

House Research Act Summary

CHAPTER: 176

SESSION: 2004 Regular Session

TOPIC: Regulation of PCB waste

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Overview

Polychlorinated biphenyls (PCBs) are mixtures of chlorinated compounds whose insulation and fire resistant properties made them popular as coolants and lubricators in electrical equipment. While PCBs were used in refrigerators and microwave ovens as recently as the 1970s, transformers and capacitors owned by electric utilities represent the largest current repository of these chemicals. PCBs were banned from production in the United States in 1977 because of concern regarding their toxicity, capacity to bioaccumulate, and persistence in the environment.

Various aspects of PCB use and waste management have been regulated at both the state and federal levels. Chapter 176 is the result of a year-long effort by the Minnesota Pollution Control Agency and the U.S. Environmental Protection Agency to examine eliminating duplicative regulations. Under the new law, the PCA will retain its jurisdiction over PCB disposal, licensing and fees; the EPA will be responsible for regulating PCB use, waste transportation, emergency planning, personnel training, and spill cleanup.

Chapter 176 also provides an incentive for owners to retire equipment containing PCBs before the end of its service life. Owners who enter into such agreements with the PCA will receive waivers from state fees on such equipment, which totaled \$30,000 statewide in FY 2002.

- 1 PCB waste; oil-filled electric equipment.** (a) Specifies that a generator of PCB waste in concentrations exceeding 50 parts per million which is subject to federal regulation is also

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subject to state hazardous waste requirements with respect to disposal, licensing, and fees. Small capacitors and lighting ballasts that contain PCBs are also subject to state regulations limiting the time such equipment can be stored prior to disposal (90 days for large generators, 180 days for small generators).

(b) Allows a generator of PCB waste from oil-filled electric equipment a waiver from annual hazardous waste fees if the generator agrees to voluntarily dispose of the equipment prior to the end of its service life and executes an agreement with the Pollution Control Agency outlining goals, activities, and a schedule to phase-out the use of the equipment. Before the generator is re-licensed, the generator must demonstrate compliance with the agreement.