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

Via Email

Dr. Ben Drati, Superintendent
Santa-Monica Malibu Unified School District
1651 Sixteenth Street
Santa Monica, California 90404
bdrati@smmusd.org

Subject: Site-Specific PCB Remediation Waste Plan, Building D, Malibu High School, Malibu, California – Toxic Substances Control Act, EPA Approval, 40 CFR 761.61(a) and (c) CATSCA100826

Dear Dr. Drati:

Thank you for submitting the *Notification and Request for Approval, Site-Specific PCB Remediation Waste Plan, Building D, Malibu High School, Malibu, California, March 27, 2020* (original MHS Building D Plan) prepared by Ramboll for the Santa Monica-Malibu Unified School District (SMMUSD). Subsequent to the submission of the original MHS Building D Plan, Ramboll submitted modifications of the plan and clarifications based on EPA's comments. In the enclosed approval, EPA is approving elements of the modified plan related to polychlorinated biphenyl (PCB) remediation waste (e.g., sampling and disposal). The approval also covers other work described in the plan (e.g., air dust monitoring). EPA is issuing the enclosed approval under 40 CFR 761.61(a) and (c). Ramboll's modifications and clarifications to the original MHS Building D Plan are attached to the approval.

EPA understands that if the new Building A/B is not completed and ready for occupancy before the MHS campus reopens, students will be using the laboratories on the 1st floor of Building D. The subject plan proposes a bead blasting pilot study be conducted to determine if this method can reduce PCBs in the concrete slabs on the 2nd Floor of Building D to below 50 milligrams/kilogram. Condition B.2.h in the enclosed approval covers the pilot study.

The enclosed approval does not cover any structural or physical integrity issues that may result from the removal of concrete and other substrates from the MHS Building D before or during full demolition activities. SMMUSD is responsible for these aspects of the pilot study. Condition B.2.h. related to the pilot study is not effective until SMMUSD provides EPA with a certification from a licensed structural engineer certifying (1) the bead blasting or other similar procedure will not compromise the structural integrity of the building and (2) the building will remain safe to occupy. After receipt of this information, EPA will send a written notification to the SMMUSD with the effective date of Condition B.2.h. This approach that requires SMMUSD to document that

SMMUSD has considered these aspects of the pilot study is necessary to ensure the safety of students and school staff if they occupy the 1st floor of Building D after completion of the pilot study.

Finally, Condition B.2.m. of the approval requires that SMMUSD schedule a call within 15 days after the date of this letter to discuss with EPA a future sampling plan for sediments in storm water drains and soils within the MHS Building D demolition site.

We look forward to continuing being of assistance on PCB matters related to the SMMUSD campuses. If you or Ramboll have questions about this letter and/or the enclosed approval, please contact Carmen D. Santos (PCB Coordinator) via phone (415.972.3360) or email (santos.carmen@epa.gov).

Sincerely,

JEFFREY SCOTT

Digitally signed by JEFFREY SCOTT
Date: 2020.04.23 15:49:03 -07'00'

Jeff Scott, Director
Land, Chemicals, and Redevelopment Division

Enclosure w attachments

cc: Jason Wilkinson, jwilkinson@ramboll.com
Travis Hinman, thinman@ramboll.com
Doug Daugherty, ddaugherty@ramboll.com

Enclosure

U.S. Environmental Protection Agency Region 9 Conditional Approval Under 40 CFR 761.61
Toxic Substances Control Act Polychlorinated Biphenyls

Approval Issued to Santa Monica-Malibu Unified School District

Notification and Request for Approval, Site-Specific PCB Remediation Waste Plan, Building D, Malibu High School, Malibu, California, March 27, 2020, prepared by Ramboll for SMMUSD (MHS Building D Plan)

A. Introduction

The U.S. Environmental Protection Agency Region 9 (EPA) is approving the original MHS Building D Plan dated March 27, 2020 as subsequently modified and clarified by Ramboll (Jason Wilkinson) via emails addressed to Carmen Santos (EPA) on April 7, 9, and 13, 2020. EPA is issuing this approval under 40 CFR 761.61(a) and (c).

