



# **TOXICS RELEASE INVENTORY**

## **Guidance for Reporting Polychlorinated Biphenyls (PCBs)**

Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) requires certain facilities manufacturing, processing, or otherwise using listed toxic chemicals to report the annual quantity of such chemicals entering each environmental medium. Such facilities must also report pollution prevention and recycling data for such chemicals, pursuant to section 6607 of the Pollution Prevention Act, 42 U.S.C. 13106. EPCRA section 313 is also known as the Toxics Release Inventory (TRI).

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## DISCLAIMER

This guidance document is intended to assist industry with EPCRA section 313 reporting for polychlorinated biphenyls. In addition to providing an overview of aspects of the statutory and regulatory requirements of the EPCRA section 313 program, this document also provides recommendations to assist industry with EPCRA reporting. These recommendations do not supersede any statutory or regulatory requirements, are subject to change, and are not independently binding on either EPA or covered facilities. Additionally, if a conflict exists between guidance on this site and the statutory or regulatory requirements, the conflict must be resolved in favor of the statute or regulation.

Although EPA encourages industry to consider these recommendations, in reviewing this document, industry should be aware that these recommendations were developed to address common circumstances at typical facilities. The circumstances at a specific facility may significantly differ from those contemplated in the development of this document. Thus, individual facilities may find that the recommendations provided in this document are inapplicable to their processes or circumstances, and that alternative approaches or information are more accurate and/or more appropriate for meeting the statutory and regulatory requirements of EPCRA section 313. To that end, industry should use facility specific information and process knowledge, where available, to meet the requirements of EPCRA section 313. EPCRA section 313 also provides that, in the absence of such readily available data, a reporting facility may make reasonable estimates to meet those EPCRA section 313 requirements. Facilities are encouraged to contact the Agency with any additional or clarifying questions about the recommendations in this document, or if the facility believes that EPA has incorrectly characterized a particular process or recommendation.

Additional guidance documents, including industry specific and chemical specific guidance documents, are also available on TRI's GuideME website:

[https://ofmpub.epa.gov/apex/guideme\\_ext/f?p=guideme:gd-list](https://ofmpub.epa.gov/apex/guideme_ext/f?p=guideme:gd-list)

## **SECTION 1.0 PCBs in Articles are Exempt**

EPA has stated that transformers are articles (and thus exempt from threshold determinations), but that the release or removal of fluid from the transformer negates the article status. The article status of only those transformers that have fluids removed (e.g., servicing or retrofilling), or have fluids escape are affected. However, the PCBs are still not considered if no new PCB containing fluid is added, since the threshold determination is based on fluid added, not lost.

EPA has stated that disposal or removal of articles does not constitute a release. Therefore, disposal on-site, or off-site transfer of the whole transformer with fluid content undisturbed, does not negate the article status. The transformer is not included in threshold determinations and does not have to be reported as a release or an off-site transfer of PCBs for purposes of section 313 reporting.

When calculating the threshold for otherwise use, a facility must consider only the amount of PCBs added to transformers during the reporting year (e.g., “topping off” a transformer), not the amount of working fluid contained in the transformer.

## **SECTION 2.0 Coincidental Manufacture of PCBs is Subject to EPCRA Section 313**

Facilities involved in coincidental manufacture of PCBs and further processing of mixtures containing PCBs must count the amount manufactured or processed toward these thresholds.

## **SECTION 3.0 Treatment or Disposal of PCBs May Require EPCRA Section 313 Reporting**

Facilities in NAICS codes covered under EPCRA section 313 may be subject to section 313 reporting if they treat or dispose of PCBs. Effective January 1, 1998, the interpretation of activities considered otherwise used includes treatment for destruction, disposal, and waste stabilization when the covered facility engaged in these activities receives materials containing any chemical (not limited to EPCRA section 313 listed toxic chemicals) from off-site (regardless of whether the generating and receiving facilities have common ownership) for purposes of further waste management.

Processing represents a potentially covered activity. However, facilities are not likely to be incorporating PCBs into items distributed in commerce or to be using PCBs as starting or intermediate material for the production of other chemical substances that are distributed in commerce, or used on site.

## **SECTION 4.0 What Other Changes to the EPCRA Section 313 Reporting Requirements Apply to PCBs?**

EPA has also made modifications and/or clarifications to certain reporting exemptions and requirements for the PBT chemicals that are subject to the lower reporting thresholds; this includes PCBs. Please note that for PCBs, like other PBT chemicals, facilities cannot apply the *de minimis* exemption when making threshold determinations and release and other waste management calculations. PBT chemicals are also excluded from using the Alternate Reporting Threshold and Form A Certification Statement, and from using range reporting options when reporting releases and other waste management activities. More information on reporting PBT chemicals to TRI, or on the above exemptions and reporting options, can be found in the Reporting Forms and Instructions, available at: [https://ofmpub.epa.gov/apex/guideme\\_ext/f?p=guideme:rfi-home](https://ofmpub.epa.gov/apex/guideme_ext/f?p=guideme:rfi-home).