**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Mr. Carey Upton
Chief Operations Officer
SMMUSD
1651 16th Street
Santa Monica CA 90404

**Re: TSCA PCB Cleanup and Disposal Approval under 40 C.F.R. § 761.61(c) for PCB Remediation Waste at Buildings H and J, Malibu High School, Malibu, California (CAC002904126)**

Dear Mr. Upton:

Pursuant to 40 C.F.R. § 761.61(c), the U.S. Environmental Protection Agency, Region 9 (EPA) is approving certain provisions, as described below, from the "Notification of New PCB-impacted Building Materials at Malibu High School" dated August 19, 2020 ("the Application"), which is an attachment to this approval. The Application was submitted to EPA by Ramboll, a consultant to Santa Monica-Malibu Unified School District (the "District").

In order to remove Polychlorinated Biphenyl (PCB)-impacted building materials from the Malibu High School (MHS), samples of building materials that had the potential to contain PCBs were collected. Representative bulk samples were collected in building materials in building H and J for PCB analysis. Based on the results of this sampling, several materials were confirmed to be PCB bulk products containing greater than 50 milligrams per kilogram (mg/kg, or parts per million [ppm]) with results up to 126,000 mg/kg.

Sampling of the porous substrate adjacent to the >50 mg/kg PCB-containing caulk in buildings H and J was performed. Concentrations of PCBs in the exterior porous substrate were found up to 16 inches around the HVAC vents and 15 inches around the windows. Where feasible the PCB bulk product and adjacent porous substrate (PCB remediation waste) will be removed and disposed off-site. There are areas that cannot be removed without potentially causing structural issues with the building, therefore the District is requesting a risk-based approval for disposal of PCB remediation waste while waiting for demolition of the building by the year 2030.

EPA is approving the District's Application to address substrate (PCB remediation waste) previously in contact with building material (PCB bulk product) with the following conditions:

- Complete removal of the known PCB-containing caulking that is classified as PCB bulk product and off-site disposal of the waste shall occur.

- The abatement procedures in the Application shall be followed.

- The metal HVAC vent and the metal windows will be reused. The following provisions will be followed to decontaminate the metal surfaces:
    - Chemical washing with a chemical extraction solvent following the manufacturer's recommended procedures for hand applications. The material will be applied and scrubbed using hand brushes, during the agitation, the surface of the material will be kept wet with the chemical extraction solvent at all times. Following the five minute dwell time, all free liquid will be vacuumed from the surface; a layer of rinse water will be applied to the material and then vacuumed; this procedure will be repeated three times followed by a triple water rinse after the final application.
    - Surface wipe samples will then be collected in accordance with the standard wipe test as defined in 40 CFR 761.

- A physical barrier of metal cladding/sheeting will be installed over the exterior substrate. The barrier will eliminate the direct exposure pathway. The aluminum material will be maintained in a good condition with no deterioration observed. The requirements for routine inspections and maintenance in the Application shall be followed.

- Rooms 704, 705 and 722 will be closed from access as described in the Application. The rooms will be barricaded by locking the doors from entry by students and staff. Signs will be placed on the door indicated the presence of PCBs. Entry into the rooms will only be allowed for maintenance or emergency reasons. Anyone entering or leaving the rooms will be required to sign in/out with the duration of time in the room documented.

- A deed notice must be recorded describing the encapsulation remedial approach in accordance with Section 4.2.9 of the April 23, 2018, Building DFGIJ Clean Up Plan, and the EPA May 2018 approval. The District must submit proof to EPA that this deed notice has been recorded. The deed restriction shall be recorded and submitted to EPA within 90 days of the submittal of the final report. This restriction shall reference this Approval and include: (1) the location and PCB concentration of the porous substrate; (2) the requirement that the District inspect and maintain the integrity of the barrier, and (3) restrict access to rooms 704, 705, and 722.

- A final report describing the work activities performed, verification analytical results, volumes of disposed materials, photographs, and waste disposal documentation shall be prepared and submitted to the EPA within 180 days of the completion of the work.

Sampling to determine the ongoing efficacy of the encapsulation of the PCB remediation waste will not be required as the accessible locations are on the exterior of the building and are covered with metal sheeting. These locations do not pose an indoor air concern and are covered to prevent physical contact. The interior of rooms 704, 705 and 722 will not be accessible, with the exception of emergency such as fire or flood or maintenance; therefore, there is no exposure pathway to students, teachers or staff. If at any point the interior of the rooms will be utilized, the District must consult with EPA prior to the room being open for occupancy. Prior to the room being occupied, this Approval must be modified to require encapsulation procedures and the room shall undergo routine air and wipe monitoring consistent with the May 15, 2018 EPA approval at Malibu for occupied rooms.

An approval under 40 C.F.R. § 761.61(c) requires EPA to make a finding that PCB remediation wastes remaining in place at MHS will not pose an unreasonable risk of injury to health or the environment. EPA is hereby making a finding that the remediation actions undertaken and planned by the District meet this TSCA standard for MHS with the conditions presented in the Application and in this Approval. Any deviation to the facts presented in the Application concerning occupation of the interior rooms numbered 704, 705, and 722 indicate a change in exposure threat and must be discussed with EPA.

This approval does not relieve the District and its consultants from complying with all applicable Federal laws and regulations, or state and local laws, regulations and permits, nor does it exempt or waive any requirement to obtain additional cleanup orders, approvals or permits pursuant to TSCA or other regulatory programs, where warranted. Nothing in this document bars EPA from imposing penalties for violations of applicable TSCA PCB requirements or for activities not covered under this approval. Departure from this approval without prior written permission from EPA may result in revocation of this approval. If additional information demonstrates that EPA can no longer make a no unreasonable risk determination, EPA will modify or revoke the approval.

This approval only applies to the PCB remediation waste (porous substrate adjacent to caulking) remaining in place in buildings H and J at Malibu High School, as shown in the attached Figure. EPA reserves the right to require additional characterization and/or cleanup of PCBs at the Site if new information shows that PCBs remain at the Site above the EPA-approved PCB cleanup levels, or if PCBs are found at other areas of the Site or immediately adjacent to the Site.

If you have any questions concerning this approval, please contact Amanda Cruz (cruz.amanda@epa.gov) of my staff at (415) 972-3084. Thank you for your cooperation.

Sincerely,

JEFFREY SCOTT

Digitally signed by JEFFREY SCOTT
Date: 2020.08.19 12:42:20 -07'00'

Jeff Scott, Director
Land, Chemicals and Redevelopment Division

CC: Jason Wilkinson (Ramboll)
Travis Hinman (Ramboll)