Certain modifications and clarifications of the MHS Building D Plan including data gaps are captured in the attached table: *Summary of Waste Materials Site Specific PCB Remediation Waste Plan SMMUSD-Malibu High School, Building D, Malibu, CA*, dated April 9, 2020 and revised by EPA on April 9 and 14, 2020 (Waste Table). EPA is approving the Waste Table as revised in Section B.3.a. of this approval. Ramboll submitted the Waste Table in response to EPA's March 30, 2020 comments on the original MHS Building D Plan. EPA considers the modified MHS Building D Plan as the risk-based PCB cleanup application required in 40 CFR 761.61(c). The modified plan consists of the original plan, Waste Table, and the attached April 7, 9, and 13, 2020 emails from Ramboll to EPA.

This approval covers (1) removal of PCB remediation wastes containing PCBs >1 milligram/kilogram (mg/kg or parts per million [ppm]) from Building D for offsite disposal, (2) additional characterization of substrates (e.g., brick) and materials (e.g., paint, to confirm if below 50 mg/kg) to determine the disposal method, and (3) temporary onsite storage of PCB wastes after removal and before transportation to an offsite disposal facility. Additionally, this approval covers air-dust monitoring and actions to maintain air-dust levels to below 50 micrograms/cubic meter (ug/m^3) during activities that may generate dust containing PCBs. Some of the conditions of approval require a response from the SMMUSD within 15 days after the date of the approval.

Based on Section 3.2.3.2.3 (characterization of concrete slab coated with mastic containing PCBs ≥50 mg/kg), "the District is not seeking to recycle the concrete onsite, or to send the concrete to an offsite recycling facility. Instead, the District is seeking to send the concrete for offsite disposal." The SMMUSD will dispose of the concrete slab as PCB remediation waste containing PCBs <50 mg/kg if it cannot be cleaned up to below ≤1 mg/kg. The PCB concentration in the concrete slab will be determined based on sampling and analysis of PCBs to be conducted during pre-demolition activities.

The MHS Building D Plan was submitted as an addendum to the (1) *Site-Specific PCB-Related Building Materials Management, Characterization and Remediation Plan for the Library, Building E – Rooms 1, 5, and 8 and Building G – Room 506 at Malibu High School* (Environ July 2014) and (2) *Supplemental Removal Information for the Library, Building E – Rooms 1,5,and 8 and Building G – Room 506 at Malibu High School* (Environ 2014). EPA approved those plans on October 31, 2014 and November 2, 2015, respectively.

Effective Date of this Approval

This approval is effective immediately, on the date of the transmittal letter except for Condition B.2.h. (Bead blasting pilot study). EPA is keeping Condition B.2.h. in abeyance. EPA will notify the SMMUSD about the effective date of Condition B.2.h. in writing in a future separate letter. Please refer to Condition B.2.h. for details.

Not Covered by this Approval

This approval does not cover sampling and disposal of PCB bulk product waste which is regulated under 40 CFR 761.62 and removal of PCB bulk product waste. However, EPA's determination of no unreasonable risk discusses the removal of such waste from Building D.

EPA Disclaimer

This approval does not cover or apply to any structural or physical integrity issues that may result from the removal of concrete and other substrates from the MHS Building D before or during full demolition activities.

B. EPA Determination of No Unreasonable Risk, Conditions of Approval, and Contingencies

1. Determination of No Unreasonable Risk

Building D is in proximity to other school buildings within the MHS campus. The modified MHS Building D Plan must be implemented as approved and modified herein. Condition B.2.h. (Bead blasting pilot study) is not covered by this determination of no unreasonable risk. EPA believes the methods to sample and remove PCB wastes from Building D, and to store PCB wastes for transport to an offsite disposal facility as modified by this approval will pose no unreasonable risk of injury to health or the environment if:

a. PCB materials containing PCBs ≥50 mg/kg (i.e., PCB bulk product waste such as caulk or substrates removed attached to PCB materials) and substrates (e.g., concrete) containing PCBs >1 mg/kg (i.e., PCB remediation waste) are removed from Building D before full demolition,
b. Additional substrate characterization sampling is conducted consistent with the modified MHS Building D Plan and the Waste Table as revised by this approval to determine PCB levels for disposal,
c. Air-dust monitoring is conducted at the perimeter of the Building D demolition site and immediately outside the containment areas throughout the duration of PCB removal activities that may generate dust contaminated with PCBs,
d. Dust suppression techniques are implemented as applicable immediately outside the containment area, and at the perimeter of the Building D demolition site to reduce and maintain air-dust concentrations to below the PM_{10} action level of 50 ug/m^3,
e. PCB wastes from Building D are temporary stored for offsite disposal in a specific area of the Building D demolition site and disposed offsite in compliance with all applicable PCB regulations, this approval, other applicable federal regulations, and applicable state and local regulations,
f. Precautions are taken during removal of PCB wastes from Building D to protect students, school staff, and the public from exposure to PCBs and prevent contamination to soils and storm water drains, and
g. The Building D demolition site is isolated from neighboring buildings and areas by physical barriers including the use of signage alerting students, school staff, and the public about PCBs at the site.

