

§ 761.193

at § 761.3, PCB-generating manufacturing processes or importers of PCB-containing products shall be considered "excluded manufacturing processes" only when the following conditions are met:

(a) Data are reported to the EPA by the owner/operator or importer concerning the total quantity of PCBs in product from excluded manufacturing processes leaving any manufacturing site in any calendar year when such quantity exceeds 0.0025 percent of that site's rated capacity for such manufacturing processes as of October 1, 1984; or the total quantity of PCBs imported in any calendar year when such quantity exceeds 0.0025 percent of the average total quantity of such product containing PCBs imported by such importer during the years 1978, 1979, 1980, 1981 and 1982.

(b) Data are reported to the EPA by the owner/operator concerning the total quantity of inadvertently generated PCBs released to the air from excluded manufacturing processes at any manufacturing site in any calendar year when such quantity exceeds 10 pounds.

(c) Data are reported to the EPA by the owner/operator concerning the total quantity of inadvertently generated PCBs released to water from excluded manufacturing processes from any manufacturing site in any calendar year when such quantity exceeds 10 pounds.

(d) These reports must be submitted to the Document Control Office (7407), Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, Room G-099, 1200 Pennsylvania Ave., NW., Washington, DC 20460, ATTN: PCB Notification.

(Sec. 6, Pub. L. 94-469, 90 Stat. 2020 (15 U.S.C. 2605))

[49 FR 28192, July 10, 1984, as amended at 53 FR 12524, Apr. 15, 1988; 58 FR 34205, June 23, 1993; 59 FR 33697, June 30, 1994; 60 FR 34465, July 3, 1995]

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§ 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.

(Sec. 6, Pub. L. 94-469, 90 Stat. 2020 (15 U.S.C. 2605))

[49 FR 28193, July 10, 1984, as amended at 58 FR 34205, June 23, 1993]

Subpart K—PCB Waste Disposal Records and Reports

SOURCE: 54 FR 52752, Dec. 21, 1989, unless otherwise noted.

§ 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: