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| Emergency Situation Waiver |  |

# Applicability

This waiver is for the purposes of the cleanup and/or disposal of PCB releases caused by an emergency situation as defined in § 761.3. This is a request for a waiver of requirements in § 761.60, 761.61, 761.62, or 761.65. The organization submitting this waiver understands that conducting activities under these emergency provisions is also responsible for determining and complying with all other applicable Federal, State, and local laws and regulations. This waiver does not prohibit the organization submitting it from implementing temporary emergency measures to prevent, treat, or contain further releases or mitigate migration to the environment of PCBs or PCB remediation waste.

# Waiver Request

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| Business Name |  | Primary Address Number, Street, City, State, Zip Code |  |
| Name of Person Completing Waiver Request |  |  |  |
| Telephone |  | Telephone (2) |  |
| Contact Email Address |  | EPA ID number |  |
| Date this waiver is being filled out: | Click or tap to enter a date. | Date of discovery of the release or implementation of any temporary emergency measures: | Click or tap to enter a date. |

This is a request for waiver from the requirements at (check all that apply):  
EPA 40 CFR 761.60 (Disposal Requirements)   
EPA 40 CFR 761.61 (PCB Remediation Waste)   
EPA 40 CFR 761.62 (Disposal of PCB bulk product waste)   
EPA 40 CFR 761.65 (Storage for disposal)

Explanation of why compliance with the existing provisions would be impracticable as a result of the emergency situation described below.

Click or tap here to enter text.

**Emergency Situation Description** *(meets definition of an emergency situation defined in 40 CFR 761.3)*

Type of Emergency Manmade  Natural

**Hurricane  Civil Emergency  Drought  Ice Storm   
Tornado  Avalanche  Hail  Landslide   
Earthquake  Coastal Flooding  Heat Wave  Lightning   
Wind Damage  Tsunami  Volcano Activity  Security Threat   
Wildfire  Other** Click or tap here to enter text.

**Has a declaration by either the President of the United States or Governor been issued?  No  Yes   
If no, is a declaration reasonably expected to be issued? If yes, what date was the declaration made and by whom?** Click or tap to enter a date.Choose an item.

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| Location(s) | Address or address/description of nearest location identification |
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**Adverse conditions caused by the Emergency Situation** *(Ex: “X” number of miles of power line including approximately “X” number of transformers have been affected by the situation noted above.)*

Click or tap here to enter text.

**What types of materials are possibly contaminated?** *(Ex: It is possible that nearby streams, residential areas and grazing lands have been affected.)*

Click or tap here to enter text.

**What is the source of the release?** *(Ex: Possible PCB Contaminated (greater than 49ppm PCB) Transformer mineral oil dielectric fluid.)*

Click or tap here to enter text.

**Have there been any temporary emergency measures to prevent, treat, or contain further releases or mitigate migration to the environment of PCBs or PCB remediation waste? Yes  Not at this time**If yes, briefly describe temporary measures.Click or tap here to enter text.

**What is the as-found PCB concentration in the PCB waste?** The requestor may choose to estimate the PCB concentrations at the time of completing this form (i.e. >50-499ppm, >500ppm)If specific PCB concentrations are known, they are:Click or tap here to enter text.PCB Results are “estimated” at the time of this request.  >50-499ppm  >500ppm   
PCB Results are various and numerous. PCB Analytical is attached to this form.

*Note: Actual PCB concentrations shall be determined before disposal activities commence, unless the waste is being managed as if it contains ≥500 ppm PCBs.*

**The plan for how sampling, extraction, analysis, storage, cleanup, and/or disposal of the PCB waste will be conducted upon approval of the waiver is attached to this request. The plan provides information to support how the actions described in the plan do not pose an unreasonable risk of injury to health or the environment. The plan is based on the as-found PCB concentrations in the waste or the waste is being managed as if it contains PCBs ≥500 ppm.**

**The PCB waste is near, or likely to impact, surface waters, ground waters, drinking water sources or distribution systems, wells, sediments, sewers or sewage treatment systems, grazing lands, vegetable gardens, residential dwellings, hospitals, schools, nursing homes, playgrounds, parks, day care centers, endangered species habitats, estuaries, wetlands, national parks, national wildlife refuges, commercial fisheries, or sport fisheries. The plan attached to this request contains information about how those areas and potential impacts will be addressed.**

**Thank you for your attention to this request.**

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|  |  |  |  |  |
| Signature |  |  | Name |  |
|  | Signature of the Person Submitting this Form |  |  | Name of the Person Submitting this Form (print) |
| Company |  |  |  |  |

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| --- | --- | --- | --- | --- | --- |
| Date of Signature |  |  |  |  |  |
|  | MM |  | DD |  | YY |

Submit this form to EPA Regional Administrator [in the EPA Region where the sampling, extraction, analysis, cleanup, storage, and/or disposal would occur](https://www.epa.gov/aboutepa/regional-and-geographic-offices#regional), in writing and/or by email no later than seven (7) days after discovery of the release or implementation of any temporary emergency measures, as applicable.

Special Considerations:

The requestor must also send a copy of the waiver request to the Director of the State or Tribal environmental agency where the sampling, extraction, analysis, cleanup, storage, and/or disposal would occur.   
  
If the sampling, extraction, analysis, cleanup, storage, and/or disposal activities in the waiver request would be conducted in more than one Region, then the waiver request must be submitted, in its entirety, to the Regional Administrators for all affected Regions.

This form produced by JP Compliance Services.   
For questions or assistance to complete, contact [jpcbcompliance@gmail.com](mailto:jpcbcompliance@gmail.com)  
Form date 3/27/2024