2. Conditions of Approval

Conditions B.2.e., B.2.i., B.2.j., and B.2.m. require that SMMUSD submit certain information to EPA within 15 days after the date of the approval transmittal letter. Condition B.2.h. is in abeyance as discussed in the above Section A.

a. Implementation of MHS Building D Plan. The SMMUSD must implement the MHS Building D Plan as amended by (1) the conditions in this approval and (2) the modifications of the MHS Building D Plan described in the attached 3-page Waste Table, and (3) any EPA amendments or revisions to the Waste Table discussed in the conditions of approval and Section B.3.a. The Waste Table identifies the types of PCB wastes that will be generated during the Building D pre-demolition activities and related disposal method. In case of conflict among this approval, the original MHS Building D Plan, and the Waste Table as revised by this approval, the EPA approval and the Waste Table take precedent.

Non-liquid samples (e.g., concrete, brick, caulk) collected for PCB analysis must be extracted by one of the extraction methods specified in the PCB regulations. EPA recommends that EPA Method 3540C (manual Soxhlet extraction) be followed given EPA's disclaimers in EPA Method 3550C (Ultrasonic) and that Soxhlet has a superior extraction efficiency. The samples must be analyzed for PCBs following EPA Method 8082 or 8082A. All analytical results must be reported as dry weight.

b. Notification of PCB Activity, EPA Form 7710-53, Waste Transporter. The waste transporter that SMMUSD chooses to transport the waste from the MHS Building D demolition site must file a notification of PCB activity if the transporter does not have an up-to-date notification currently on file with EPA. If the transporter needs to submit a notification of PCB activity, the transporter must send such notification to the Office of Resource Conservation and Recovery via email, United States Postal Service, or courier. If the Notification of PCB Activity Form is submitted via email, the notification must be sent to ORCRPCBs@epa.gov.

c. Removal of PCBs from MHS Building D. This condition amends Section 3. (Proposed Cleanup Strategy) of the modified MHS Building D Plan. PCB remediation wastes and PCB bulk product wastes must be removed from Building D before full demolition; and substrates remaining in the building at the time of demolition must not contain PCBs above 1 mg/kg.

Substrates or portions thereof (e.g., exterior concrete tile area adjacent to Room 112, sidewalks) external to and related to Building D and impacted by PCBs must be removed before demolition of such substrates. If these external substrates in whole or in part are contaminated with PCBs above 1 mg/kg, such substrates must be disposed offsite based on the PCB concentration determined via sampling and analysis and following the applicable disposal method in 40 CFR 761.61(a)(5)(i)(B). The SMMUSD may assume the substrates contain PCBs ≥50 mg/kg and dispose of those substrates consistent with applicable disposal requirements in 40 CFR 761.61(a)(5)(i)(B).

The SMMUSD must take all necessary precautions during pre-demolition removal of PCBs from Building D to protect soils within the Building D demolition site (e.g., lay tarps on top of soils adjacent to the building). Precautions to protect nearby storm water drains (or catch basins) should also be taken. The SMMUSD Condition B.2.m. discusses the need for a soil and sediment sampling plan.

d. Measures to prevent tracking of PCB contamination. Workers involved in the removal of PCBs from Building D must use disposable shoe covers to prevent tracking of PCB contaminated dust and

particles from the work areas (including containment areas) to areas used by students, school staff, or the public.

e. **Characterization for disposal of brick, paint, and any additional porous substrate that may need to be sampled.** This condition amends Section 3. (Proposed Cleanup Strategy) of the modified MHS Building D Plan. The SMMUSD must follow the sampling methods in the attached Waste Table to further characterize brick and concrete for offsite disposal. The brick samples must be representative of (1) brick close to PCB-containing caulk and exclude caulk particles, (2) brick surfaces at certain distance(s) from PCB-containing caulk, and (3) brick beneath paint excluding paint particles. Samples of paint coating brick that exclude the brick material must be collected to verify the PCB levels in the paint and its regulatory status. If other porous surfaces are identified for sampling, such surfaces should be sampled following applicable methods in the modified MHS Building D Plan. Within 15 days after the analytical results are available for brick and paint samples, and for other porous surfaces that were sampled consistent with this approval, the SMMUSD will discuss the results with EPA to determine next steps.

