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

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

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MEMORANDUM

SUBJECT: Re-delegation of OSWER's Management of the Disposal and Cleanup of Polychlorinated Biphenyls (PCBs)

FROM:

*Susan Parker Bodine*  
Susan Parker Bodine  
Assistant Administrator

TO:

Matt Hale, Director  
Office of Solid Waste

**PURPOSE**

The activities specified in the following table related to the disposal and cleanup of polychlorinated biphenyls (PCBs), currently delegated to the Assistant Administrator for the Office of Solid Waste and Emergency Response (OSWER), are being re-delegated to the Director of the Office of Solid Waste (OSW).

**DISCUSSION**

Section 6(e) of The Toxic Substances Control Act (TSCA) gives EPA various authorities to regulate PCB manufacture, processing, distribution, use, disposal, marking, and other related actions. Activities under TSCA Section 6(e) are currently delegated to the Assistant Administrators for the Office of Prevention, Pesticides, and Toxic Substances (OPPTS) and OSWER and/or the Regional Administrators. Within OSWER, the management of hazardous waste cleanup and disposal programs is one of OSW's responsibilities. Re-delegating the PCB cleanup and disposal activities listed in the following table to the Director of OSW is a natural fit with OSW's ongoing responsibilities. The re-delegation of these activities is allowable under EPA's "Delegation of Authority 12-5; Management of Polychlorinated Biphenyls (PCBs)."

## SPECIFIC RE-DELEGATION

The following Table lists the specified activity that will be re-delegated to the Director of OSW.

Regulatory Reference	Subject area	To Whom Delegated	Re-delegation	Limitations
40 CFR 761.60(e)	Alternate destruction approvals	OSWER	Director, OSW	Sites in more than one region, except for R&D with less than 500 pounds of PCB material which will be approved by the Regional Administrator
40 CFR 761.60(i)	R&D approvals	OSWER	Director, OSW	Except as provided for in 40 CFR 761.60(j) (self-implementing R&D), except for R&D with less than 500 pounds of PCB material which will be approved by the Regional Administrator
40 CFR 761.61(c)	Risk-based PCB remediation waste disposal approvals	OSWER	Director, OSW	Sites in more than one Region
40 CFR 761.62(c)	Risk-based PCB bulk product waste disposal approvals	OSWER	Director, OSW	Sites in more than one Region
40 CFR 761.65(a)(3)-(4)	Storage extensions	OSWER	Director, OSW	Sites in more than one Region
40 CFR 761.65(d)-(g)	Commercial storage approvals, closure, closure cost estimates, and financial assurance for closure	OSWER	Director, OSW	Sites in more than one Region
40 CFR 761.65(h) and (j)	Release of owner or operator and changes in ownership or operational control	OSWER	Director, OSW	Sites in more than one Region
40 CFR 761.79(h)	Alternate decontamination or sampling approval	OSWER	Director, OSW	Mobile decontamination or sampling activities at sites in more than one Region
40 CFR 761 Subpart G §761.120-§761.135	Spill cleanup policy	OSWER	Director, OSW	

40 CFR 761 Subpart J §761.180-§761.193 (except 40 CFR 761.180(a) solely related to use and 40 CFR 761.180(g))	General Records and Reports	OSWER	Director, OSW	
40 CFR 761 Subpart K §761.202-761.218	Waste Disposal Records and Reports	OSWER	Division Director	
40 CFR 761 Subpart M §761.240-761.257 (except 761.243(b))	Pipeline Sampling	OSWER	Director, OSW	
40 CFR 761 Subpart N §761.260-761.274	Characterization Sampling	OSWER	Director, OSW	
40 CFR 761 Subpart O §761.280-761.294	Verification Sampling	OSWER	Director, OSW	
40 CFR 761 Subpart P §761.300-761.316	Characterization Sampling	OSWER	Director, OSW	
40 CFR 761 Subpart Q §761.320-761.326	Alternative Extraction and Analysis for Remediation Waste	OSWER	Director, OSW	
40 CFR 761 Subpart R §761.340-761.359	Characterization Studies for storage or disposal of waste	OSWER	Director, OSW	
40 CFR 761 Subpart S §761.360-761.378	Double wash/rinse for Decontamination	OSWER	Director, OSW	
40 CFR 761 Subpart T §761.380-761.398	Comparison studies for Decontamination Solvents	OSWER	Director, OSW	

cc: Matt Straus (OSWER/IO)  
Brian Grant (OGC)  
RCRA Directors  
Vernon Myers (OSW)