

Procedure for Management of Polychlorinated Biphenyls and Polychlorinated Terphenyls

Regulation No. 71 of 19 July 1999 of the Minister of the Environment

This Regulation has been issued pursuant to subsections 6(2) and 11(3) of the Waste Act (RT I 1998, 57, 861; 88, rectification, p. 2810; 1999, 10, 155: 23, 353), taking account of Council Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) (OJ L 243, 24.9.1976).

I. GENERAL PROVISIONS

1. This Procedure lays down requirements for collection and disposal of chemicals based on, and waste containing, polychlorinated biphenyls or polychlorinated terphenyls or any substances with similar chemical structure (hereinafter PCBs), and requirements for decontamination or disposal of equipment containing PCBs, in order to achieve complete and final elimination of PCBs from use to avoid the risks arising from PCBs to human health and the environment.
2. 'PCBs' means:
 1. polychlorinated biphenyls;
 2. polychlorinated terphenyls;
 3. monomethyl-tetrachlorodiphenyl methane;
 4. monomethyl-dichlorodiphenyl methane;
 5. monomethyl-dibromodiphenyl methane;
 6. any preparation or mixture in which the total content of any of the substances specified in subclauses 1-5 of this clause exceeds than 0.005 % by weight.
1. 'Equipment containing PCBs' means any equipment containing or having contained PCBs (e.g. transformers, capacitors, receptacles containing residues of PCBs) which has not been decontaminated. Equipment in respect to which it is reasonable to assume that it contains PCBs shall also be treated as equipment containing PCBs unless it is proven not to contain PCBs.
2. 'Decontamination' means any operation that enables equipment, objects, materials or fluids contaminated by PCBs to be reused, recycled or disposed of under safe conditions, including operations in which PCBs are replaced by suitable fluids not containing PCBs.
3. 'Disposal' means operations listed under code numbers D8, D9, D10 and D15 in the List of Waste Disposal Operations approved by Regulation No. 183 of 18 August 1998 of the Government of Estonia "Approval of List of Waste Disposal and Recycling Operations" (RT I 1998, 75, 1239).
4. Production, import, export, marketing and use of PCBs and equipment containing PCBs must be effected in compliance with prohibitions and restrictions established by Regulation No. 6 of 5 January 1999 of the Government of Estonia "Establishment of the Procedure for Import and Export of Chemicals whose Management is Prohibited or Strictly Restricted" (RT I 1999, 5, 70) and by Regulation No. 99 of 16 March 1999 of the

Government of Estonia “Approval of List of Products which Cause Damage to the Environment as Waste and whose Production, Import, Export, Sale and Use is Prohibited” (RT I 1999, 34, 444). Holders of equipment that is in working order and contains PCBs shall eliminate such equipment from use or decontaminate it and shall dispose of the PCBs contained therein as soon as possible, for equipment specified in clause 7 of this Procedure, by 31 December 2010 at the latest.

I. INVENTORY AND MARKING OF EQUIPMENT CONTAINING PCBs

1. Holders of equipment containing more than 5 dm³ of PCBs shall notify the Estonian Environment Information Centre of all items of such equipment by 1 July 2001 at the latest. In the case of power capacitors, the threshold of 5dm³ shall mean the total capacity obtained by adding up the capacities of separate elements.
2. When notifying the Estonian Environment Information Centre of equipment containing PCBs, the holder of the equipment shall complete an inventory sheet on each item of equipment containing PCBs, in accordance with Annex 1 to this Regulation.
3. In the case of transfer of inventoried equipment containing PCBs, the new holder shall notify the Estonian Environment Information Centre thereof within seven days, completing a new inventory sheet.
4. The Estonian Environment Information Centre shall keep continuous account of equipment containing PCBs and shall compile the first summary inventory on the basis of the data of inventory sheets by 1 August 2000 at the latest, and shall subsequently check and update the summary data once a year (by 1 February of each year).
5. If, on the basis of the type of the equipment or the field of its application or on the basis of other information, it is reasonable to assume that the equipment or a liquid separated therefrom and qualified as waste contains PCBs, the holder of the equipment shall, in order to comply with the requirements of this Regulation and subsection 44(1) of the Waste Act, identify whether and in what quantity the equipment or the waste contains PCBs.
6. Holders of equipment containing PCBs shall mark the equipment with a label bearing the text “Equipment containing PCBs”, with handling risk phrases (R-phrases) and handling safety phrases (S-phrases) of PCBs and visual danger signs in conformity with the provisions of the “List of Dangerous Substances” approved by Regulation No. 59 of 30 November 1998 of the Minister of Social Affairs (RT L 1999, 39, 508 and 509) and the “Procedure for Identification, Classification, Packaging and Labelling of Dangerous Chemicals” approved by Regulation No. 64 of 11 December 1998 of the Minister of Social Affairs (RTL 1998, 372/373, 1610).
7. Marking shall be applied to equipment containing PCBs and, in case the equipment is located in a room, also to the door of the room.