   Within 15 days after the date of this approval, the SMMUSD must verify the disposal method for stucco and plaster. For instance, Section 2.5 (Stucco Sampling) mentions that samples of exterior stucco did not contain PCBs ≥50 mg/kg. Exterior and interior stucco containing PCBs >1 mg/kg must be removed from Building D before full demolition and disposed offsite as a PCB remediation waste consistent with 40 CFR 761.61. The requested verification should describe the SMMUSD plans for substrates that contain PCBs ≤1 mg/kg (e.g., offsite recycling, offsite disposal as construction and demolition debris).

f. **Assumption for disposal of PCB materials (e.g., caulk) not yet sampled.** This condition amends Sections 2.6 (Pre-Demolition Survey of Building D) and 3. (Proposed Cleanup Strategy) of the MHS Building D Plan. Building materials (e.g., caulk, mastics) not yet sampled to (1) determine the disposal method and (2) whether to sample substrates in contact with those materials must be assumed to contain PCBs ≥50 mg/kg.

   Section 2.6 states that "…samples of each building material were not necessarily collected from every room/space of the building. For rooms and areas that were not sampled/tested, the District plans to assume that the materials contained in those rooms/areas are similar in PCB concentration to the materials tested in a different location." Such approach may lead to an erroneous assumption such as, for example, that caulk of a certain type and color tested and found to contain PCBs <50 mg/kg in one room will contain that same PCB concentration in another room within Building D. This may not be the case as the original caulk in the first room may have been replaced with new caulk while the original caulk (PCBs ≥50 mg/kg) is still present in the second room where the caulk was not tested.

g. **Disposal of encapsulated concrete.** This condition modifies Section 3.2.3.2.2 (Removal of Encapsulated Concrete) of the MHS Building D Plan for clarity. The slabs referenced in that section were previously encapsulated and new flooring installed in 2018 after removal of floor tiles and mastic containing PCBs >50 mg/kg on the 1st floor of Building D. Disposal of the concrete slab must be based on sampling and analysis for PCBs or, if not sampled and analyzed, the concrete must be assumed to contain PCBs ≥50 mg/kg.

h. **Bead blasting pilot study.** EPA is approving the bead blasting pilot study subject to all the below conditions. However, EPA is keeping this condition in abeyance. Condition B.2.h. is not effective until EPA confirms an effective date in writing. Such confirmation will be made by EPA after the

SMMUSD responds to the below Condition B.2.h.1. The pilot study is to determine if PCB concentrations in a concrete slab previously in contact with floor tiles and mastic containing PCBs ≥50 mg/kg can be reduced to <50 mg/kg. The modified MHS Building D Plan states the bead blasting procedure will be repeated until PCB concentrations <50 mg/kg are verified via concrete sampling and analysis.

1. The SMMUSD must submit a certification from a licensed structural engineer certifying (a) the use of bead blasting or other similar procedure to remove concrete layers from the 2nd floor of Building D, including the proposed reiterative use of that procedure, will not compromise the structural integrity of the building and (b) the first floor will be safe to occupy. The SMMUSD must furnish such documentation to EPA so that EPA can send its written notification to the SMMUSD with the effective date of Condition B.2.h. EPA understands that students will occupy the 1st floor of Building D if construction of the new Building A/B is not completed before the MHS campus is reopened. Please also refer to the "EPA Disclaimer" in Section A of this approval.
2. The blasting procedure does not heat the surface to or above 212 degrees Fahrenheit.
3. The work area is prepared, enclosed, and a fan with HEPA filter is installed as described in Section 3.2.1 of the modified MHS Building D Plan. The filtered exhaust from the fan is routed outside the containment area and vented outside the building to an area that will not impact students or others at the campus.
4. Dust monitoring is conducted outside the work area (i.e., containment area), see below Condition B.2.i.
5. After completion of the PCB cleanup using bead blasting, the steel balls are (a) disposed of as PCB remediation waste containing PCBs above 10 ug/100 square centimeters following the requirements in 40 CFR 761.61(a)(5)(i)(B) applicable to PCB remediation waste containing PCBs ≥50 mg/kg or (2) the steel balls are decontaminated for reuse after following an applicable decontamination method in 40 CFR 761.79(c)(2) or the method in 40 CFR 761.79(b)(3)(i)(B).
6. If the mastic material containing PCBs ≥50 mg/kg is still attached to the concrete floor that will be cleaned up via bead blasting, the concrete removed from the floor and containing PCB mastic must be disposed offsite as a PCB bulk product waste under 40 CFR 761.62(a). After bead blasting, the steel balls would be disposed offsite as a PCB bulk product waste together with the removed concrete. Alternatively, the steel balls may be decontaminated as described in item 5 above.
7. After bead blasting, concrete samples are collected to verify the remaining concentration of PCBs in the concrete slab and offsite disposal method. The analytical results are provided to EPA when they are available together with the SMMUSD verification of the disposal method for the slab. Refer to Condition B.2.a regarding PCB extraction and analysis.
8. The SMMUSD may use bead blasting to reduce PCB levels on the concrete floor in Building D to <50 mg/kg for offsite disposal if (a) the structural engineer determines in writing that the reiterative use of bead blasting or other similar method to remove PCBs from the 2nd floor concrete floor will not compromise the physical integrity of the floor and EPA sends to the SMMUSD a written notification with the effective date of Condition B.2.h. and (b) if the pilot study can be conducted, the concrete verification samples demonstrate that bead blasting effectively reduced the PCB levels on the floor to <50 mg/kg without compromising the physical integrity of the floor.

