

The PCB Waste Storage Regulations

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Chapter E-10.2 Reg 6 (effective April 11, 1989)
as amended by Saskatchewan Regulations 21/89.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER E-10.2 REG 6

The Environmental Management and Protection Act

Title

- 1 These regulations may be cited as *The PCB Waste Storage Regulations*.

Interpretation

- 2(1) In these regulations:

- (a) **“chlorobiphenyls”** or **“PCBs”** means the chlorobiphenyls that have the molecular formula $C_{12}H_{10-n}Cl_n$ in which “n” is greater than 2;
- (b) **“director”** means the Director, Air and Land Protection Branch, Saskatchewan Department of Environment and Public Safety;
- (c) **“PCB equipment”** means any manufactured item that contains or is contaminated with PCB liquid or PCB solid and includes transformers, capacitors and containers;
- (d) **“PCB liquid”** means any liquid containing five parts per million or more by weight of chlorobiphenyls;
- (e) **“PCB solid”** means any material or substance other than PCB liquid that contains or is contaminated with chlorobiphenyls at a concentration of five parts per million or more by weight of chlorobiphenyls;
- (f) **“PCB waste”** means any:
 - (i) PCB liquid;
 - (ii) PCB solid; or
 - (iii) PCB equipment that has been taken out of service for the purpose of disposal;

and includes any waste or soil from spills or intentional or unintentional releases contaminated with chlorobiphenyls at a concentration of five parts per million or more by weight of chlorobiphenyls;

- (g) **“storage site”** means any location that is used to store PCB waste;
- (h) **“storage site inside a building”** means any enclosed structure used to store PCB wastes that is also used as a residence, office, or industrial building normally or regularly occupied by persons in the usual course of their work assignments.

- (2) These regulations do not apply to any PCB waste in a quantity of less than one kilogram.

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3 PCB waste is hereby designated as a hazardous waste.

21 Apr 89 cE-10.2 Reg 6 s3.

Storage of PCB waste

4(1) No person shall store PCB waste except at a storage site that meets the applicable requirements of these regulations.

(2) Where:

- (a) more than one storage site is situated on a piece of property or on adjacent pieces of property; and
- (b) the sites mentioned in clause (a) are owned or operated by or on behalf of the same person;

the quantity, volume or weight of any PCBs, PCB liquid or PCB solid, for the purposes of section 5, is the aggregate amount stored at all the storage sites.

21 Apr 89 cE-10.2 Reg 6 s4.

Requirements for all storage sites

5(1) This section applies to a storage site that contains:

- (a) PCBs in a quantity of one kilogram or more;
- (b) a PCB liquid of a volume greater than 100 litres; or
- (c) a PCB solid of a weight greater than 100 kilograms.

(2) An owner or operator of a storage site to which this section applies shall ensure that:

- (a) access to the storage site is controlled so as to prevent entry by unauthorized persons;
- (b) all PCB waste is stored inside:
 - (i) a room, building or other structure the entrance to which can be locked; or
 - (ii) a woven mesh wire fence or other fence or wall with similar characteristics that is at least 2 metres high, the entrance to which can be locked and that prevents any person outside it from coming into contact with the PCB waste;
- (c) equipment or material that is not used for the handling of PCB waste is not stored in or otherwise allowed to come in contact with the storage site;
- (d) where PCB liquid is stored outside of a building, the container of PCB liquid is covered with a waterproof roof or cover that extends beyond the curbing or sides of the container;
- (e) a container holding a PCB solid, PCB light ballast, drained PCB container or drained PCB equipment, where these are stored outside of a building or an enclosed area, are structurally sound and sealed from the weather;

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- (f) a PCB solid shall be stored in drums, or in containers made of steel or of other materials that provide sufficient durability and strength to prevent that solid from being:
 - (i) released into the environment;
 - (ii) affected by the weather; or
 - (iii) contaminated by external sources;
- (g) where a drum is used to contain a PCB solid, the drum:
 - (i) is not of a capacity greater than 205 litres;
 - (ii) is made of steel having a gauge of at least 18;
 - (iii) has a securely attached and removable steel lid and a gasket made of PCB-resistant material; and
 - (iv) is painted to prevent rusting;
- (g.1) a PCB liquid shall be stored in drums, or in sealed containers, made of steel or of other metals that provide sufficient durability and strength to prevent that liquid from being:
 - (i) released into the environment;
 - (ii) affected by the weather; and
 - (iii) contaminated by external sources;
- (h) where a drum is used to contain a PCB liquid, the drum:
 - (i) is not of a capacity greater than 205 litres;
 - (ii) is a closed double-bung drum made of steel having a gauge of at least 16; and
 - (iii) is painted to prevent rusting;
- (i) materials, including sorbent or solvents, for the clean-up of liquid or solids are available for use at all times at the storage site; and
- (j) an inert absorbent in a quantity sufficient to contain minor leakage is placed in the bottom of each container holding PCB equipment or fluorescent lighting ballasts.
- (k) the floor or other surface area, whether indoors or outdoors, on which PCB liquid or undrained PCB equipment other than fluorescent lighting ballasts is stored:
 - (i) is constructed of steel, concrete or other durable material; and
 - (ii) has curbing or siding sufficient to contain at least twice the volume of the PCB liquid contained in the largest item of PCB equipment on the site or 25 percent of the volume of all the PCB liquid on the site, whichever is greater;
- (l) where a floor or other surface area, or curbing or siding attached to a floor or other surface area, is capable of absorbing PCB, the floor, surface area, curbing or siding is sealed with a durable PCB-resistant coating;

