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**PAPER COMPANY**  
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# Federal Regulations

## SUBCHAPTER R - TOXIC SUBSTANCES CONTROL ACT, PART 761

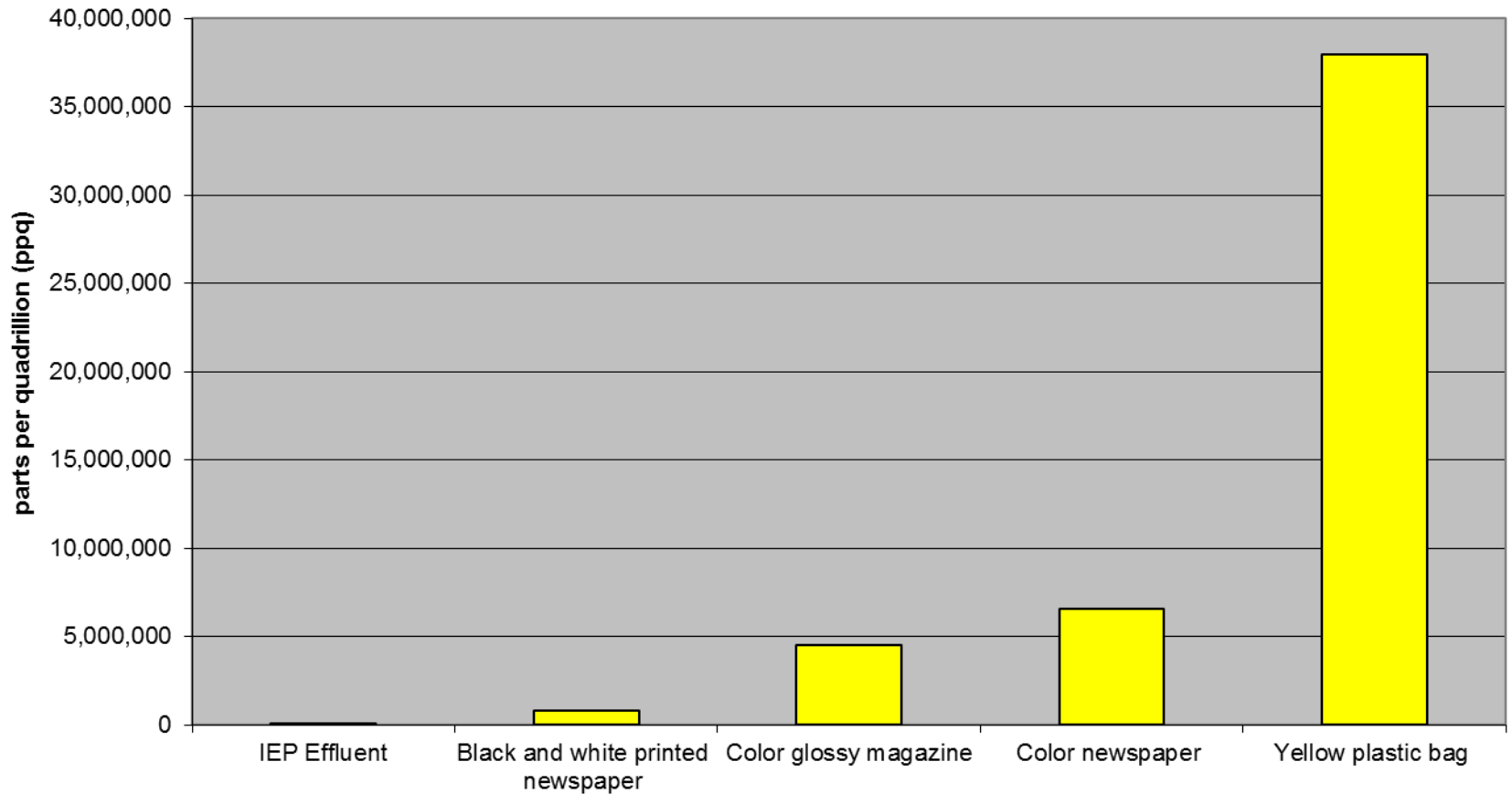
- ...pigments that contain 50 ppm or greater PCB may be processed, distributed in commerce, and used in a manner other than a totally enclosed manner until January 1, 1982...*40 C.F.R. § 761.3 (g), Reserved after 1999*
- The concentration of inadvertently generated PCBs in products leaving any manufacturing site or imported into the United States must have an annual average of less than 25 ppm, with a 50 ppm maximum” *40 C.F.R. § 761.3 (1)*

# PCB Regulatory Paradox

Reference	PCB Concentration (ppm)	Magnitude Difference
<b>Federal TSCA Allowance</b>	<b>50</b>	<b>----</b>
<b>EPA &amp; WA WQS</b>	<b>0.00000017</b>	<b>294,117,647</b>
<b>*Spokane Tribe WQS</b>	<b>0.0000000013</b>	<b>38,461,538,462</b>

\*Adopted a Fish Consumption Rate 1.9 pounds/day

# Allowance Impact



# Actions

- Formed a coalition of conservation groups, tribal organizations, cities, counties, business, industry, regulatory agencies, legislators, academics, Labor, trade organizations and many others
- Resolutions/Letters of Support:
  - ECOS
  - NACWA
  - SRRTTF
  - WEF
  - National Congress of American Indians
  - Affiliated Tribes of Northwest Indians
  - Confederated Tribes of the Umatilla Indian Reservation
- WA Toxics Reduction Strategies Workgroup
- WA PCB Chemical Action Plan
- WA State, City of Spokane & Spokane County adopt PCB Purchasing Policies
- Recently met w/CPMA

# Solutions?

- Technical:
  - Develop alternative (non-chlorinated) products
  - Develop products w/reduced levels of PCBs
  - Develop new end-of-pipe treatment for PCB abatement
  - Perform risk assessment of all 209 congeners
- Regulatory/Policy/Legal:
  - Eliminate allowance for inadvertent PCB products
  - General phase-out of allowance
  - Regulate only the 12 Dioxin like PCBs
  - Do not regulate lower congener PCBs (Europe)
  - Provide NPDES permit offsets for inadvertent PCBs
  - Provide NPDES Permit exclusion for inadvertent PCBs
  - Streamline approval/cost for new chemical products
- Stakeholder Task Force to vet & offer solutions:
  - Regulatory, Technical, Legal and Policy