UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Submarines/Cruisers

AUG 12 1998

Mr. Kenneth M. Mackenthun
Principal Scientist
ADI Technology Corporation
4 Crystal Park
2345 Crystal Drive, Suite 909
Arlington, VA 22202

Dear Mr. Mackenthun:

This is in response to your letter to Laura Casey of my staff (attached) regarding the amendments to the PCB regulations at 40 CFR Part 761, better known as the PCB Disposal Amendments, and their impact on your project with the US Navy. This project involves the use of a cutting torch to reduce submarine and cruiser hulls to sections appropriate for rail car shipment. These sections would go to a smelter for scrap metal recovery. The new regulations were published in the Federal Register on June 29,1998 and become effective on August 28, 1998. Until then, the current regulations are still in effect.

Application of a cutting torch to PCBs regulated for disposal results in thermal destruction of the PCBs, which constitutes disposal. There is no specific provision in either the current regulations or the PCB Disposal Amendments allowing the disposal of regulated PCBs using a cutting torch. Therefore, either the cutting torch must be approved as a thermal disposal technology, or the cutting torch must not contact PCBs regulated for disposal.

All PCB disposal approval options for a cutting torch would require submission of a disposal approval application to EPA in accordance with §761.60(e) of the current regulations, or §§761.62(c) or 761.79(h) of the PCB Disposal Amendments. The disposal approval application generally would have to include a demonstration of the technology and environmental sampling to evaluate fugitive releases and the effectiveness of the disposal. For more information, contact the EPA Regional Administrator for the region in which the activity would take place.

Under the PCB Disposal Amendments, a PCB disposal approval would not be required to use a cutting torch to cut into metal with a surface coating of PCBs if the metal is first decontaminated so that the torch does not contact PCBs regulated for disposal. According to

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§761.79(b)(3)(i)(A), the hull is unrestricted for use and unregulated for disposal if it is cleaned to $\leq 10\ \mu g/100\ cm^2$ on all surfaces to which the torch would be applied. The $\leq 10\ \mu g/100\ cm^2$ level may be reached by any number of physical processes including forms of abrasion and solvent rinsing. These processes are listed in §761.79(b) of the PCB Disposal Amendments. Alternatively, under §761.79(b)(3)(i)(B), the hull may be cleaned to NACE Visual Standard No. 2.

The PCB Disposal Amendments also provide for thermal decontamination of metal in contact with non-liquid PCBs at §761.79(c)(6). This self-implementing thermal decontamination requires a scrap metal recovery oven or a smelter which operates in accordance with the requirements of §761.72 and depends on the concentration of PCBs contacting the metal. In accordance with §761.79(b)(3)(ii)(A), metal to be smelted must be decontaminated to a level of $<100\ \mu g/100\ cm^2$. This level may be achieved by any number of decontamination routes, including those provided at §761.79(b) and (c). Alternatively, under §761.79(b)(3)(ii)(B), the hull may be cleaned to NACE Visual Standard No. 3. Hull sections would have to be decontaminated to one of these standards before smelting. However, since regulated PCBs remain on the hull, a cutting torch may not be applied to this surface since it is not an approved disposal or decontamination method.

Should you have any further questions, please contact me at 202-260-3933.

Sincerely,

Tony Baney, Chief
Fibers and Organics Branch

Enclosure

cc: Laura Casey
Tom Scarano, NAVSEA

ADI TECHNOLOGY CORPORATION

31 July 1998

Ms. Laura Casey
Chemical Management Division, Mail Code 7404
Office of Pollution Prevention and Toxics
U. S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Ms. Casey:

ADI Technology Corporation has for many years provided the U.S. Navy consultation and advice related to PCB management and disposal. Currently, we are reviewing the regulatory interpretation related to cleaning of submarine and cruiser hulls to remove PCBs prior to hull sectioning and shipment to a smelting operation for recycling purposes.

In the recycling process, the thick steel of a ship's hull is cut by torch into large sections from the inside of the hull. These large hull sections are moved to a cutting area where the large sections are cut into smaller sections appropriate for rail car shipment to the smelting operation. Prior to the cutting and shipping operation, the steel is cleaned of PCBs. It is my understanding from our telephone conversation of 23 July, and my reading of the regulation, that 40 CFR 761.79(b)(3)(ii)(A) provides the cleaning requirements for preparing the hull sections for shipment to a smelting operation. If the outside hull paint contains PCBs, then 40 CFR 761.79(b)(3)(ii)(B) also applies. Thus, preparing the hull surface for torch sectioning and shipment for smelting requires cleaning to $<100\mu g/100cm^2$ PCBs, as measured by a standard wipe test at locations selected in accordance with subpart P. If the exterior hull paint contains PCBs, that hull surface must be cleaned to Visual Standard No. 3, Commercial Blast Cleaned Surface Finish, of the National Association of Corrosion Engineers.

As we discussed, I request your review and comments on this specific situation and the interpretation of applicable regulations. I am delighted that you have agreed to respond in writing as this will be a great help in presenting this information to the Navy. Please send reply to the Four Crystal Park address provided below.

Very sincerely,

Kenneth M. Mackenthun

Kenneth M. Mackenthun
Principal Scientist

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 12 1998

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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Principal Scientist
ADI Technology Corporation
4 Crystal Park
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Arlington, VA 22202

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