i. Air dust monitoring. This condition amends Section 3.2.2 (Dust Monitoring) of the modified MHS Building D Plan. Within 15 days after the date of this approval please submit for EPA approval a revised Section 3.2.2 as a standalone air dust monitoring plan for the Building D demolition site. The dust monitoring plan must cover the below items.

1. **PM_{10} Action Level of 50 ug/m^3 and fugitive dust.** Ramboll and EPA agreed to a PM_{10} action level of 50 ug/m^3 (California PM_{10} standard) for air dust monitoring. This action level should not be exceeded. Hereafter, PM_{10} and particulate matter are used interchangeably. Particulate matter will be measured in ug/m^3 in real time (a) immediately outside the containment areas (i.e., work zones) during active removal of PCB bulk product waste and PCB-impacted substrates; and at the perimeter of the MHS Building D demolition site. Real-time particulate matter readings must be below the action level without subtraction of upwind (indicative of background PM_{10} levels) or downwind PM_{10} readings. Visible fugitive dust should not be observed at and/or beyond the containment areas and within and beyond the perimeter of the demolition site during activities that generate dust. If observed, actions must be implemented to reduce dust levels.

   A dust monitoring report must be submitted to EPA at the end of the demolition project or sooner, if applicable. The report must include the real-time PM_{10} readings with corresponding dates and times measured immediately outside the containment areas, at the perimeter of the Building D demolition site, and at upwind and downwind locations selected for the site. The report must discuss exceedances of the particulate matter action level, if any, and actions taken to reduce PM_{10} to below the action level including the time frame when such reductions were achieved and maintained.

2. **Location of meteorological stations and PM_{10} monitors.** The dust monitoring plan should include at least three separate figures: (a) showing the location of onsite meteorological stations to measure wind direction and speed relative to the demolition site and prevailing seasonal wind direction including a wind rose, (b) depicting Building D, adjacent school buildings, location of physical barriers isolating Building D from nearby buildings, and location of perimeter dust monitors, and (c) depicting the location of containment areas equipped with HEPA fans (work zones) and PM_{10} monitors immediately outside those areas.

3. **PM_{10} monitoring equipment and calibration.** The monitors to be chosen by the SMMUSD should be calibrated as specified by the manufacturer and must have a calibration certificate available indicating the date when the instrument was calibrated. Monitors must be calibrated yearly unless more frequent calibration is recommended. The dust monitoring plan should identify the equipment's technology to measure PM_{10} (e.g., light scattering, oscillating microbalance (TEOM)). The monitor must be able to correct for relative humidity or heat the sample to remove water particles.

   The monitor must be capable of (a) measuring ambient PM_{10} concentrations in ug/m^3 below the PM_{10} action level and (b) integrating real-time dust readings every five minutes. The monitor must be capable of collecting ambient PM_{10} data with a data acquisition system that is capable of logging direct reading real-time data providing the date, time, and PM_{10} concentration in ug/m^3 every 10 minutes or less. Mobile phone telemetry and/or audible alarms should be used for real time notification of exceedances of the action level that allow for timely response and implementation of corrective actions.

