



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 13 2020

OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

James Roewer
Executive Director
Utility Solid Waste Activity Group
c/o Edison Electric Institute
701 Pennsylvania Avenue, NW
Washington, DC 20001

Dear Mr. Roewer:

The Office of Resource Conservation and Recovery (ORCR) of the U.S. Environmental Protection Agency (EPA) grants approval to Utility Solid Waste Activity Group (USWAG) members listed in Appendix II of the enclosed approvals. The approvals allow the disposal of less than 50 parts per million (ppm) PCB Remediation Waste under the Toxic Substances Control Act (TSCA) in certain non-TSCA approved disposal facilities, such as municipal solid waste landfills, non-hazardous waste landfills, and hazardous waste landfills contingent on the terms and conditions specified in therein. These approvals are issued pursuant to Section 6(e)(1) of the Toxic Substances Control Act (TSCA) of 1976 (Public Law 94-469) and the Federal PCB Regulation, 40 CFR 761.61(c). These are national approvals because they may be used in more than one EPA Region. The approvals are effective upon the EPA's signature and, unless specified otherwise in Condition 13, expire five years after date of signature.

EPA granted the original approvals to USWAG member companies on June 14, 2014, and April 12, 2016. These approvals expired June 14, 2019, and were administratively continued pending renewal. On July 29, 2019, EPA posted draft approvals for public comment. EPA received comments regarding the legal relationship between parent companies and operating companies that led to revision of Condition 1 of the approvals. EPA posted a new version of the draft approvals for an additional 30-day public comment period starting December 9, 2019. The members listed in Appendix II of the draft approvals was expanded to include both parent and operating companies. Upon closing the public comment period on January 7, 2020, one set of comments was received, and it was supportive of the approvals. EPA is now issuing the enclosed final approvals, with minor changes from the draft version. The EPA has found that PCB Remediation Waste with as-found concentrations of less than 50 ppm PCBs disposed of in certain non-TSCA approved facilities, poses no unreasonable risk of injury to health or the environment.

A violation of any requirement of an approval or any applicable federal regulations may subject a USWAG member listed in the approvals to enforcement action and may be grounds for modification, revocation, or suspension of its approval. Modification, revocation, or suspension of an approval may also result from future EPA rulemaking(s) with respect to PCBs or from new information gathered by or that becomes known to the EPA.

Please contact Karen Swetland-Johnson of my staff at (703) 308-8421 if you have any questions regarding these approvals.

Sincerely,

A handwritten signature in blue ink that reads "Kathleen Salyer". The signature is fluid and cursive, with the first name "Kathleen" written in a larger, more prominent script than the last name "Salyer".

Kathleen Salyer, Acting Director
Office of Resource Conservation and Recovery

Enclosure

cc: EPA Regional PCB Coordinators