

# PCB Regulations: An Overview

## Objectives of the PCB Regulations

The *PCB Regulations* (SOR/2008-273) came into force on September 5, 2008. The purpose of the Regulations is to improve the protection of Canada’s environment and the health of Canadians by minimizing the risks posed by the use, storage and release of polychlorinated biphenyls (PCBs) and by accelerating the elimination of these substances. The regulatory requirements are divided into four parts and their key elements are summarized below:

### Part 1

- Sets out general requirements that are applicable to all parts of the Regulations.

### Part 2

- Establishes prohibitions on the release, manufacture, export, import, offer for sale, sale, processing and use of PCBs and products containing PCBs, and lists exceptions to these prohibitions; and
- Sets deadlines to end the use of PCBs and products containing PCBs and send them for destruction.

### Part 3

- Specifies storage requirements for PCBs and products containing PCBs that are not processed daily or used; and
- Sets deadlines to end the storage of PCBs and products containing PCBs and send them for destruction.

### Part 4

- Specifies the labelling, record-keeping and reporting requirements for PCBs and products containing PCBs in order to track the progress of ending the use and storage of PCBs and products containing PCBs, and to track their destruction.

## End-of-storage and End-of-use Deadlines (parts 2 and 3, sections 16–18, 20–21, 23)

### Coming into force of the PCB Regulations – September 5, 2008

#### End-of-storage Deadlines

Storage of products containing PCBs in a concentration of 50 mg/kg or more and in an amount of 100 litres or more, 100 kilograms or more, or in a lesser amount if it contains 1 kilogram or more of PCBs:

- at prescribed<sup>1</sup> locations: no storage at these locations one year after the coming into force of the Regulations (September 5, 2009)
- at a facility other than an authorized transfer site or a destruction facility: maximum storage period of one year
- at an authorized transfer site: maximum storage period of one year cumulative
- at an authorized destruction facility: maximum storage period of 2 years

### December 31, 2009

#### End-of-use

Specified<sup>2</sup> equipment in use containing

- 500 mg/kg or more of PCBs at all locations
- 50 mg/kg or more of PCBs at prescribed locations

#### Sent for Destruction

PCBs or products containing PCBs that were stored when the Regulations came into force on September 5, 2008, must be sent to an authorized destruction facility by December 31, 2009.

### August 1, 2009 – Application Deadline for an Extension to the 2009 End-of-Use

#### Extension provisions

An extension to the 2009 end-of-use deadline (until 2014 at the latest) may be granted for equipment containing 50 or 500 mg/kg or more of PCBs, depending on its location, if specified conditions are met.

### December 31, 2025

#### End-of-use

- Specified equipment in use and containing at least 50 mg/kg but less than 500 mg/kg of PCBs that are located at non-prescribed locations
- Light ballasts in use
- Pole-top transformers and their pole-top auxiliary electrical equipment in use

1. Prescribed locations (subparagraph 16(1)(b)(i)) means a drinking water treatment plant, food or feed processing plant, child care facility, preschool, primary school, secondary school, hospital, or senior citizens' care facility or the property on which such a plant or facility is located, and the area within 100 metres of such facilities.

2. Electrical capacitors, other than lamp ballasts; electrical transformers, other than pole-top transformers; electromagnets; heat transfer equipment; hydraulic equipment; vapour diffusion pumps; and bridge bearings.

**Concentration and Quantity**  
(part 1, subsections 1(3) and (4))

Concentration and quantity of PCBs shall be determined by lab analysis in an accredited laboratory only. Sampling methods include provincially, nationally or internationally recognized PCB sampling methods.

**Prohibitions** (part 2, sections 5 and 6)

No person shall release PCBs into the environment in a concentration of:

- 2 mg/kg or more for a liquid containing PCBs;
- 50 mg/kg or more for a solid containing PCBs;

OR

- more than one gram of PCBs for equipment in use subject to the December 31, 2009, extension date or 2025 deadlines.

No person shall

- manufacture, export or import PCBs or a product containing PCBs in a concentration of 2 mg/kg or more;
- offer for sale or sell PCBs or a product containing PCBs in a concentration of 50 mg/kg or more; or
- process or use PCBs or a product containing PCBs.

**Permitted Activities** (part 2, sections 7–17)

Activities that are permitted under the Regulations are related to the following areas and subject to specified conditions of sections 7–17 of the Regulations:

- laboratory analysis
- research
- fusion sealed electrical capacitors that are an integral part of a consumer product which would be rendered inoperable and irreparable if the PCBs were removed
- aircraft, ships, trains and other vehicles that contain PCBs only in communication, navigation or electronic control equipment or cables
- colouring pigments
- processing or recovering PCBs for the sole purpose of destroying them
- solid products with less than 50 mg/kg
- cables, pipelines, fusion sealed capacitors in communication or electronic control equipment
- fusion sealed capacitors containing PCBs for use in relation to communication tactical equipment or electronic control tactical equipment
- liquids 2 mg/kg or less for servicing any equipment
- liquids 500 mg/kg or more for servicing equipment containing PCBs, until December 31, 2009.

**Storage – Non Application** (part 3, section 18)

Storage requirements do not apply to solid or liquid products that are processed daily or used, or to pipelines and cables that remain in place on the day on which these Regulations come into force.

**Requirement to Store** (part 3, sections 18 and 19)

Storage requirements apply to a solid or liquid product containing PCBs in a concentration of 50 mg/kg or more that is in an amount of:

- 100 litres or more for liquids;
- 100 kilograms or more for solids; or
- a lesser amount if the product contains 1 kg or more of PCBs.

A person who owns, controls or possesses PCBs or products containing PCBs shall, within 30 days after they are no longer processed daily or used:

- send them for destruction at an authorized facility; or
- store them at a PCB storage site.

Owners of PCBs at sites remote from a roadway system or with no access to a roadway system must store them at a PCB storage site as soon as feasible but no later than one year after being no longer processed daily or used.

**Prohibitions on Storage** (part 3, section 20)

Effective September 5, 2009, no person shall store PCBs or products containing PCBs on the land and within 100 m of:

- a drinking water treatment plant or a food or feed processing plant; or
- a child care facility, preschool, primary school, secondary school, hospital or senior citizens’ care facility.

**Exceptions to Maximum Storage Periods**  
(part 3, section 22)

Solids and liquids resulting from environmental restoration work and stored on site for the duration of work are exempt from the one-year storage period if information is submitted 30 days prior to the date of commencement of storage. This information must outline, among other things, the anticipated date of completion of the restoration work and the anticipated date of the end of storage.

**PCB Storage Site and Storage Conditions**  
(part 3, sections 24–28)

PCBs must be stored in accordance with the specifications laid out in sections 24–28 of the Regulations, which address site access, the durability and strength of containers, containment of releases, site inspections and maintenance, fire protection and emergency procedures.

**Other Obligations under the *PCB Regulations***

Persons who own, control or possess PCBs or products containing PCBs have other obligations under the new PCB Regulations. To learn more about these obligations, you can refer to other Environment Canada information sheets, or you can consult the Regulations online at the following address:  
<http://www.ec.gc.ca/ceparegistry/regulations/detailReg.cfm?intReg=105>.

**For More Information**

**Fact sheets:**

- PCB Labelling, Reporting and Records
- Use and Storage of PCBs in Prescribed Locations
- Applying for an Extension on 2009 End-of-Use of PCBs

PCB website: <http://www.ec.gc.ca/drgd-wrmd/default.asp?lang=En&n=DCB85AFA-1>

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In case of discrepancy between this fact sheet and the Regulations, the Regulations will prevail.

***Aussi disponible en français***