown), the site should be considered Type A or C, unless FDEP and USEPA agree it is Type B.
- 2 – Source PCBs between 50 and 500 ppm.
- 3 – Source PCBs ≥ 500 ppm and site concentrations ≥ 50 ppm.

3.0 PCB CLEANUP REQUIREMENTS

It is important to note that FDEP PCB cleanup requirements and TSCA PCB cleanup requirements are slightly different. The requirements of 40 CFR § 761 and Chapter 62-701 and 62-780, F.A.C., are both required. In the event of a conflict between EPA and FDEP requirements for cleanup, the stricter requirement of the two programs should be followed in order to satisfy both programs. The following table provides a summary of TSCA and FDEP PCB requirements. The bolded requirements are the stricter requirement of the two programs and should be followed.

Cleanup Criteria	TSCA Requirement	FDEP Requirement
Are there specific laboratory requirements?	Ultrasonic (EPA SW 846 Method 3550C) or the preferred Soxhlet (EPA SW-846 Method 3540C) extraction methods.	NELAP certified laboratory for EPA Method 608 or 8082.
Are there specific groundwater sampling requirements?	Groundwater should be collected from wells as close to the PCB exceedance as possible and analyzed for PCBs, and Method 8260 VOCs, including but not limited to chlorobenzenes, PCE and TCE.	Same as TSCA.
What are cap requirements?	A minimum of 10-inches of soil, or a minimum of 6-inches of concrete or asphalt.	Two feet of clean fill, or an impermeable surface.
Are non-porous surfaces sampled?	Yes, non-porous samples are collected by dividing the surface into roughly square portions approximately 6 feet on each side (2 meters).	No, non-porous surfaces are typically not sampled.

Cleanup Criteria	TSCA Requirement	FDEP Requirement
Is there a specific number of samples required?	A minimum of three samples per PCB remediation waste location for each type of bulk PCB remediation waste or porous surface is required. For example, if there is soil and gravel, both soil and gravel would require three samples for a total of six samples. There is no upper limit.	A minimum of one soil sample in the suspected area of PCB contamination is required. Additional soil sampling may be necessary based on the sampling results for delineation.
Is composite sampling allowed?	Yes.	No, soil sampling should be done in accordance with Chapter 62-780, F.A.C., based on a surface discharge and soil samples should be discrete or collected using Incremental Sampling Methodology (ISM).
Where should soil samples be collected?	Soil borings should initially be located where the PCB was discovered (regardless of ground cover) and then followed by step out borings as necessary to delineate lateral and vertical extent.	Same as TSCA.
What are the cleanup target levels for PCBs?	Groundwater = 0.5 µg/L Soil = 1 mg/kg	Groundwater = 0.5 µg/L Soil = 0.5 mg/kg Saturated soil = 1 mg/kg* *FDEP does not have a promulgated saturated soil CTL. Therefore, the USEPA CTL is the default saturated soil CTL.

Cleanup Criteria	TSCA Requirement	FDEP Requirement
Do saturated soils need to be sampled?	Yes, soil should be collected into the water table to obtain vertical delineation.	No, sampling saturated soil is not typically performed.
What are the soil sample depths?	TSCA does not require specific vertical PCB sampling intervals.	Discrete soil samples should be sampled from land surface to six inches, six inches to two feet, and two-foot intervals thereafter to the extent necessary to delineate PCB.
Are porous samples required?	Yes, if asphalt or concrete (or any surface that allows PCBs to penetrate) are present where PCB impacts are located a sample from zero to 6-inches should be collected. See USEPA SOP for Sampling Porous Surfaces for PCBs (2011).	FDEP has a Contaminated Surface Sampling SOP (FS 8100).
How should PCBs be disposed?	Disposal requirements are included in CFR 761.60 and are dependent on the concentration of PCBs and the media (i.e. liquids, articles, etc.). The requirements are quite lengthy depending on source/concentration it may be necessary to consult with EPA prior to disposal.	Per 62-701, F.A.C., disposal of liquids containing a PCB, or non-liquid PCBs in the form of contaminated soil, rags, or other debris, may be restricted or prohibited by 40 CFR Part 761. Persons managing PCBs are advised to consult that federal regulation before attempting to dispose of PCBs in any solid waste disposal unit in this state.

4.0 NOTIFICATION LETTER TEMPLATE

<https://floridadep.gov/waste/district-business-support/documents/pcb-notification-letter-template>

5.0 PCB COORDINATED APPROVAL ORDER TEMPLATE

<https://floridadep.gov/waste/district-business-support/documents/request-coordinated-approval-letter-template>

6.0 ADDITIONAL RESOURCES

Commonly Asked Question:

<https://www.epa.gov/pcbs/polychlorinated-biphenyl-pcb-question-and-answer-manual-and-response-comment-documents>

Managing Remediation Waste from PCBs:

<https://www.epa.gov/pcbs/managing-remediation-waste-polychlorinated-biphenyls-pcbs-cleanups>

PCB Facility Approval Streamlining Toolbox (FAST): Streamlining the Cleanup Approval Process:

<https://www.epa.gov/pcbs/pcb-facility-approval-streamlining-toolbox-fast-streamlining-cleanup-approval-process>

PCB Revitalization Guide Under TSCA:

<https://www.epa.gov/sites/production/files/2015-08/documents/pcb-guid3-06.pdf>

Standard Operating Procedure for Sampling Porous Surfaces for PCBs:

<https://www.epa.gov/sites/production/files/2015-08/documents/484692.pdf>

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