§ 761.193 Maintenance of monitoring records by persons who import, manufacture, process, distribute in commerce, or use chemicals containing inadvertently generated PCBs.

(a) Persons who import, manufacture, process, distribute in commerce, or use chemicals containing PCBs present as a result of inadvertent generation or recycling who perform any actual monitoring of PCB concentrations must maintain records of any such monitoring for a period of three years after a process ceases operation or importing ceases, or for seven years, whichever is shorter.

(b) Monitoring records maintained pursuant to paragraph (a) of this section must contain:

(1) The method of analysis.
(2) The results of the analysis, including data from the Quality Assurance Plan.
(3) Description of the sample matrix.
(4) The name of the analyst or analysts.
(5) The date and time of the analysis.
(6) Numbers for the lots from which the samples are taken.


[49 FR 28193, July 10, 1984, as amended at 58 FR 33669, July 1, 1993])

Subpart K—PCB Waste Disposal Records and Reports

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§ 761.202 EPA identification numbers.

(a) General. Any generator, commercial storer, transporter, or disposer of PCB waste who is required to have an EPA identification number under this subpart must notify EPA of his/her PCB waste handling activities, using the notification procedures and form described in §761.205. EPA will confirm the EPA identification number of facilities already assigned one, and will assign an EPA identification number to facilities that do not have one.

(b) Prohibitions. After June 4, 1990:

(1) A generator of PCB waste shall not:

(i) Process, store, dispose of, transport, or offer for transportation PCB waste without having received an EPA identification number from the Agency. A generator of PCB waste who is exempted from notification under §761.205(c)(1) or who notifies EPA in a timely manner under §761.205(c)(2)(i), but has not yet received a unique identification number, shall be regarded as having received from EPA the identification number “40 CFR PART 761.”

(ii) Offer the PCB waste to transporters, disposers, or commercial storers of PCB waste who have not received an EPA identification number.

(2) A transporter of PCB waste shall not:

(i) Transport PCB waste without having received an EPA identification number from EPA.

(ii) Deliver PCB waste to transporters, disposers, or commercial storers of PCB waste that have not received an EPA identification number.

(3) A commercial storer of PCB waste shall not accept any PCB waste for storage without having received an EPA identification number from EPA.

(4) A disposer of PCB waste shall not accept any PCB waste for disposal without having received an EPA identification number from EPA. A disposer of PCB waste who owns more than one disposal facility or mobile treatment unit shall not accept waste unless the
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§ 761.205 Notification of PCB waste activity (EPA Form 7710–53).

(a)(1) All commercial storers, transporters, and disposers of PCB waste who were engaged in PCB waste handling activities on or prior to February 5, 1990 shall notify EPA of their PCB waste activities by filing EPA Form 7710–53 with EPA by no later than April 4, 1990. Upon receiving the notification form, EPA will assign an EPA identification number to each entity that notifies.

(2) All generators (other than generators exempt from notification under paragraph (c)(1) of this section), commercial storers, transporters, and disposers of PCB waste who first engage in PCB waste handling activities after February 5, 1990, shall notify EPA of their PCB waste activities by filing EPA Form 7710–53 with EPA prior to

engaging in PCB waste handling activities.

(3) Any person required to notify EPA under this section shall file with EPA Form 7710–53. Copies of EPA Form 7710–53 are available on EPA’s Web site at http://www.epa.gov/pcb, or from the Program Management, Communications, and Analysis Office, Office of Resource Conservation and Recovery (5305P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001. Descriptive information and instructions for filling in the form are included in paragraphs (a)(4)(i) through (vii) of this section.

(b) Generators (other than those generators exempt from notification under paragraph (c)(1) of this section), commercial storers, transporters, and disposers of PCB waste who have previously notified EPA or a State of hazardous waste activities under RCRA shall notify EPA of their PCB waste activities under this part by filing EPA Form 7710–53 with EPA by no later than April 4, 1990. The notification shall include the EPA identification number previously issued by EPA or