UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
AIR AND WASTE

SEP 15 2017

Mr. John Mannix
Assistant Superintendent for Operations
Monroe Public School District
200 East Fremont Street
Monroe, Washington 98272

Re: Sky Valley Education Center (SVEC) Approval of Risk-Based Disposal Method for PCB Bulk Product Waste and PCB Remediation Waste in accordance with 40 C.F.R. § 761.61(c) and 761.62 (c)

Dear Mr. Mannix:

On May 25, 2016, you submitted to the U.S. Environmental Protection Agency a Corrective Action Plan (CAP) for the Sky Valley Education Center (SVEC) addressing the removal of Polychlorinated Biphenyl (PCB) impacted building materials, management of PCB remediation waste, and ongoing maintenance and monitoring. You amended the CAP via email on June 9, June 23, and July 8, 2016. The CAP and amendments taken together are hereafter referred to as the Notification. You submitted documentation of compliance with, and completion of, activities in the Notification via letters on August 24, and September 8, 2016, with revisions and updates via e-mail throughout September. On December 1, 2016, you submitted a PCB Abatement Closeout Summary Report (Report). On December 12, 2016, you provided emailed responses to comments on the Report. You conducted monitoring through air and wipe sampling in accordance with the Notification and Report and provided results to the EPA from September, 2016 through August, 2017. Additionally, the EPA conducted an inspection and collected wipe samples on April 11, 2017. The EPA, Region 10 has reviewed the Notification, letters, Report, responses to comments, and sample results submitted. This set of documents provide the basis for this approval.

The Toxic Substances Control Act (TSCA) and its implementing regulations at 40 C.F.R. Part 761 generally prohibit the use of PCBs in any manner other than in a totally enclosed manner unless authorized by rule. This prohibition on use includes the use of materials manufactured with PCBs in concentrations greater than or equal to 50 parts per million (ppm) and materials that are contaminated with PCBs by such sources. 40 C.F.R. § 761.30(u) authorizes the use of materials decontaminated in accordance with PCB regulations.

The September 8, 2016 letter notes that you have removed all PCB-containing fluorescent light ballasts (FLBs) and all visible interior and exterior PCB caulk, except for a small amount behind the ventilators and window frames, as delineated in the plan drawings submitted on June 23, 2016 and titled "*Sky Valley Caulking Locations Plans 1-5*." The EPA's follow up inspections on August 18, 2016 and April 12-13, 2017, confirmed removal of FLBs and your efforts to remove PCB caulk. Porous surfaces which were in contact with PCB caulk have been encapsulated with epoxy sealant and the surfaces wipe tested to confirm the surfaces were below the 10 microgram (μg) per 100 square centimeter (cm^2) decontamination standard. Other porous and non-porous building surfaces were wipe tested to confirm the surfaces were less than the 10 $\mu g/100cm^2$ decontamination standard. Indoor air testing performed

following the abatement activities did not detect PCBs above the analytical method reporting limit or the 100 nanograms (ng) per cubic meter indoor air screening criteria. Additional indoor air testing in accordance with your quarterly sampling plan has similarly confirmed that no unreasonable risk of harm is present from PCBs in indoor air.

It is possible that a small amount of inaccessible PCB containing caulk remains in joints of paneled windows and behind the room unit ventilators in each of the twenty Pod Building classrooms. SVEC shall continue to perform ongoing monitoring of the encapsulated surfaces and indoor air in accordance with the May 25, 2016, Corrective Action Plan until such time that the building is renovated or demolished. Building renovations may be dependent upon the Board of Directors placing a bond initiative for additional funding before voters in 2021. If requested, passed, and tiered as the earliest priority under the new bond, renovation or demolition would start in 2022 at the earliest.

SVEC has requested a risk based disposal approval for this caulk as a PCB Bulk Product Waste under 40 C.F.R. § 761.62(c). SVEC has also requested a risk based disposal approval for any potential residual PCBs remaining in the encapsulated porous surfaces (i.e. PCB Remediation Waste) under 40 C.F.R. § 761.61(c).

Wipe and indoor air samples were collected immediately after abatement and quarterly from August, 2016 to July, 2017. Results demonstrated no unreasonable risk of harm to occupants from either the small amount of inaccessible caulk in joints of paneled windows and behind room ventilators or epoxy encapsulated porous surfaces previously in contact with PCB contaminated caulk. Based on these results, coupled with the ongoing visual and wipe sample monitoring of the epoxy encapsulant in accordance with the May 25, 2016 Corrective Action Plan, the EPA finds the inaccessible caulk remaining in place and the encapsulation of the porous surfaces will not pose an unreasonable risk of injury to human health or the environment as long as the housekeeping and best management practices detailed in the Corrective Action Plan are maintained and monitoring demonstrates the encapsulant remains intact and an effective barrier against PCB migration.

The EPA approves SVEC's request for a risk-based disposal method for PCB Bulk Product Waste and PCB Remediation Waste in accordance with 40 C.F.R. § 761.61(c) and 761.62(c), and subject to the conditions of the enclosed Attachment. This approval shall expire on May 25, 2022, after which time, if the encapsulated material still remains in place, SVEC must re-apply for a new approval from the EPA.

SVEC is responsible for ensuring continued compliance with all applicable provisions of the TSCA, the federal PCB regulations, and the conditions of this approval. Any departure from the conditions of this approval must receive prior written authorization from this office. Further, this approval does not relieve SVEC from compliance with any other federal, state, or local regulatory requirements. This approval does not preclude the EPA from initiating any enforcement action, including an action seeking civil penalties, suspension or termination of the approval for any violation, or requiring additional cleanup should SVEC fail to abide by this approval.

