



**City of Brisbane**  
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June 25, 2019

To: Building Permit Applicants for Commercial Building Demolition

Via: Clay Holstine, City Manager

From: John A. Swiecki, Community Development Director

**Subject: Program for Managing Polychlorinated Biphenyls (PCBs) in  
Non-residential & Multifamily Building Demolition Materials**

Beginning July 1<sup>st</sup>, 2019, the City of Brisbane's Building Department will be implementing new requirements for non-residential and multifamily building demolition applications related to PCBs. This program is being implemented by the City of Brisbane in accordance with Brisbane Municipal Code Chapter 13.06, to prevent pollutants from entering the stormwater and as required to comply with the Regional Municipal Stormwater Permit NPDES No. CAS612008 (Stormwater Permit), issued by San Francisco Bay Regional Water Quality Control Board (Water Board).

The Stormwater Permit targets priority building materials for non-residential and multifamily buildings, constructed from 1950 to 1980 that are to undergo full demolition. Single-family homes and wood-frame structures are exempt. The priority building materials include:

- Caulking
- Thermal/fiberglass insulation
- Adhesive/mastic
- Rubber window gaskets

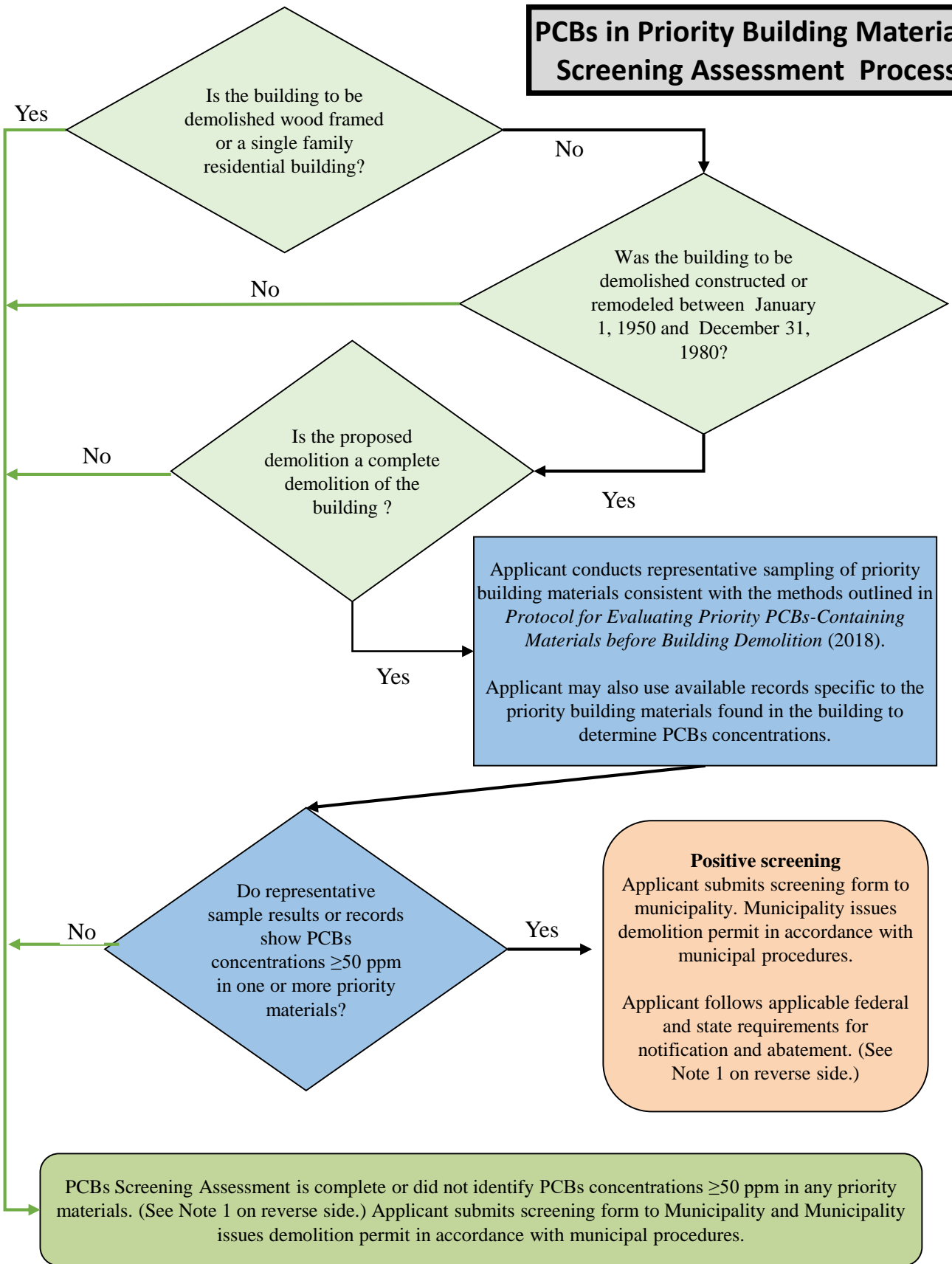
Proper handling of these materials during demolition is required, to prevent the release of associated PCBs into the environment and being transported to be San Francisco Bay via stormwater. In accordance with the Stormwater Permit, Brisbane's PCBs management program requires that applicants for full building demolition permits do the following before a demolition permit will be issued:

1. Complete and self-certify a PCBs Screening Assessment Form; and
2. Submit documentation of the results of PCBs testing for any project that is not determined to be exempt based on the screening questions.

When assessment testing identifies one or more priority building materials with PCBs, applicants are required to comply with all applicable federal and state laws, including, but not limited to, notification and reporting to the appropriate regulatory agencies. These include the U.S. Environmental Protection Agency (EPA), the Water Board, and the California Department of Toxic Substances Control (DTSC). Additional sampling and abatement may be required by these agencies.

