

## PCBs in Products Resolution

Discussion Draft for SRRTTF Work Group meeting of 10-10-2012

REVISED 10-05-2012

**WHEREAS;** PCBs cause serious health effects including cancer and non-cancer effects such as effects on the immune system, reproductive system, nervous system, and endocrine system;<sup>1</sup> and

**WHEREAS;** In addition to being toxic, PCBs are persistent and bioaccumulative.<sup>2</sup> This means they remain in the environment for long periods of time and increase in concentration within organisms or within the food chain; and

**WHEREAS;** Under TSCA the U.S. banned the production of PCBs in 1979, with certain exceptions, because they presented “an unreasonable risk of injury to health within the U.S.,”<sup>3</sup> and

**WHEREAS;** PCBs continue to be found in people in the U.S.<sup>4</sup>; and

**WHEREAS;** PCB contaminated fish are the primary source of PCBs for people, and many fish in our waterways are too contaminated to eat safely, leading to fish advisories. In 2010 there were 1,084 fish advisories for PCBs in 40 states<sup>5</sup>; and

**WHEREAS;** The current levels of PCBs in our environment are adversely affecting human health and the environment; and

**WHEREAS;** Millions of dollars are spent each year cleaning up PCBs in the United States of America; and

**WHEREAS;** PCBs were used in many applications, and exposure is ongoing from legacy sources such as transformers and capacitors. PCBs already in the environment continue to be redistributed and dispersed through disposal, recycling, leaking, and other pathways; and

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<sup>1</sup> U.S. Department of Health and Human Services (2000) Toxicological Profile for Polychlorinated Biphenyls (PCBs).

<sup>2</sup> EPA considers PCBs to be PBTs (<http://www.epa.gov/pbt/pubs/cheminfo.htm>). PCBs were one of the 12 original persistent organic pollutants (POPs) under the Stockholm Convention (<http://chm.pops.int/Convention/ThePOPs/The12InitialPOPs/tabid/296/Default.aspx>), which the U.S. signed, but has not ratified.

<sup>3</sup> 40 CFR 761.20.

<sup>4</sup> Centers for Disease Control (CDC) National Health and Nutrition Examination Survey (NHANES) <http://www.cdc.gov/nchs/nhanes.htm>

<sup>5</sup> EPA (2011) National Listing of Fish Advisories: General Fact Sheet 2010 [http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/general\\_factsheet\\_2010.cfm](http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/general_factsheet_2010.cfm)

**WHEREAS;** New products may contain PCBs, including inadvertently generated PCBs that are allowed in products at less than an annual average of 25 ppm, with a 50 ppm maximum. There is significant inadvertent production of PCBs during certain manufacturing processes, most notably those processes involving the use of chlorinated solvents; and

**WHEREAS;** Individual states cannot effectively regulate PCBs; and the current regulatory limits on PCBs in excluded products were based on economic considerations, rather than exposure or risk assessments.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

(WEF, NCWA) supports EPA's proposed rulemaking to reassess the current use authorizations for PCBs, which currently allows inadvertently generated PCBs in products of less than 50 ppm maximum and less than an average annual 25 ppm.<sup>6</sup> EPA should move forward with this rulemaking to further limit inadvertently produced PCBs to better protect human health and the environment.

(WEF, NCWA) recommends that EPA continue its efforts to reduce PCBs and to work with the international community on the elimination of PCBs<sup>7</sup>.

(WEF, NCWA) recommends that EPA, industries, and states work together on alternatives to manufacturing processes involving the use of chlorinated solvents, to develop manufacturing processes in the next five years that do not generate PCBs, while making sure the alternatives do not themselves cause significant environmental impacts of their own;

(WEF, NCWA) supports a national approach to the problem of inadvertently created PCBs and requests that EPA commit research and development funds to establish the scope of the issue for all inadvertently created PCBs and provide resources to establish a Design for the Environment Project to reduce or eliminate inadvertently created PCBs.

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<sup>6</sup> Federal Register Vol. 75, No. 66, Wednesday, April 7, 2010. Advance Notice of Proposed Rulemaking (ANPRM).

<sup>7</sup> Stockholm Convention implementation

<http://chm.pops.int/Implementation/PCBs/PCBsEliminationNetworkPEN/tabid/438/Default.aspx>