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IN REPLY
REFER TO J-37

JUL 2 2003

The Honorable Lois Capps
U.S. House of Representatives
Washington, DC 20515

Dear Representative Capps:

Thank you for inquiring about our plan to remove excess electrical equipment containing polychlorinated biphenyls (PCBs) from United States (U.S.) military installations in the Pacific. Our plan to transport these items to the U.S. for safe treatment and disposal is a collaborative effort of the Environmental Protection Agency (EPA), the White House Council on Environmental Quality, the Deputy Under Secretaries of Defense for Installations and Environment and Logistics and Material Readiness, and the Naval Base Ventura County.

I would like to clarify that DLA intends to transport approximately 3.5 million pounds of equipment and packaging materials from Japan and Wake Island rather than the 1.6 million pounds you cited in your letter and that the total inventory of such items, as estimated by the Military Services in Japan, is 7 million pounds.

Currently, we are contracting for a ship and anticipate a September arrival date at Port Hueneme. We are committed to accomplishing this task in an environmentally safe and technically sound manner, consistent with all international, federal and state regulations. In this regard, we completed an Environmental Assessment that analyzed the transportation risks. The analysis supported a finding of "No Significant Impact." EPA also found that the import and disposal of this waste will not pose an unreasonable risk of injury to health or the environment. In its final rule, EPA granted DLA an exemption to import the PCB items stating the waste would "be processed and, where required, disposed of at EPA-approved PCB disposal facilities."

Regarding your questions, the following answers are provided

1. Are there any non-U.S. manufactured PCB wastes within the waste identified for EPA exemption from import prohibitions of the Toxic Substances Control Act (TSCA)?

There will be non-U.S.-manufactured items in this shipment. The TSCA section 6(e) exemption is an EPA rule that is effective as to foreign-manufactured PCBs for a year beginning 18 April 2003. As U.S.-manufactured PCB items are not considered an import, they may be shipped to the U.S. without an exemption. With the waiver, foreign-manufactured PCB items may be transported separately or in combination with U.S.-manufactured items.



2. Has DLA attempted to identify means and methods of disposing of these PCB wastes at U.S. military installations in Japan in an environmentally safe manner?

Yes, we have explored disposal of these items in Japan. There are no licensed or permitted Japanese PCB disposal facilities available to the DOD. In the grant of the TSCA exemption, EPA acknowledges the lack of PCB disposal capability.

3. Are there any existing technologies that have been approved by the Japanese government that allows for disposal other than burning or burial of these PCB wastes?

There are several disposal technologies currently in use by private Japanese firms to eliminate their own PCBs including supercritical oxidation, catalytic hydrogenation, UV processes and other non-incineration technologies. Japan enacted regulations in 2001 to create the necessary measures, including gathering of information on PCB waste, compiling and using that information, promoting the development of technology related to the disposal of PCB waste, and setting up a system for maintaining the sound and proper disposal of PCB waste. According to our local contacts, the permitting and construction of such disposal facilities has not occurred.

4. Since there are only 1.6 million pounds of waste containing PCBs from an estimated total of 6 million pounds being shipped from Japan and Wake Island, how does DLA intend to deal with the remaining waste in country?


DLA will continue to process all U.S.-manufactured items as they are removed from service and return them to the U.S. for treatment and disposal in EPA-approved facilities. DLA also will continue to explore alternative disposal options for foreign-manufactured items as they are replaced in the out years following 17 April 2004, when the TSCA exemption expires.

5. Are these PCBs being shipped in special containers?

The containers being used are 20-foot sea/land vans that meet international hazardous material shipment requirements. Secondary packaging will be used to prevent fluid leakage. DLA is ensuring that the packaging meets all Japanese, U.S., and international transportation and safety standards. As an extra precaution, every container will be opened, visually inspected, cleaned, if needed, and resealed after unloading and prior to loading onto land transport vehicles.

I hope these answers have addressed your concerns. We too are concerned with being good stewards of our environment and would be happy to provide an in-person briefing on this effort if you desire.

Sincerely,



FREDERICK N. BAILLIE
Executive Director
Distribution & Reutilization Policy