



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

T. Beakta

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

APR 8 2010

Donald A. Robinson, Ph.D.
Director of Environmental Health & Safety
Draper Hall Room 117
University of Massachusetts
40 Campus Center Way
Amherst, Massachusetts 01003-9244



Re: Dubois Library PCB Cleanup and Disposal Approval under 40 CFR § 761.61(c);
§ 761.62; and § 761.79(h)

Dear Mr. Robinson:

This is in response to the University of Massachusetts Amherst (UMASS) Notification¹ for approval of a proposed PCB cleanup project for the Dubois Library located on the UMASS campus (the Site). The Site contains PCB caulk in the elevator lobbies on floors two (2) through twenty six (26) that exceeds the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a) and § 761.62.

In its Notification, UMASS has proposed the following PCB cleanup and disposal plan:

- Removal and disposal of approximately 1,600 linear feet of PCB caulk and backer rods (if present);
- Removal of 27 plaster overlays on "in-fills" scheduled for removal;
- Encapsulation of all plaster surfaces (unused elevator shaft and transom locations) that will remain in-place and concrete surfaces located adjacent to the caulk joint (approximately 2-inches for structural concrete and 12-inches for ceiling concrete) with an elastomeric acrylic coating; and, a final coat of paint and/or a metal frame associated with the elevator doors;
- Painting of all surfaces located throughout each elevator lobby;

¹ Information was prepared to satisfy the requirements under 40 CFR §§ 761.61(c) and 761.79(h). Information was submitted dated March 2, 2010 and March 26, 2010 (via e-mail) and shall be referred to as the "Notification."

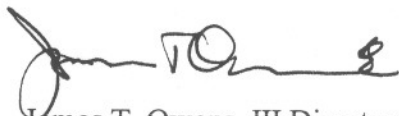
- Implementation of long term maintenance and monitoring of the encapsulants and the indoor air;
- Recording of a deed notice to document the PCB concentrations at the Site and the long-term maintenance and monitoring requirements; and,
- Disposal of *PCB bulk product waste* in accordance with § 761.62 and *PCB remediation waste* in accordance with § 761.61.

Based on the EPA's review, the information provided meets the notification requirements under § 761.61(c) and the disposal requirements for PCB caulk under § 761.62. EPA also finds that the proposed encapsulation of PCB-contaminated *porous surfaces* should effectively prevent direct exposure of these PCB-contaminated *porous surfaces* to building users provided the encapsulants are maintained. As such, EPA may approve this cleanup and disposal plan under § 761.61(c).

UMASS may proceed with its cleanup in accordance with 40 CFR § 761.61(c); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1. Following completion of the activities authorized under this Approval, the PCB surface wipe samples and PCB indoor air samples should indicate that there is no unreasonable risk to building users. However, under this Approval, EPA is reserving its rights to require additional mitigation measures should indoor air concentrations or surface wipe sample results indicate that PCBs are present at concentrations which could result in a risk.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,



James T. Owens, III Director
Office of Site Remediation & Restoration

cc: Mass DEP, Western Region
J. Hamel, Woodard & Curran
File

Attachment 1

ATTACHMENT 1

PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS DUBOIS LIBRARY ELEVATOR LOBBIES ("the Site") THE UNIVERSITY OF MASSACHUSETTS, AMHERST

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. The University of Massachusetts-Amherst (UMASS) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. UMASS must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, UMASS shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. UMASS is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time UMASS has or receives information indicating that UMASS or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by UMASS are authorized to conduct the activities set forth in the Notification. UMASS is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release UMASS from compliance with any applicable requirements of federal, state or local law; or 3) release UMASS from liability for, or otherwise resolve, any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from UMASS of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. Prior to initiating onsite work under this Approval, UMASS shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. A contractor work plan, prepared and submitted by the selected contractor(s), detailing the procedures that will be employed for removal of PCB-contaminated materials and for containment and air monitoring during removal activities. This work plan should also include information on waste storage, handling, and disposal for each waste stream type and for equipment decontamination; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL AND DISPOSAL CONDITIONS

11. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
12. PCB-contaminated materials shall be removed and/or decontaminated, and confirmatory sampling and analysis shall be conducted as described below:
 - a. PCB caulk and backer rods (if present) and PCB-contaminated building materials shall be removed and disposed of as described in the Notification.