If you have any questions regarding this approval, please do not hesitate to contact Michelle Mullin, of my staff, at mullin.michelle@epa.gov or 206-553-1616.

Sincerely,

for/Timothy B. Hamlin
Director

Enclosure

PCB RISK-BASED DISPOSAL APPROVAL CONDITIONS
SKY VALLEY EDUCATION CENTER (SVEC)

1) This Approval is granted under the authority of Section 6(e) of the TSCA, 15 U.S.C. § 2605(e), and the Federal PCB Regulations at 40 C.F.R. Part 761, and applies solely to the assumed PCB Bulk Product Waste and PCB Remediation Waste located at SVEC (the "Site").

2) SVEC shall conduct Site cleanup and disposal activities in accordance with the conditions of this Approval and the Notification.

3) In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.

4) The terms and abbreviations used herein shall have the meanings as defined in 40 C.F.R. § 761.3 unless otherwise defined in this Approval.

5) All sampling and analysis conducted under this Approval will be performed in accordance with the EPA Guidance for Quality Assurance Project Plans, EPA QA/G-5, (December, 2002) as appropriate for the Site. The EPA may audit laboratories selected by SVEC or require SVEC to purchase and have analyzed any Performance Evaluation ("PE") samples selected by the EPA.

6) All sample results shall be submitted to the EPA for evaluation upon receipt by SVEC. The EPA will evaluate the results to determine whether an unreasonable risk exists and if further evaluation or actions are warranted.

7) If at any time before, during or after the activities subject to this approval, SVEC possesses or is otherwise made aware of any information that PCBs at the Site may pose an unreasonable risk of injury to health or the environment, SVEC shall contact the EPA within 24 hours for direction on any additional requirements.

8) This Approval does not cover any renovation or demolition activities that will affect any caulk remaining behind windows or ventilators, or the encapsulated porous surfaces previously in contact with PCB contaminated caulk. Any such activities must be conducted either in accordance with 40 C.F.R. § 761.61(b), 40 C.F.R. § 761.62(b) or SVEC shall apply to the EPA for approval of such activity in accordance with 40 C.F.R. § 761.61(a), 40 C.F.R. § 761.61(c), or 40 C.F.R. § 761.62(c).

9) SVEC is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time SVEC has or receives information indicating that SVEC has failed, or may have failed, to comply with any provision of this Approval, it must report the information to the EPA in writing within 24 hours of having or receiving the information.

10) This Approval does not constitute a determination by the EPA that the transporters or disposal facilities selected by SVEC are authorized to conduct the activities set forth in the Notification. SVEC is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state, and local statues and regulations.

11) This approval does not: 1) waive or compromise the EPA's enforcement and regulatory authority; 2) release SVEC from compliance with any applicable requirements of federal, state, or local law; 3) release SVEC from liability for, or otherwise resolve, any violations of federal, state, or local law.

12) Sampling of epoxy encapsulated surfaces shall be conducted as described in the May 25, 2016 Corrective Action Plan to determine the effectiveness of the encapsulation.

   a) Wipe sampling of encapsulated surfaces shall be performed on a surface area basis by the standard wipe test as specified in 40 C.F.R. § 761.123 (i.e. $\mu g/100\ cm^2$).

   b) Chemical extraction for PCBs shall be conducted using Method 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846 unless another extraction or analytical method is validated according to 40 C.F.R. Part 761, Subpart Q. The minimum laboratory reporting limit shall be 1 $\mu g/100\ cm^2$.

   c) Analytical results of surface sampling shall be submitted to the EPA upon SVEC's receipt of the results.

13) SVEC has submitted, and the EPA has approved, a detailed monitoring and maintenance implementation plan (MMIP) as part of the Notification for the epoxy encapsulated areas to monitor the long-term effectiveness of the encapsulant in reducing exposure to building users. The monitoring plan includes annual wipe sample collection on the surface of the epoxy encapsulant of a minimum of 25% of the interior spaces where PCB containing caulk has been removed. Samples shall be collected annually during the summer months when temperatures are at their warmest, until such time as the building is fully remodeled or demolished, or until May 25, 2022 when this approval expires.

   a) Sample results shall be submitted to the EPA upon receipt.

   b) Within 30 days of this approval, SVEC shall amend the MMIP to include a communications plan which details how the maintenance and monitoring results will be communicated to the Site users, including residents, on-Site workers, and interested stakeholders.

   c) Within 30 days of this approval, SVEC shall amend the MMIP to include a worker training plan for maintenance workers or for any person that will be conducting work that could impact the building coatings.

   d) Activities required under the MMIP shall be conducted until such time that the EPA determines, in writing, that such activities are no longer necessary.

14) SVEC shall allow any authorized representative of the Administrator of the EPA to inspect the Site, inspect records, and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by SVEC to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.

15) Any proposed modification to the plan, specifications, or information in the Notification must be submitted to the EPA for review and approval. Any proposed modification to the plan or specifications contained in the Notification or any departure from the conditions of this Approval without prior, written authorization from the EPA may result in revocation, suspension, and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

16) Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension, and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

17) SVEC shall prepare and maintain all records and documents required by 40 C.F.R. Part 761, including, but not limited to, the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by SVEC in one centralized location. All records shall be made available for inspection by authorized representatives of the EPA.

18) No record, report, or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under the EPA audit, self-disclosure, or penalty policies.