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- (m) floor drains, sumps or other openings in the floor or other surface area are closed and sealed to prevent the escape of liquid;
 - (n) where the PCB waste is in a storage site inside a building with a mechanical exhaust system, the site is equipped with heat or smoke sensory controls to stop the ventilation fan and to close the intake and exhaust dampers of the fan in the event of a fire;
 - (o) containers of PCB waste and PCB equipment stored outside, other than transformers on skids, are elevated on pallets or other suitable devices to reduce corrosion to those containers and that equipment;
 - (p) subject to clause (q), containers of PCB waste are stacked and located in a manner that enables access to permit inspection;
 - (q) drums of PCB waste on pallets, PCB waste in containers that are designed for stacking or drums of PCB liquid are not stacked more than two high and are placed in storage in a manner that enables access to permit inspection;
 - (r) a fire control and emergency procedures plan, developed in consultation with the local fire department, is in effect and one copy of it is deposited with the local fire department and another is kept at the storage site;
 - (s) the local fire department is provided with a copy of any books and records submitted pursuant to section 8;
 - (t) where PCB waste is located in a storage site inside a building, the storage site is equipped with a continuously monitored fire alarm system and portable or flood-type fire extinguishers; and
 - (u) a registry is maintained that contains the name of each person who is or has been authorized to enter the storage site together with the name and address of that person's employer.
- (3) The owner or operator of a PCB waste storage site is responsible for determining the concentration of PCBs in a particular waste at the request of any environment officer.

21 Apr 89 cE-10.2 Reg 6 s5; 5 May 89 SR 21/89
s3.

Duties of owners or operators of storage sites**6** Every owner or operator of a storage site shall:

- (a) know and understand current PCB waste management procedures and the use of personnel protection equipment and clean-up techniques;
- (b) monthly inspect the storage site including any PCB equipment, floors, drains, drainage systems, fire prevention apparatus, personnel protection equipment and security fences, and repair or replace any of them immediately, if required; and

- (c) immediately:
 - (i) repair or replace any drum, container or equipment found to be leaking PCBs; and
 - (ii) clean up any contaminated area.

21 Apr 89 cE-10.2 Reg 6 s6.

Duty of owners and operators to maintain books and records

7 Every owner or operator of a storage site shall maintain, and have available for review by any environment officer, books and records respecting:

- (a) an inventory of each item of PCB waste and the quantity of PCBs contained in it at the storage site on the day on which these regulations come into force;
- (b) each item of the PCB waste received at the storage site after the day on which these regulations come into force as follows:
 - (i) date of receipt of the PCB waste;
 - (ii) description of the PCB waste including nameplate description, serial number, 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 the PCB waste removed from the storage site as follows:
 - (i) date of removal of the PCB waste;
 - (ii) description of the PCB waste including nameplate description, serial number, 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 any action taken as required by clause 6(b) or (c).

21 Apr 89 cE-10.2 Reg 6 s7; 5 May 89 SR 21/89 s4.

Reporting requirements

8 Every owner or operator of a storage site shall submit to the minister:

- (a) a copy of the books and records required by clause 7(a) and a brief description of:
 - (i) the building in which the PCB waste is stored;
 - (ii) the size of the property that is used for the storage site;
 - (iii) the precise location of the PCB waste at the storage site;
 - (iv) the container storage method used;
 - (v) the spill containment features in place at the site;
 - (vi) the security measures in place at the site;
 - (vii) the fire detection systems in place at the site; and
 - (viii) any other matter that pertains to the safe and secure storage of PCB waste;

within 30 days of the day these regulations come into force and in the case of a new storage site, within 30 days of its establishment; and

- (b) copies of the books and records required by clauses 7(b) and (c) on January 1 and July 1 of each year, revised as the occasion may require.

21 Apr 89 cE-10.2 Reg 6 s8.

Consolidation requirements

9(1) Subject to subsection (2), no person shall store PCB waste for a period longer than six months at a storage site without approval of the director to do so.

(2) In the case of a PCB storage site that is in operation on the day immediately prior to the day on which these regulations come into force, the owner or operator of the storage site may continue to store PCB wastes at the storage site until the expiration of:

- (a) two years; or
- (b) any longer period that the minister may prescribe;

from the day on which these regulations come into force.

21 Apr 89 cE-10.2 Reg 6 s9.