



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Carey Upton
Chief Operations Officer
SMMUSD
1651 16th Street
Santa Monica CA 90404

Re: TSCA PCB Disposal Approval under 40 CFR § 761.61(c) and Decontamination Approval under 40 CFR § 761.79(h) for PCB Remediation Waste for Sediment and Water at Malibu High School, Malibu, California (CATSCA100826)

Dear Carey Upton:

Thank you for submitting the “Notification and Request for Approval, Sediment Removal and Disposal, Building D, Malibu High School, Malibu, CA” dated September 28, 2020 (“the Application”). Pursuant to 40 CFR § 761.61(c) and 40 CFR § 761.79(h), the U.S. Environmental Protection Agency, Region 9 (EPA) is approving certain provisions, as described below, from the Application, which is an attachment to this approval. The Application was submitted to EPA by the Ramboll, a consultant to Santa Monica-Malibu Unified School District (the “District”).

In April 2020, EPA issued an approval to address PCB-impacted building materials that were to be disposed of as part of the demolished of Building D. The EPA approval required sampling for PCBs in stormwater drain sediments and soil around Building D. In July 2020 nine soil and two sediment samples were collected. The soil concentrations were below the EPA Residential Screening Level (RSL) of 0.24 milligrams per kilogram (mg/kg). Both sediment samples exceeded the EPA RSL with concentrations up to 1.23 mg/kg.

Sediment removal in the catch basins will be accomplished with a High Efficiency Particulate Air equipped vacuum and hand tools. The sediment will be placed in 55-gallon drums for off-site disposal. Following the sediment removal, the storm drain lines will be flushed with potable water which will be captured for offsite disposal. Both the sediment and the captured water will be disposed of as PCB remediation waste under this approval.

The floor of the storm drains will be decontaminated following the procedures of 40 CFR § 761.79(c)(2)(i) with confirmatory wipe samples to meet the requirements in 40 CFR § 761.79(b)(4). Since the storm drains are not movable equipment the decontamination method is considered an alternative decontamination under 40 CFR § 761.79(h) and requires EPA approval. This will serve as a conditional approval; the approval will be considered final once the wipe sampling confirms results of ≤ 10 micrograms (μg)/100 centimeters (cm)².

EPA is approving the District's Application to address disposal of PCB remediation waste and alternative decontamination of the floors of storm drains that previously contacted PCB remediation waste with the following conditions:

- **Decontamination of the storm drain:** The District shall swab surfaces that have contacted PCB remediation waste with a solvent. Following the decontamination efforts, a standard wipe test (40 CFR § 761.123) will be collected. Once a level of $\leq 10 \mu\text{g}/100 \text{ cm}^2$ PCBs is achieved, the decontamination will be demonstrated to be effective and the approval pursuant to 40 CFR. § 761.79(h) will be effective.
- **Disposal of PCBs:** The District shall dispose of all PCB waste that it generates during the PCB cleanup in accordance with the TSCA PCB regulations and other applicable federal, state, and local regulations. In determining the disposal method for the waste, the District must comply with the anti-dilution requirements in 40 CFR § 761.1(b). All PCB remediation waste (i.e., sediment and water) must be disposed of in accordance with the requirements in 40 CFR § 761.61(a)(5). The District must select appropriate disposal facilities based on the in-situ PCB concentrations of the waste sediment and the measured concentrations of the water from the tote as soon as practicable after the waste is generated.
- **PCB Cleanup Waste Disposal:** Cleanup waste (e.g., personal protective equipment, rags, gloves, booties) shall be disposed of in accordance with 40 CFR § 761.61(a)(5)(v). Disposal of all waste shall be in accordance with all federal, state, and local regulations.
- **Equipment Decontamination:** The District shall decontaminate non-disposable sampling tools and equipment, as well as movable equipment used during cleanup and/or additional sampling in accordance with 40 CFR § 761.79(c). Decontamination residues must be disposed of at their original concentrations in accordance with the requirements in 40 CFR § 761.79(g). Recordkeeping of the decontamination events must be maintained in accordance with the requirements in 40 CFR § 761.79(f)(2). These procedures must be implemented in a manner that is protective of human health and the environment consistent with the requirements in 40 CFR § 761.79(e).
- **PCB Cleanup Report:** A final report describing the work activities performed, verification analytical results, volumes of disposed materials, photographs, and waste disposal documentation shall be prepared and submitted to the EPA within 180 days of the completion of the work. The District must address at a minimum all the reporting requirements set forth at 40 CFR § 761.61(a)(9) and 40 CFR § 761.125(c)(5). The District shall also include figures depicting the location and results for all site characterization samples, and verification samples.