4. **Actions to reduce PM_{10} concentrations and visible fugitive dust.** Particulate matter will be measured outside the containment areas (i.e., work zone) during active removal of substrates and materials containing PCBs. If real-time particulate matter concentrations exceed the PM_{10} action level outside the containment area and such exceedance is sustained for 10 minutes, the SMMUSD will immediately take actions to reduce those concentrations to below the action level until consistently maintained. Actions to reduce PM_{10} concentrations include and are not limited to

implementation of dust suppression methods such as atomized spray techniques in addition to other actions like reducing the pace at which dust generating activities are being conducted or temporary stopping the work to implement more aggressive dust mitigation measures. The SMMUSD must take similar actions to reduce visible fugitive dust until no longer that dust can be observed.

The above conditions for monitoring PM_{10} in real time and fugitive dust immediately outside the containment area, apply to the monitoring of those parameters at the perimeter of the MHS Building D demolition site during (a) pre-demolition removal of PCB bulk product and PCB remediation wastes from Building D and (b) when loading those wastes into containers or trucks for offsite disposal.

The SMMUSD may need to consult with the South Coast Air Quality Management District if soil excavations will be conducted at the Building D demolition site or if concrete or other materials will be crushed to particles less than 2 inches in length or diameter.

5. **Dust monitoring for worker protection.** The SMMUSD and its consultants and contractors are responsible for complying with all applicable federal, state, and local requirements for proper monitoring of air quality within the work phase and other areas at the MHS Building D demolition site where workers may be impacted by dust generated during handling of PCB bulk product and PCB remediation wastes.

j. Storage of PCB remediation waste and PCB bulk product waste. This condition amends Section 3. (Proposed Cleanup Strategy) and 3.2.5 (Waste Management and Offsite Disposal) of the modified MHS Building D Plan. Within 15 days after the date of this approval, the SMMUSD must confirm the time frame and onsite storage method for PCB remediation waste (at any concentration) and PCB bulk product waste. Such confirmation must (1) include a figure to scale identifying the designated onsite temporary storage area, (2) describe the methods by which access to the storage area will be restricted to authorized personnel, (3) verify the storage area will be marked consistent with 40 CFR 761.40(a) and (a)(10), and (4) verify roll-off bins planned for use to store PCB wastes are stable, tightly-locking bins.

40 CFR 761.65 regulates the storage of PCB wastes containing PCBs ≥50 mg/kg. The SMMUSD should consider one of the below waste storage options.

1. 40 CFR 761.65(c)(1) and (c)(1)(iii) allow the storage of non-liquid PCB wastes in containers for up to 30 days from the date when the waste is first generated and placed in a container that meets the requirements in 40 CFR 761.65(c)(6) provided the generator meets the requirements in 40 CFR 761.65(c)(1), (c)(3), (c)(4), (c)(5), and other applicable requirements in 40 CFR 761.65(c)(6).

2. 40 CFR 761.65(c)(9) allows onsite storage of bulk PCB remediation waste and PCB bulk product waste in piles up to 180 days from the date when the waste is first generated subject to the requirements in that paragraph. Consistent with 40 CFR 761.61(c) and 761.62(c), the SMMUSD may request that EPA modify the waste storage method in 761.65(c)(9) to allow storage in containers of PCB remediation waste and PCB bulk product waste, respectively, up to 180 days from the date when the waste is first generated. If approved by EPA, such approval will require that SMMUSD meet the requirements in 40 CFR 761.65(c)(3), (c)(4), (c)(5), and (c)(6).

k. Storage of PCB remediation waste containing PCBs <50 mg/kg. PCB remediation wastes containing PCBs <50 mg/kg must be stored at the designated onsite temporary storage area in containers that meet the requirements in 40 CFR 761.65(c)(6). Storage of these wastes must not exceed 30 days from the date when the waste is first generated. The waste containers must be marked consistent with 40 CFR 761.40 and 761.45(a) and inspected at least once while in storage. The labels on the containers must include the first date of waste generation.

l. Decontamination of movable equipment, tools, and sampling equipment. This condition amends Section 3. (Proposed Cleanup Strategy) of the modified MHS Building D Plan. The SMMUSD must decontaminate movable equipment including HEPA equipped vacuums (HEPA vacuum), tools, and sampling equipment for reuse consistent with applicable provisions in 761.79 (e.g., self-implementing decontamination in 761.79(c)(2)). The SMMUSD must also adhere to applicable requirements in 40 CFR 761.79(e), (f), and (g).

The dust captured in the bag or collection chamber of the HEPA vacuum must be sampled and analyzed for PCBs to determine the disposal method. The HEPA filter should be disposed offsite as a PCB remediation waste following the disposal method applicable to the PCB concentration in the bulk dust collected by the HEPA vacuum. If not sampled for offsite disposal, the SMMUSD may assume that bulk dust collected by the HEPA vacuum contains PCBs ≥50 mg/kg. Based on that assumption, the SMMUSD must dispose offsite the bulk dust and the vacuum's HEPA filter as PCB remediation waste consistent with the disposal requirements in 40 CFR 761.61(a)(5)(i)(B) for PCB remediation waste containing PCBs ≥50 mg/kg.

m. Sediments in storm water drains and soils. Within 15 days after the date of this approval, schedule a call with EPA to discuss this condition. The SMMUSD must submit a PCB sampling plan for sediments in storm water drains (or catch basins) and soils within the MHS Building D demolition site. The purpose of the sampling is to determine if these media have been impacted by PCBs and if removal of soils and storm water drain sediments is necessary. The SMMUSD and EPA should discuss the details of the sampling plan and agree to a PCB cleanup goal for soils and storm water drain sediments. Refer to the above condition B.2.c.

n. Records of PCB waste disposal. Within 90 days after completion of all demolition activities, SMMUSD must submit a report summarizing the types of PCB wastes that were generated during pre- and full demolition activities and their final disposition. This report must cover offsite disposal of PCB remediation wastes (including liquid PCB remediation wastes), PCB bulk product waste based on EPA's October 24, 2012 reinterpretation of the definition of PCB bulk product waste, PCB bulk product waste (without reinterpretation of PCB bulk product waste), and all wastes generated during decontamination activities. The results of real-time air-dust monitoring conducted during removal of PCBs from the building must be included and discussed.

The report must also contain copies of manifests, bills of lading, and any other relevant documentation supporting that offsite disposal of PCB wastes from the MHS Building D demolition followed all applicable requirements in 40 CFR 761 and applicable state and local regulations. An electronic copy of the report containing the information described in this condition, must be submitted via email to Carmen Santos at santos.carmen@epa.gov and to R9LandSubmit@epa.gov.

3. Waste Table and Clarifications on Specific Sections of Modified MHS Building D Plan

a. Waste Table, additional EPA revisions. The below additional revisions to the Waste Table are incorporated into that table by reference.

1. Page 2, First Row, "Window and Window Caulk" – The window will be removed attached to window caulk as a PCB bulk product waste following EPA's October 2012 PCB bulk product waste reinterpretation.
2. Page 3, First Row, "Light Grey/Blue Floor Tile/Mastic" – The floor tile will be removed attached to mastic for disposal as a PCB bulk product waste following EPA's 2012 PCB bulk product waste reinterpretation.
3. Page 3, Second Row, "Concrete (attached to Light Grey/Blue Floor Tile/Mastic/Encapsulant)" – The >50 ppm PCB concentration under the "Confirmed PCB Concentrations" column is revised to ≥50 ppm.
4. Page 3, Third Row, "Replacement Flooring Materials (Sheet Vinyl/Glue/Epoxy Encapsulant)" – The disposal method for the replacement flooring should be based on the analytical results for the encapsulant material which is the material in direct contact with the concrete.
5. Page 3, Second Row, "Concrete (attached to Light Grey/Blue Floor Tile/Mastic/Encapsulant)" and Fourth Row, "Concrete (attached to Replacement Flooring Materials)" – The PCB cleanup goal for the concrete is <50 ppm PCBs.
6. Page 3, "Other Waste Materials," "PPE," "Polyethylene Sheeting/Tape," and "Disposable Tools" – These cleanup wastes should be disposed based on the PCB concentration in the materials that were handled. The cleanup wastes should be disposed offsite following 40 CFR 761.61(a)(v)(A)(3) or (A)(4) if the cleanup waste was generated during work involving PCBs ≥50 ppm. The cleanup waste should be disposed offsite following 40 CFR 761.61(a)(v)(A)(1) or (A)(2) if generated during work involving PCBs <50 ppm. Alternatively, all cleanup waste may be disposed offsite consistent with 40 CFR 761.61(a)(v)(A)(3) or (A)(4).

b. Section 1. (Introduction). In addition to building materials containing PCBs ≥50 mg/kg, the plan also covers PCB remediation wastes containing PCBs ≥50 mg/kg and below that concentration. Soils impacted by PCB sources in buildings at the MHS campus are subject to characterization, cleanup, and disposal under the federal PCB regulations. Such work should be conducted consistent with applicable requirements in 40 CFR 761.61. Please refer to the above Condition B.2.m.

