



Resolution Number 12-9
Approved August 28, 2012
Colorado Springs, Colorado

Revised September 2, 2015
Newport, Rhode Island

As certified by
Alexandra Dapolito Dunn
Executive Director

PCBs IN PRODUCTS

WHEREAS, polychlorinated biphenyls (PCBs), classified by U.S. EPA as possible human carcinogens, cause serious health effects, including cancer and non-cancer effects, such as effects on the immune system, reproductive system, nervous system, and endocrine system;¹ and

WHEREAS, in addition to being toxic, PCBs are also persistent and bioaccumulative.² 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 the Toxic Substances Control Act (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.”;³ and

WHEREAS, PCBs continue to be found in people in the U.S.;⁴ and

WHEREAS, PCB-contaminated fish are the primary source of PCBs for people, and many of our fish are too contaminated to eat safely, leading to fish advisories. The number of fish advisories due to PCBs continues to persist, with 1,102 fish advisories for PCBs in 2011;⁵ and

WHEREAS, the existing PCBs in our environment still pose a real threat to human health and the environment; and

WHEREAS, we spend millions of dollars each year cleaning up PCBs; and

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

² 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.

³ 40 CFR 761.20.

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

⁵ EPA (2013) National Listing of Fish Advisories: Technical Fact Sheet 2011 <http://water.epa.gov/scitech/swguidance/fishshellfish/fishadvisories/technicalfs2011.cfm>

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

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 inadvertent production of PCBs during certain manufacturing processes, such as pigment and dye manufacturing; and

WHEREAS, paper recycling is beneficial, but facilities that recycle paper have PCBs in their effluent due to the PCBs present in colorants. These levels are low, but due to the PCBs already in the environment, facilities are sometimes regulated for such low discharges of PCBs; and

WHEREAS, many municipal wastewater and stormwater authorities are subject to extremely low Clean Water Act limits for PCBs that their systems receive from existing and legacy sources, which can dramatically increase operating costs and customer rates; and

WHEREAS, individual states cannot address PCBs in recycled paper, because recycling facilities receive paper from many other states; and

WHEREAS, 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 THE ENVIRONMENTAL COUNCIL OF THE STATES (ECOS):

Recommends that U.S. EPA, industry, and states establish a workgroup to advance the field of colorants and 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;

Requests U.S. EPA Office of Research and Development commit research and development funds to establish the scope of the issue for all inadvertently-created PCBs and provide resources to fund the workgroup project to reduce or eliminate inadvertently-created PCBs;

Urges states to petition the U.S. EPA to draft rules that reassess the current use authorizations for PCBs, which includes products with PCBs and products with inadvertently-generated PCBs;⁶ and

Recommends that U.S. EPA continue its efforts to reduce PCBs and work with the international community on the elimination of PCBs.⁷

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

⁷ Stockholm Convention implementation

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