- **Procedures for the Parties to Submit Reports, Documentation, and Correspondence to EPA:** The Parties should follow the below procedures to submit reports and documentation required in this approval to EPA and to send correspondence to EPA related to this approval.
 - The title of the report or the subject line on documentation and correspondence (inclusive of emails) shall include the PCB cleanup site identification number (PCB SITE ID) assigned by EPA and the PCB site name (PCB Site). Specific to EPA's approval of the Application: the PCB SITE ID is CATSCA100826, the PCB Site is Water and Sediment Removal and Disposal, Building D, Malibu High School, and the EPA Project Manager is Amanda Cruz (cruz.amanda@epa.gov).
 - If no claim of confidentiality accompanies the submitted information, then such information may be made available to the public by EPA without further notice to you [15 U.S.C. 2613; 82 FR 6522 (January 19, 2017); 40 C.F.R. § 2.203(a)].
 - The Parties must contact EPA about submission procedures, if the Parties intend to submit information to EPA with an assertion of business confidentiality.
 - Except as otherwise specified in these instructions, all documentation (e.g., reports), correspondence, and other written communications shall be submitted to EPA electronically via email to R9LandSubmit@EPA.gov with a courtesy electronic copy via email to the EPA Project Manager. Please include the PCB SITE ID and PCB Site name in the email's subject line. The courtesy copy should be addressed to EPA Project Manager.

An approval under 40 CFR § 761.61(c) requires EPA to make a finding that PCB remediation wastes remaining in place will not pose an unreasonable risk of injury to health or the environment. EPA is hereby making a finding that the remediation actions undertaken and planned by the District meet this Toxic Substances Control Act (TSCA) standard with the conditions presented in the Application and in this Approval.

This approval does not relieve the District and its consultants from complying with all applicable Federal laws and regulations, or state and local laws, regulations and permits, nor does it exempt or waive any requirement to obtain additional cleanup orders, approvals or permits pursuant to TSCA or other regulatory programs, where warranted. Nothing in this document bars EPA from imposing penalties for violations of applicable TSCA PCB requirements or for activities not covered under this approval. Departure from this approval without prior written permission from EPA may result in revocation of this approval. If additional information demonstrates that EPA can no longer make a no unreasonable risk determination, EPA will modify or revoke the approval.

This approval applies to the PCB remediation waste (PCB-impacted sediment and water), as shown in the attached Figure and conditional approval for alternative decontamination. EPA reserves the right to require additional characterization and/or cleanup of PCBs at the Site if new information shows that PCBs remain at the Site above the EPA-approved PCB cleanup levels, or if PCBs are found at other areas of the Site or immediately adjacent to the Site.

Water and Sediment Removal and Disposal
Building D, Malibu High School
CATSCA100826

If you have any questions concerning this approval, please contact Amanda Cruz (cruz.amanda@epa.gov) of my staff at (415) 972-3084. Thank you for your cooperation.

Sincerely,

Jeff Scott, Director
Land, Chemicals, and Redevelopment Division

Enclosures

cc: Jason Wilkinson (Ramboll)
Travis Hinman (Ramboll)