- b. Following encapsulation of PCB-contaminated surfaces, initial indoor air sampling and indoor surface sampling for PCBs shall be conducted to determine the impact of the cleanup and disposal activities.
 - i) A minimum of three (3) indoor air samples, a field duplicate air sample, and a background air sample shall be collected. Indoor air sampling shall be conducted in accordance with EPA Method TO-10A or EPA Method TO-4A. Sufficient sample volumes shall be collected to provide a laboratory reporting limit of less than ($<$) $0.10 \mu\text{g}/\text{m}^3$. PCB analysis shall be conducted for PCB homologues and/or PCB congeners by EPA Method 680 or EPA Method 1668.
 - ii) A minimum of eight (8) surface wipe samples shall be collected over a minimum of four (4) floors. Wipe sampling of indoor surfaces shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e. $\mu\text{g}/100 \text{ cm}^2$). Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another method(s) is validated according to Subpart Q.
 - iii) Analytical results of the initial surface wipe sampling and air sampling shall be submitted to EPA within 5 business days of UMASS's receipt of the results.
 - (1) In the event that PCB concentrations in the wipe samples are greater than ($>$) $1 \mu\text{g}/100 \text{ cm}^2$ or air sample results are $> 0.10 \mu\text{g}/\text{m}^3$, UMASS shall contact EPA for further discussion and direction on alternatives.
 - c. UMASS shall submit a monitoring and maintenance implementation plan (MMIP) to monitor the long-term effectiveness of the encapsulants and other barriers (e.g. metal elevator doors) in reducing exposure to building users (see Condition 14).
13. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
- a. Non-liquid cleaning materials, PPE and similar materials resulting from decontamination may be disposed of in accordance with 40 CFR § 761.79(g)(6).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).

- c. PCB-contaminated water generated during decontamination or dewatering shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

- 14. Within sixty (60) days of completion of the activities authorized under this Approval, UMASS shall submit for EPA's review and approval, a detailed long-term monitoring and maintenance implementation plan (MMIP) for the encapsulants and for indoor air quality and surface monitoring.
 - a. The MMIP shall include: a description of the activities that will be conducted, including inspection criteria and frequency; and, indoor air quality monitoring and surface sampling locations; sampling protocols, sampling frequency, and analytical criteria; and reporting requirements.
 - b. The MMIP shall include a communications component which details how the maintenance and monitoring results will be communicated to the building users.
 - c. UMASS shall submit the results of these long-term monitoring and maintenance activities to EPA. Based on its review of the results, EPA may determine that modification to the MMIP is necessary in order to insure long-term effectiveness of the physical barriers.
 - d. UMASS shall incorporate any changes to the MMIP required by EPA. Activities required under the MMIP shall be conducted until such time that EPA determines, in writing, that such activities are no longer necessary.
- 15. UMASS shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by UMASS to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
- 16. Any modification(s) in the plan, specifications, or information submitted by UMASS, contained in the Notification, and forming the basis upon which this Approval has been issued, must receive prior written approval from the EPA. UMASS shall inform the EPA of any modification, in writing, at least ten (10) days prior to such change. No action may be taken to implement any such modification unless the EPA has approved of the modification, in writing. The EPA may request additional information in order to determine whether to approve the modification.

If such modification involves a change which results in exposures not considered in the Notification, the EPA may revoke, suspend, and/or modify this Approval upon finding that this risk-based cleanup and disposal action may pose an unreasonable risk of injury to health or the environment due to said change. EPA may take similar action if the EPA does not receive requested information needed from UMASS to make a determination regarding potential risk.

17. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
18. Any misrepresentation or omission of any material fact in the Notification or in any future records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
19. Approval for these activities may be revoked, modified or otherwise altered: if EPA finds a violation of the conditions of this Approval or of 40 CFR Part 761, including EPA's PCB Spill Cleanup Policy, or other applicable rules and regulations; if EPA finds that these activities present an unreasonable risk to public health or the environment; or if EPA finds that changes are necessary to comply with new rules, standards, or guidance for such approvals. UMASS may apply for appropriate modifications in the event new rules, standards, or guidance come into effect.

RECORDKEEPING AND REPORTING CONDITIONS

20. UMASS shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and disposal activities and the analytical sampling shall be established and maintained by UMASS in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
21. UMASS shall submit a Final Completion Report (Report) to the EPA within 120 days of completion of the activities described under this Approval. At a minimum, this Report shall include: a discussion of the project activities; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCBs removed and disposed off-site; copies of manifests and/or bills of lading; and, copies of certificates of disposal or similar certifications issued by the disposer, if applicable. The Report shall also include a copy of the recorded deed restriction and a certification signed by a UMASS official verifying that the authorized activities have been implemented in accordance with this Approval and the Notification.

22. As required under Condition 14 of this Approval, UMASS shall submit the results of the long-term monitoring and maintenance activities to EPA as specified in the final MMIP to be approved by EPA.
23. Required submittals shall be mailed to:
- Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
24. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1