III. DECONTAMINATION OF EQUIPMENT CONTAINING PCBs AND DISPOSAL OF WASTE CONTAINING PCBs

8. The holder of a transformer containing PCBs shall decontaminate the transformer, bringing the content of PCBs in transformer fluid below 0.005 % by weight, subject to the following conditions:
 1. if the equipment is decontaminated by replacing the fluid contained therein, the health and environmental risk presented by the fluid replacing PCBs must be significantly lower than the risk presented by PCBs;
 2. replacement of the fluid must not have any negative effect on subsequent disposal of PCBs;
 3. upon decontamination, marking applied to the transformer in accordance with clause 12 of this Regulation shall be replaced with marking provided for in Annex 2 to this Regulation.

1. Equipment which contains PCBs and is incorporated into other equipment must, where possible, be separated from the latter and managed separately.
2. Waste containing PCBs, including equipment, objects and materials contaminated with PCBs, may be disposed of only by means of operations specified in clause 5 of this Regulation, in compliance with the requirements established by subsection 11(2) of the Waste Act and the principle of best available technology. Separation of PCBs from waste for the purpose of reuse of PCBs, and burning of waste containing PCBs on ships, is prohibited.
3. For keeping, storing or managing equipment or waste containing PCBs, all necessary measures must be taken to avoid fire danger, including keeping the equipment or materials away from inflammable substances.
4. In case there is a lack of technical capacity for disposal of waste containing PCBs or decontamination of equipment containing PCBs in Estonia, the holder of such waste or equipment shall co-operate with foreign countries where such capacity exists to achieve compliance with the requirements of clause 6 of this Regulation, taking into account the provisions of section 29 of the Waste Act.

IV. FINAL PROVISION

5. This Regulation shall enter into effect on 1 July 2000.

Minister Heiki KRANICH

Secretary General Sulev VARE

Annex 1

to Regulation No. 71 of 19 July 1999

INVENTORY SHEET OF PCBs

(Commercial) name of holder of equipment		Registry code
Address of holder of equipment		Telephone/fax
Territorial code*	Contact person: name, position, telephone/fax	
Location of equipment containing PCBs (address)		
Description of equipment containing PCBs		
Types and quantities of PCBs contained in the equipment		
Disposal or replacement of PCBs		
Planned method		Term:
PCBs disposed of or replaced, method used		Date:

*) Territorial code according to the Classifier of Administrative Units of the Republic of Estonia, intended for use in all registers and information systems in Estonia for the marking of territorial location. The Classifier of Administrative Units is available in the State Classifier Centre (Kohtu 8, 10130 Tallinn) or on the ftp server of the Government of Estonia <ftp://ftp.rk.ee/pub/ris/ehak.txt> (in text format, text delimited), <ftp://rk.ee/pub/ris/ehak.dbf>.

Annex 2

to Regulation No. 71 of 19 July 1999

of the Minister of the Environment

MARKING OF EQUIPMENT DECONTAMINATED FROM PCBs

EQUIPMENT DECONTAMINATED FROM PCBs
Fluid containing PCBs replaced:

with (name of substitute fluid):

.....

on (date of replacement):

.....

by (person who replaced the fluid):

.....

Content of PCBs:

in fluid replaced: % by weight

in substitute fluid: % by weight

Note. The marking must be in Estonian and it must be clearly marked, either embossed or engraved, to each decontaminated item of equipment in such manner that removal of the marking is not possible.