

DATE: September 9, 2008

TO: Gene Mitchell - WA/5
Marty Herrick - La Crosse
Ed Lynch - RR/5

FROM: Robert Grefe - WA/5

SUBJECT: Disposal of PCBs and current list of disposal facilities

This memo fulfills the requirement of NR 157.07(5)(a), that the Department maintain a current listing of incinerators and secured landfills that may be suitable for disposal of PCBs. The list is current as of the date of this memo. Additional facilities may be approved for disposal of PCBs.

The relevant code language from ch. NR 157 "Management of PCBs and Products Containing PCBs" is reproduced for convenience.

NR 157.07 Disposal methods and facilities.

(1) METHODS. PCBs or products containing PCBs (liquids, semi-solids) for which a technically and economically feasible incineration method is available for destruction shall be incinerated unless approval for an alternative method of disposal is obtained in writing from the department. Solid or semi-solid products containing PCBs for which a technically and economically feasible incineration method is unavailable shall be disposed of at a landfill facility unless approval for an alternative method of disposal is obtained in writing from the department.

(5) FACILITIES RECOMMENDED FOR PCB PROCESSING AND DISPOSAL. (a) The department shall maintain a current listing of incinerators and secured landfill sites which are specifically approved by the various state environmental agencies or which may be suitable for disposing of PCBs or products containing PCBs. This list shall provide the names of organizations offering suitable disposal services, including locations and facilities available to any person upon request. However, specific shipping directions, disposal procedures and costs shall be obtained from the organization.

(b) The department will consider applications for alternate disposal procedures and alternate disposal sites provided the applicant can demonstrate that the alternatives will not result in environmental pollution. Within 90 days of the receipt of an application for an alternate disposal method or disposal site, the department shall notify the applicant of approval or rejection or shall specify the additional information which is required to determine whether to approve the proposed procedures or sites.

The current list includes only licensed solid waste landfills that are approved to accept PCB-contaminated solid wastes approved under the NR 500 rules and the alternate disposal site authority of NR 157.07(5)(b). The approved waste types are limited to those not subject to regulation under TSCA rules, which in practical terms means having total PCB concentrations of less than 50 ppm or else meeting the TSCA definition of bulk product waste in 40 CFR 761.62.

Other licensed solid waste landfills may be suitable for disposal of PCB-contaminated solid wastes but can not accept PCB waste until the owner/operator requests and receives written approval to accept such waste.

The current list is also restricted to solid waste disposal facilities that are commercially available to a range of generators, not captive operations to the owner/operator of the disposal facilities. For that reason, it does not include licensed non-MSW landfills that are owned by industrial companies. Such owners do not offer disposal services to non-company waste generators.

Where noted, some solid waste landfills are approved for disposal of bulk product waste where PCB concentrations can exceed 50 ppm, subject to a leachability test requirement. PCB bulk product waste, as defined in 40 CRF 761.62(b)(1), consists of manufactured materials where PCBs are contained in a solid form. Some materials are listed specifically in the rule, and others can be subject to a water leach test to determine if the total PCB concentration in the leaching medium is <10 µg/L.

<u>Region</u>	<u>Landfill Name</u>	<u>License Number</u>	<u>County</u>	<u>Phone number</u>	<u>Comment</u>
NER	Veolia Hickory Meadows	3134	Calumet	920-853-8553	
NER	WMWI Ridgeview	3041	Manitowoc	920-732-4473	Approved to accept PCB-contaminated dredged material only. Must be less than 50 ppm PCB
NER	Winnebago County Sunnyview	3175	Winnebago	920-232-1800	
SCR	City of Janesville	3939	Rock	608-755-3400	
SCR	Veolia Glacier Ridge	3068	Dodge	920-387-0987	
SCR	WMWI Deer Track Park	3230	Jefferson	920-699-3475	
SCR	WMWI Madison Prairie	3318	Dane	608-837-9031	
SER	Republic Kestrel Hawk	572	Racine	262-884-7080	
SER	Veolia Emerald Park	3290	Waukesha	414-529-1360	
SER	WMWI Orchard Ridge	3360	Milwaukee	262-253-8620	
SER	WMWI Pheasant Run	3765	Kenosha	262-857-7956	
WCR	Veolia Cranberry Creek	2967	Wood	715-421-3966	Also approved to accept bulk product waste
WCR	Veolia Seven Mile Creek Sector 2	3097	Eau Claire	715-830-0284	Also approved to accept bulk product waste

Note: WMWI means Waste Management of Wisconsin, Inc.

Entry on the current list means that the Department has issued an approval to the facility to accept PCB-contaminated solid waste with PCB concentrations of less than 50 ppm, except as noted. It is not a recommendation for one site over another, does not imply preference, and does not imply that other disposal options are more or less desirable.

Owner/operators of solid waste landfills can set additional or more restrictive acceptance criteria as part of their operating policy. Other restrictions might be set by approval conditions. For instance, solid waste landfills can be restricted from placing PCB bulk product wastes in areas subject to leachate recirculation.

Other Disposal Options

TSCA regulated solid waste is subject to regulation by EPA Region 5. Information about PCBs and TSCA can be found on EPA's web site at <http://www.epa.gov/epawaste/hazard/tsd/pcbs/index.htm>. Federal laws and regulations can be found at <http://www.epa.gov/epaoswer/hazwaste/pcbs/pubs/laws.htm>. Another useful link to the list of TSCA approved Chemical waste landfills may be found at: <http://www.epa.gov/epaoswer/hazwaste/pcbs/pubs/stordisp.htm#ChemLF>. The closest of these facilities to Wisconsin is the Wayne Disposal Inc. landfill in Belleville Michigan, near Detroit.

Department regulation can be exercised under NR 157 and other authorities (Waste, R&R, or Wastewater programs) but does not supersede TSCA rules. TSCA-regulated wastes are, generally, those with total PCB concentrations of 50 ppm or greater, except for bulk product wastes. In practical terms, TSCA-regulated solid waste cannot be routinely disposed of in solid waste landfills and is usually transported to out-of-state TSCA-approved landfills. Disposal of TSCA-regulated solid waste can occur in licensed solid waste landfills on a case by case basis, if approved by both the Department and EPA Region 5 under the TSCA coordinated approval process (40CFR761.77). Disposal would then be subject to both DNR and EPA approval requirements.

Disposal of PCB-contaminated solid wastes in incinerators, combustors, utility furnaces, or industrial boilers, or by other combustion methods is not generally available. The two MSW combustors in Wisconsin (the Barron County Waste-to-Energy facility, Lic. No. 3091, and the NSP French Island RDF combustor in La Crosse) are not approved to accept PCB-contaminated solid waste. Combustion of PCB-contaminated waste oils in utility or industrial boilers has historically been limited to wastes generated by the owner of the facility and is not open to general acceptance. Regulation is exercised through Air Management program permitting. EPA maintains a list of Commercially Permitted PCB Disposal Companies at: <http://www.epa.gov/epaoswer/hazwaste/pcbs/pubs/stordisp.htm>. This includes incinerators and alternate thermal destruction facilities, as well as facilities for light ballast recycling, transformer de-commissioning, and a few others.

Land application of non-TSCA PCB-contaminated solid wastes is regulated under NR 518, the solid waste land application rule. Any proposal should utilize the recommendations in guidance document WA1016, "Guidance on Landspreading of PCB-Contaminated Solid Wastes".

Small size and intermediate size C&D landfills approved under NR 503 are not licensed solid waste disposal facilities and are not approved to dispose of PCB-contaminated solid waste.

cc. Plan Review staff and Program Supervisors