c. Section 3.2.3.1 (Removal of ≥50 ppm Caulk and Adjacent Porous Substrate). Section 3.2.3.1 states that PCB material (i.e., caulk) will be removed from the porous surface including any visually observed residue on that surface. In this case, the porous surface containing PCBs above 1 mg/kg must be removed for disposal as a PCB remediation waste before full building demolition. In this situation the porous surface cannot be designated for disposal as a PCB bulk product waste. This clarification also applies to other sections in the modified MHS Building D Plan that describes a similar approach as in Section 3.2.3.1.

d. Section 3.2.5, Waste Management and Offsite Disposal. Below are EPA's clarifications.

1. Page 12, 2nd bullet. The second bullet is misleading. Porous substrates from which the PCB material (e.g., caulk, mastic) and any residues of that material has been removed cannot be designated as a PCB bulk product waste. To designate porous surfaces adjacent to PCB material as a PCB bulk product waste, the porous surface must be in direct contact with the PCB material and the substrate removed attached to that PCB material. If during removal some substrate detaches

from the PCB material, the detached substrate will still maintain the PCB bulk product waste designation if disposed of together with and at the same landfill facility as the initial predesignated PCB bulk product waste.

2. Page 12, 4th bullet. The waste category for waste generated from the cleanup (e.g., PPE) is cleanup waste, not PCB remediation waste.

3. Page 13, 6th bullet. This bullet provides no information regarding onsite storage of PCB wastes such as location of the storage area, how it will be secured, and required markings. Refer to Conditions B.2.j. and B.2.k.
4. Page 13, 8th bullet. The text is misleading. PCB bulk product waste generated in California must be transported to the disposal site under a hazardous waste manifest. PCB remediation waste containing PCBs ≥50 ppm must be transported to the offsite disposal site under a hazardous waste manifest. PCB remediation waste containing PCBs <50 ppm should be transported to the disposal site under a bill of lading.

e. Section 4. Conclusion. The SMMUSD should follow the procedures in Section D of this approval when seeking EPA approval of self-initiated changes to the EPA-approved application or when requesting a modification to EPA's approval.

C. Compliance with this Approval and Applicable Regulations, and Submission of Information

1. General

This approval is being issued to the SMMUSD as the owner and operator of the MHS campus. The property owner and its consultants and contractors must comply with and implement the conditions in this approval. This approval does not relieve the owner and its consultants from complying with the TSCA PCB regulations and other applicable federal, state and local law. Departure from this approval without prior written permission from EPA may result in revocation of this approval and/or appropriate enforcement action.

If additional information demonstrates that EPA cannot sustain the no unreasonable risk determination, EPA will modify or revoke this approval.

Nothing in this approval limits EPA's ability to seek penalties or pursue other legal action, including compliance orders or criminal proceedings, for violations of the terms or conditions of this approval or of applicable federal, state or local law (including other TSCA PCB requirements or for activities not covered under this approval). EPA reserves the right to require additional characterization and/or cleanup of PCBs at the site if new information during additional site characterization, cleanup verification, and/or during future post-cleanup activities (e.g., redevelopment and post redevelopment) at the property shows that PCBs remain at the site above the approved PCB cleanup levels. In addition, EPA may require cleanup in areas immediately adjacent to the site if those areas are found to be impacted by PCBs from the site.

This approval does not cover further requirements that may be imposed by state (e.g., DTSC), and county and local regulatory agencies regarding cleanup of PCBs at the MHS Building D demolition site or adjacent areas that may have been impacted by PCBs from that site.

D. Amendments to this Approval and Responsible Party's Application

1. **Amendments to EPA approval.** The owner of the property (responsible party) may request in writing to EPA modifications of specific conditions in this approval. In requesting a modification, include the reasons for the request and justification for a proposed modification. The owner of the property may schedule a conference call with EPA to discuss any proposed modification. EPA will issue a decision on the request and discuss such decision with the owner of the property before the specific Condition of Approval is amended by EPA.

2. **Responsible Party amendments to EPA-approved application.** The owner of the property may initiate a modification to its application by submitting the modification to EPA for approval together with the reasons and justification for the proposed modification. The modification should identify the part(s) of the application proposed for modification and include a description of the modification. The owner of the property may schedule a conference call with EPA to discuss any proposed modification. EPA will issue a decision on the request and discuss such decision with the owner of the property before EPA decides to amend its approval to include the application modification or reject the proposed modification to the application.