

Memorandum

Date: August 27, 2021
To: Karin Graves, Contra Costa Clean Water Program
From: Lisa Austin, Principal, and Lisa Welsh, Project Scientist
Subject: PCBs in Building Materials Management Program – Fiscal Year 2020/21 Data Summary
Geosyntec Project Number: CWR0609A

1. BACKGROUND

Municipal Regional Stormwater Permit (MRP; Order No. R2-2015-0049) Provision C.12.f requires Permittees to manage polychlorinated biphenyls (PCBs) containing materials and wastes during building demolition activities. The MRP Permittees have developed and implemented a process, beginning in July 2019, for managing materials with PCBs concentrations of 50 ppm or greater in applicable structures when applicable structures undergo demolition. Applicable structures include commercial, public, institutional, and industrial buildings constructed or remodeled between 1950 and 1980 undergoing full-building demolition. Single-family residential and wood frame structures are exempt.

This technical memorandum documents the following items for the Contra Costa County Permittees, as required by MRP Provision C.12.f.iii.(4):

- a. The number of applicable structures that applied for a demolition permit during the reporting year; and
- b. A running list of the applicable structures that applied for a demolition permit (since the date the PCBs control protocol was implemented) that had material(s) with PCBs at 50 ppm or greater, with the address, demolition date, and a brief description of the PCBs control method(s) used.

2. NUMBER OF APPLICABLE STRUCTURE APPLICATIONS

Table 1 below lists the number of applicable structures that applied for a demolition permit within Contra Costa County during Fiscal Year 2020/21 (i.e., from July 1, 2020 – June 30, 2021) and the number of samples in those buildings that were equal to or greater than 50 ppm.

Table 1: Number of Applicable Structure Applications Received in FY 2020/21

Permittee	# Applicable Applications	# Samples ≥ 50 ppm PCBs
Clayton	0	0
Concord	0	0
Danville	0	0
El Cerrito	0	0
Hercules	0	0
Lafayette	0	0
Martinez	0	0
Moraga	0	0
Orinda	0	0
Pinole	0	0
Pittsburg	0	0
Pleasant Hill	0	0
Richmond	0	0
San Pablo	0	0
San Ramon	0	0
Contra Costa County	1	12
Walnut Creek	0	0
Contra Costa County Total	1	12

3. LIST OF APPLICABLE STRUCTURES

A list of the applicable structures that applied for a demolition permit since July 1, 2019, that had materials with PCBs at 50 ppm or greater, with the address and estimated demolition date, is provided in Attachment 1.

4. DESCRIPTION OF PCBs CONTROL METHOD

4.1 Permittee Control Method

On behalf of the MRP Permittees, the Bay Area Stormwater Management Agencies Association (BASMAA) conducted a regional project that developed an implementation framework, guidance materials, and tools for local agencies to ensure PCBs-containing materials and wastes are appropriately managed during building demolition. The Regional Project also provided training materials and a workshop for municipal staff, and an outreach workshop for the industry on implementing the framework/protocols developed via the project.

Permittees have implemented the following process for this control measure:

- The municipality informs applicable demolition permit applicants that their projects are subject to the program for managing materials with PCBs, necessitating, at a minimum, an initial screening for priority PCBs-containing materials.
- For every applicable demolition project, applicants implement the BASMAA protocol for identifying building materials with PCBs concentrations of 50 ppm or greater and then complete and submit a version of BASMAA’s model “PCBs Screening Assessment Form” (Screening Form) or equivalent to the municipality.
- The municipality reviews the Screening Form to make sure it is filled out correctly and is complete and works with the applicant to correct any deficiencies.
- The municipality then issues the demolition permit or equivalent, according to its procedures.
- The municipality sends each completed Screening Form for applicable structures and any supporting documents to its countywide program. The countywide program compiles the forms and works with the other MRP countywide programs to manage and evaluate the data and assist Permittees with associated MRP reporting requirements.

4.2 Building Demolition Applicant Control Method

Applicants that determine that PCBs exist in priority building materials must follow applicable federal and state laws for handling and disposal, such as reporting to the U.S. Environmental Protection Agency (USEPA), the San Francisco Bay Regional Water Quality Control Board, and the California Department of Toxic Substances Control (DTSC). These agencies may require additional sampling and abatement of PCBs.

The Toxic Substances Control Act (TSCA) regulates the disposal of PCBs waste. Depending on the approach for sampling and removing building materials containing PCBs, the applicant may need to notify or seek advance approval from USEPA before building demolition. For example, TSCA requires manifesting the waste for transportation and disposal. (See 40 Code of Federal Regulations (CFR) 761 and 40 CFR 761, Subpart K.) Regulation under TSCA is not limited to materials containing PCBs at or above 50 ppm. There are circumstances in which materials containing PCBs below 50 ppm are subject to regulation under TSCA. (See 40 CFR 761.61(a)(5)(i)(B)(2)(ii).). 40 CFR 761.3 provides information relative to the disposal of PCBs-containing building materials, including definitions of PCBs bulk product wastes and PCBs

remediation wastes. The memorandum “PCB Bulk Product Waste Reinterpretation” from the Office of Resource Conservation and Recovery, EPA,¹ provides more information.

Additionally, the disposal of PCBs waste is subject to California Code of Regulations (CCR) California Code of Regulations (CCR) Title 22, Section Division 4.5, Chapter 12, Standards Applicable to Hazardous Waste Generators.

¹ Located here: https://www.epa.gov/sites/production/files/2016-01/documents/wste-memo_102412.pdf.

Attachment 1
List of Applicable Structure Applications for
Contra Costa County Permittees with PCBs at 50
ppm or Greater

CCCWP PCBS in Building Materials Management Program – 2021 Data Summary

Permittee	Building ID	Address	Estimated Demo Date	# Samples ≥ 50 ppm PCBs	PCBs Concentration Range (mg/kg)
Concord	CCC-01	2292 Concord Blvd, Concord, CA, 94520	May 2020	6	140-550
Unincorporated County	102	1750 Oak Park Blvd, Pleasant Hill, CA, 94523	September 2020	12	54-130,000