



DANGER DU JOUR: PCBs IN CAULK

Removal of material used to seal windows, doors can be costly

By **DIANE W. WHITNEY**

Your client has bravely stepped forward and is buying that graceful, but long-abandoned old industrial building. You know that there is contamination in the soil, the groundwater and the building. You've done soil borings and put in groundwater wells; you've tested for lead paint and asbestos. You've checked to see if there are any transformers or the remnants of hydraulic equipment with oil containing PCBs.

Now all you have to do is see whether the caulk around the windows and doors contains PCBs. *What?* You have to check *what?*

Yes, you probably have to check the caulk if the building is very old, and in this case, "very old" could include buildings constructed as recently as 1979. Between 1950 and about 1979, PCBs were added to caulk to improve its elasticity and insulation qualities, at levels which frequently exceed today's regulatory limits.

Even when the concentration of PCBs in the caulk itself is below regulatory thresholds, deteriorating caulk sometimes emits PCBs at concentrations that exceed U.S. Environmental Protection Agency reference doses for indoor air. Whether the building in question is to be renovated or demolished, the unexpected discovery of this PCB problem adds to the time involved in the project and increases its cost significantly.

PCB production in this country has been banned since 1979, but PCBs are still found in transformers, hydraulic oils, sealants, paints, insulation, adhesives, roofing mate-

rials and, now, in caulk. The EPA has classified PCBs as possible human carcinogens, based on animal studies which revealed cancer and other non-cancerous, but serious, health effects believed to result from exposure to PCBs.

PCBs are regulated by the EPA under the Toxic Substance Control Act (TSCA: 30 CFR Part 761), with concurrent state Department of Environmental Protection jurisdiction in some instances. The PCB "Mega Rule," passed in 1998 and revised slightly in 1999, contains the regulations which now govern how PCBs may be made, used, stored, remediated and disposed of. The Mega Rule is found at 40 CFR 750 and 761.

Original Purpose

Buildings in current use need not be tested for PCBs in caulk if the building is in use and the caulk is still serving its original purpose, but if testing is done and the concentrations are above the 50 parts per million limit, the caulk must be properly removed and any building materials contaminated with PCBs must also be removed.

There are exceptions in TSCA which may allow PCB-containing caulk to remain in place if a site-specific risk-based approach is taken and can prove that there is no risk of injury to health or the environment. Such an exception, however, may be difficult to obtain and, if obtained, may come with so many conditions on future use of the building, that the advantage gained by the exception may be illusory.

As is the case now with asbestos and

lead paint, there is no requirement that buildings in active use and good condition test for the presence of PCBs in caulk. The difficulty comes when the building is scheduled for renovation or demolition.

If the caulk is in poor condition or is likely to be disturbed, testing must be done to determine how to dispose of the caulking material. Materials with PCB concentrations above 50 parts per million must be disposed of as bulk product waste as regulated by TSCA Part 761.62, which will significantly increase the cost of the project. Although caulk in good condition need not be tested, if it is and the PCB concentration is greater than 50 parts per million, it cannot continue to be used and must be properly disposed of and replaced.

An added problem is that building materials in contact with the caulk may have become contaminated with PCBs and may also need to be removed. Though air testing is sometimes considered when dealing with contaminated caulk, the general unreliability of indoor air testing suggests that it not be relied upon for remediation decisions. In Connecticut, additional attention needs to be given to whether the disposal of PCB-contaminated materials triggers the Transfer Act, Conn. Gen. Stat. 22a-134, et seq. Exceptions to the Transfer Act for



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some remediation waste do not apply, at least not yet, to PCB-contaminated caulk.

A particular concern at this time is the presence of PCB-contaminated caulk in schools, many of which were built between 1950 and 1979. The replacement of all such caulk would be prohibitively expensive for almost any school system.

Since 2001, both the Universities of Rhode Island and Massachusetts have conducted remediation of contaminated caulk,



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including cleaning of the indoor air-handling systems in contaminated buildings, at costs of several million dollars each. The New York City school system is working on

a compromise with EPA which may allow intact caulk to remain in place if the danger is considered low and a maintenance plan is in place. ■