

US EPA ARCHIVE DOCUMENT

Request for Comments: Draft Technical Guidance for Determining the Presence of Polychlorinated Biphenyls (PCBs) at Regulated Concentrations on Vessels (Ships) to be Reflagged

EPA is requesting public comments on our Draft Technical Guidance for Determining the Presence of Polychlorinated Biphenyls (PCBs) at Regulated Concentrations on Vessels (Ships) to be Reflagged. In addition to requesting comments on the draft technical guidance document in its entirety, EPA specifically requests comments on the document's approaches to (1) composite sampling, (2) logical groupings (subgroup approach), (3) cable sampling, (4) determining category population size for non-discrete items, as well as (5) whether the guidance could be useful for other ship-related activities. Finally, EPA specifically requests comments on (6) whether there is an appropriate date of a vessel's construction after which it could be assumed that because of the PCB ban materials on that vessel do not contain PCBs.

1. Approach to Composite Sampling

EPA included a section in the draft technical guidance on when and how to take composite samples (See Section V.A. 'Composite Sampling' in the guidance document). Taking more samples increases the reliability of determining if the ship contains regulated levels of PCBs. EPA solicits comments on the composite sampling approach described in the proposed guidance.

2. Approach to Logical Groupings

EPA included a section in the draft technical guidance document on how to create and sample groups of like items (See Section V.A. 'Logical Groupings of Items in a Material Category' in the guidance document). In certain cases, it could be appropriate to create a subgroup of similar items in the same material category, where one item's PCB content could be

considered representative of all the items in that subgroup. For example, a subgroup under the electrical cable material category could be created based on cables having similar physical attributes, such as having the same diameter, type of insulation, and color of insulation. The goal of this section is to describe how a ship owner could take fewer samples to reach the same level of confidence about the presence of regulated levels of PCBs in the ship. EPA solicits comments on the approach described in this section.

3. Cable Sampling Approach

In this draft technical guidance document, EPA recommends that when sampling an electrical cable, a cross section of the cable is cut, all metal materials are separated out and removed from the sample, and the remaining non-metal portions of the sample are homogenized and then extracted. EPA solicits comments on this approach.

4. Determining Category Population Size for Non-discrete Items

Of the material types identified in this draft technical guidance, paint and caulk may be difficult if not impossible to define into discrete items. Without being able to itemize a material, one cannot use the statistical methods described in the guidance document. To address this deficiency, EPA recommends that every 400 square feet of painted surface on the ship be treated as one item of paint, because one gallon of paint, which is a typical unit for painting, covers approximately 400 square feet. This does not mean a sample is recommended every 400 square feet. However, it does mean that the inventory population used to determine the number of samples will be the entire square footage of painted surfaces on the vessel divided by 400. In regard to caulk, if caulk is not found as discrete items on a vessel, then EPA recommends using every 10 linear feet of caulk to be treated as one item of caulk. EPA solicits comments on

whether these size selections for paint and caulk are practical when incorporated into the statistical methods of this draft technical guidance.

5. *Applicability of the Draft Technical Guidance to Other Ship Activities*

This draft guidance was developed specifically to assist ship owners with self-certification required under MARAD's process for the foreign transfer of U.S. documented vessels and for compliance with TSCA. However, EPA solicits comments on the potential utility of applying the elements in this proposed guidance to other ship-related activities.

6. *Cutoff Date for When Materials on a Vessel Can Be Assumed to Not Contain PCBs*

Ships often take several years to construct, which means a portion of a vessel could have been constructed prior to TSCA going into effect, where the construction of the ship in its entirety could have been completed after TSCA came into effect. TSCA §6(e)(2)(A) states that after January 1, 1978, no person may manufacture, process or distribute in commerce or use any polychlorinated biphenyl in any manner other than in a totally enclosed manner. EPA solicits comments on whether there is an appropriate date of construction after which it could be assumed that all the materials included on a vessel built in the U.S. do not contain PCBs in the initial construction.