

7. Records

8. Submission to minister

9. Repeal

Short title

1. These regulations may be cited as the *Storage of PCB Wastes Regulations, 2003*.

Definitions

2. In these regulations

- (a) "Act" means the *Environmental Protection Act*;
- (b) "chlorobiphenyls" or "PCB's" means the chlorobiphenyls that have the molecular formula $C_{12}H_{10-n}Cl_n$ in which "n" is greater than 2;
- (c) "minister" means the minister appointed under the *Executive Council Act* to administer the Act;
- (d) "PCB equipment" means a manufactured item that contains or contained PCB liquids or PCB solids and includes a container;
- (e) "PCB liquid" means a liquid containing more than 50 parts per million by weight of chlorobiphenyls;
- (f) "PCB solid" means a material or substance other than PCB liquid that contains chlorobiphenyls at a concentration greater than 50 parts per million by weight and includes contaminated materials and solids;
- (g) "PCB wastes" include PCB liquids, PCB solids and PCB equipment that have been taken out of service for the purpose of disposal; and
- (h) "storage site" means a place or property that is used to store PCB wastes.

Storage sites

3. (1) These regulations apply to all storage sites containing

- (a) PCB's in a quantity exceeding 1.0 kilogram;
- (b) PCB liquids of a volume greater than 100 litres; or

(c) PCB solids of a weight greater than 100 kilograms.

(2) For the purpose of determining whether the quantity, volume or weight of PCB's, PCB liquids or PCB solids exceeds the amount specified in subsection (1), the total amounts stored at all locations within or around the same place or property shall be added together.

Owners and operators of storage sites

4. An owner or operator of a storage site shall ensure that

(a) a fire control and emergency procedures plan, approved by the local fire department, is in effect;

(b) every indoor PCB storage site is equipped

(i) with a continuously monitored fire alarm system,

(ii) with portable or flood type fire extinguishers,

(iii) with materials for clean-up, such as sorbent or solvents, or

(iv) with such combination of (i), (ii) and (iii) as the minister considers necessary; and

(c) the local fire department is provided with a current inventory of PCB wastes and their location on the storage site.

Inspection and repair by owners and operators

5. An owner or operator of a storage site shall comply with the following knowledge, inspection and repair requirements:

(a) know and understand

(i) the guidelines for the management of wastes containing PCB's issued by the Canadian Council of Ministers of the Environment, and

(ii) current PCB waste management procedures and the use of personnel protection equipment and clean-up techniques;

(b) inspect monthly all PCB storage sites, including PCB equipment, floors, drains, drainage systems, fire prevention apparatus, personnel protection equipment and security fences, and repair or replace immediately, if required; and

(c) immediately repair containers or equipment found to be leaking PCB's and immediately clean up a contaminated area.

Warning signs and labels

6. An owner or operator of a storage site shall ensure that

- (a) capacitors containing one kilogram or more of chlorobiphenyls shall be labelled with either Environment Canada's serialized, black and white "PCB CAUTION" label, measuring 76 millimetres by 76 millimetres, or a reasonable alternative;
- (b) electrical transformers, electromagnets and other equipment containing chlorobiphenyls in a concentration exceeding 1% shall be labelled with either Environment Canada's serialized, black and white "ATTENTION PCB" label, measuring 150 millimetres by 150 millimetres, or a reasonable alternative;
- (c) equipment containing chlorobiphenyls in a concentration exceeding 50 parts per million by weight but not greater than 1% shall be labelled with either Environment Canada's non-serialized "Warning Label for PCB-Contaminated Equipment" or a reasonable alternative;
- (d) drums containing chlorobiphenyls or material containing chlorobiphenyls in a concentration exceeding 50 parts per million by weight shall be labelled with Environment Canada's non-serialized, black and white "ATTENTION PCB" label, measuring 150 millimetres by 150 millimetres, or a reasonable alternative;
- (e) doors to storage sites, fencing and other security barriers enclosing storage sites shall be labelled with the Act's certificate of approval number on a sign with 50 millimetres or larger letters and Environment Canada's non-serialized, black and white "ATTENTION PCB" label, measuring 150 millimetres by 150 millimetres, or a reasonable alternative; and
- (f) signs and labels referred to in this section must be maintained in a condition satisfactory to the minister.

Records

7. An owner or operator of a storage site shall maintain books and records respecting

- (a) an inventory of each item of PCB waste and the quantity of PCB's contained in each item at the storage site on the effective date of these regulations;
- (b) each item of PCB waste received at the storage site after the effective date of these regulations and those books and records shall indicate with respect to each item the
 - (i) date of receipt of the PCB waste,
 - (ii) description of the PCB waste including the nameplate description, serial numbers, PCB registration number and quantity,
 - (iii) condition of the PCB waste,
 - (iv) source of the PCB waste,
 - (v) name of the carrier of the PCB waste, and
 - (vi) name of the individual who accepted receipt of the PCB waste;
- (c) each item of PCB waste removed from the storage site and those books and records shall indicate with respect to those removed items the
 - (i) date of removal of the PCB waste,

- (ii) description of the PCB waste including the nameplate description, serial numbers, PCB registration number and quantity,
 - (iii) condition of the PCB waste,
 - (iv) name of the carrier of the PCB waste,
 - (v) destination of the PCB waste, and
 - (vi) name of the individual authorizing the transport of the PCB waste; and
- (d) reports of monthly inspections and action taken as required under paragraph 5(b) or (c).

Submission to minister

8. Every owner or operator of a storage site shall submit to the minister copies of the records specified in paragraphs 7(b) and (c) on January 1 and July 1, annually.

Repeal

9. The *Storage of PCB Wastes Regulations, Consolidated Newfoundland and Labrador Regulation 798/96, are repealed.*