Further background information and documentation forms are available as a handout within the demolition application packet for commercial projects at the Building Department counter and on the City's website at <https://brisbaneca.org/building-permits>. These include 1) Factsheet, 2) Process Overview with Screening Assessment Form and 3) Types of Activities Potentially Required of Applicants.

# PCBs in Priority Building Materials Screening Assessment Process



## Note 1

- ❖ Building materials containing PCBs at or above 50 ppm that were manufactured with PCBs (e.g., caulk, joint sealants, paint) fall under the category of PCBs bulk product wastes. See 40 Code of Federal Regulations (CFR) 761.3 for a definition of PCBs bulk product wastes.
- ❖ Building materials such as concrete, brick or metal contaminated with PCBs are PCBs remediation wastes (e.g., concrete contaminated with PCBs from caulk that contains PCBs). 40 CFR 761.3 defines PCBs remediation wastes.
- ❖ Disposal of PCBs wastes are subject to TSCA requirements such as manifesting of the waste for transportation and disposal. See 40 CFR 761 and 40 CFR 761, Subpart K.
- ❖ TSCA-regulated does not equate solely to “materials containing PCBs at or above “50 mg/kg.” There are circumstances in which materials containing PCBs below 50 mg/kg are subject to regulation under TSCA. See 40 CFR 761.61(a)(5)(i)(B)(2)(ii).
- ❖ Disposal of PCBs wastes are subject to California Code of Regulations (CCR) Title 22, Section Division 4.5, Chapter 12, Standards Applicable to Hazardous Waste Generators.
- ❖ California hazardous waste regulatory levels for PCBs are 5 ppm based on the Soluble Threshold Limit Concentration test and 50 ppm based on the Total Threshold Limit Concentration test, see CCR, Title 22, Section 66261.24, Table III.

# PCBs Screening Assessment Form

For Municipality Use Only

Date Received	
File #	

This screening process is part of a program for water quality protection and was designed in accordance with requirements in the Bay Area regional municipal stormwater NPDES permit (referred to as the Municipal Regional Permit). This process **does not** address other environmental programs or regulations (e.g., PCBs regulations under the Toxic Substances Control Act (TSCA); federal, state, or local regulations for hazardous material handling and hazardous waste disposal; health and safety practices to mitigate human exposure to PCBs or other hazardous materials; recycling mandates; or abatement at sites with PCBs or other contaminants). **The applicant is responsible for knowing and complying with all relevant laws and regulations. See Notices to Applicants section in the Applicant Instructions and at the end of this form.**

**Complete all applicable parts of the PCBs Screening Assessment Form and submit with your demolition permit application.**

**All Applicants must complete Part 1 and Part 2.**

Part 1. Owner/Consultant and project information		
Owner Information		
Name		
Address		
City	State	Zip
Contact (Agent)		
Phone	Email	
Consultant Information		
Firm Name		
Address		
City	State	Zip
Contact Person		
Phone	Email	
Project Location		
Address		
City	State CA	Zip
APN (s)		
Year Building was Built	Type of Construction	
Estimated Demolition Date		

**Part 2. Is building subject to the PCBs screening requirement based on type, use, and age of the building?**

2.a Is the building to be demolished wood framed and/or single family residential?  Yes  No

If the answer to question 2.a is **Yes**, the PCBs Screening Assessment is complete, skip to Part 4. If the answer is **No**, continue to Question 2.b.

2.b Was the building to be demolished constructed or remodeled between January 1, 1950 and December 31, 1980?  Yes  No

➤ If the answer to Question 2.b is **No** the PCBs Screening Assessment is complete, skip to Part 4. If the answer is **Yes**, continue to Question 2.c.

2.c Is the proposed demolition a complete demolition of the building?  Yes  No

➤ If the answer to Question 2.c is **No** the PCBs Screening Assessment is complete, skip to Part 4. If the answer is **Yes**, complete Part 3.

**All applications affecting applicable structures and demolitions must complete Part 3 and the Part 3 Tables.**

**Part 3. Report concentrations of PCBs in priority building materials**

**Option 1.** Applicants conducted representative sampling and analysis of the priority building materials per the Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition (2018) (Attachment C).

**Option 2.** Applicants possess existing sample results that are that are consistent with the Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition (2018) (Attachment C).

3.a Select option and report PCBs concentrations in the priority building materials and the source of data for each of the priority building materials. Provide the required supporting information

- Option 1 Conduct Representative Sampling
- Summarize results on Part 3 Tables; and
  - Provide the following supporting information:
    - Contractor’s report documenting the assessment results;
    - QA/QC checklist (see Attachment C, section 3.2.4); and
    - Copies of the analytical data reports.

- Option 2 Use Existing Sampling Records
- Summarize results on Part 3 Tables; and
  - Provide the following supporting information:
    - Contractor’s report/statement that the results are consistent with the Protocol for Evaluating Priority PCBs-Containing Materials before Building Demolition.
    - Copies of the analytical data reports.

**All Applicants must complete Part 4.**

**Part 4. Certification**

I certify that the information provided in this form is, to the best of my knowledge and belief, true, accurate, and complete. I further certify that I understand my responsibility for knowing and complying with all relevant laws and regulations related to reporting, abating, and handing and disposing of PCBs materials and wastes. I understand there are significant penalties for submitting false information. I will retain a copy of this form and the supporting documentation for at least 5 years.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 (Property Owner//Agent/Legal Representative)

Print/Type: \_\_\_\_\_  
 (Property Owner/Agent/Legal Representative Name)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 (Consultant Completing Application Form)

Print/Type: \_\_\_\_\_  
 (Consultant Completing Application Form)