

10 JUL 21 P4:47

SENATE  
S. No. 1790

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

Polychlorinated Biphenyls or PCBs belong to a broad family of man-made organic chemicals known as chlorinated hydrocarbons. They have a range of toxicity and vary in consistency from thin, light-colored liquids to yellow or black waxy solids. Due to their non-flammability, chemical stability, high boiling point, and electrical insulating properties, PCBs were used in hundreds of industrial and commercial applications including electrical, heat transfer, and hydraulic equipment; as plasticizers in paints, plastics, and rubber products; in pigments, dyes, and carbonless copy paper; and many other industrial applications.<sup>1</sup>

PCBs have been demonstrated to cause a variety of adverse health effects. PCBs have been shown to cause cancer in animals. PCBs have also been shown to cause a number of serious non-cancer health effects in animals, including effects on the immune system, reproductive system, nervous system, endocrine system and other health effects. Studies in humans provide supportive evidence for potential carcinogenic and non-carcinogenic effects of PCBs. The different health effects of PCBs may be interrelated, as alterations in one system may have significant implications for the other systems of the body.<sup>2</sup> Although they have long been banned globally, PCBs still exist in some structures

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<sup>1</sup> U.S. Environmental Protection Agency <http://www.epa.gov/waste/hazard/tsd/pcbs/pubs/about.htm>

<sup>2</sup> <http://www.epa.gov/waste/hazard/tsd/pcbs/pubs/effects.htm#NonCancer>

and products. This bill seeks to regulate the disposal and handling of the remaining PCBs to protect us from the health risks it still poses.<sup>3</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*MS*

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<sup>3</sup> This bill was originally filed in the third regular session of the 14<sup>th</sup> Congress.

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SENATE  
S. No. 1790

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 REGULATING THE HANDLING AND DISPOSAL OF  
3 POLYCHLORINATED BIPHENYLS

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

4 SECTION 1. *Short Title.* – This Act shall be referred to as the “PCB Regulation  
5 Act.”

6 SECTION 2. *Definitions.* – For purposes of this Act, the following terms shall  
7 mean:

8 (A) “PCB” and “PCBs” refer to any chemical substance that is limited to the  
9 biphenyl molecule that has been chlorinated to varying degrees or any  
10 combination of substances which contains such substance;

11 (B) “PCB-Contaminated Electrical Equipment” means any electrical equipment  
12 including, but not limited to, transformers (including those used in railway  
13 locomotives and self-propelled cars), capacitors, circuit breakers, reclosers,  
14 voltage regulators, switches (including sectionalizers and motor starters),  
15 electromagnets, and cable, that contains PCBs at concentrations of = 50 ppm  
16 and < 500 ppm in the contaminating fluid.

17 (C) “PCB household waste” means PCB waste that is generated by residents on  
18 the premises of a temporary or permanent residence for individuals (including  
19 individually owned or rented units of a multi-unit construction), and that is  
20 composed primarily of materials found in wastes generated by consumers in  
21 their homes. PCB household waste includes unwanted or discarded non-  
22 commercial vehicles (prior to shredding), household items, and appliances or

1 appliance parts and wastes generated on the premises of a residence for  
2 individuals as a result of routine household maintenance by or on behalf of the  
3 resident.

4 SECTION 3. *Disposal Requirements.* –

- 5 (A) PCB liquids at concentrations =50 ppm must be disposed of in an incinerator;  
6 (B) For mineral oil dielectric fluid, in a high efficiency boiler;  
7 (C) For liquids other than mineral oil dielectric fluid, in a high efficiency boiler;  
8 (D) For liquids from incidental sources, such as precipitation, condensation,  
9 leachate or load separation and are associated with PCB Articles or non-liquid  
10 PCB wastes, in a chemical waste landfill;  
11 (E) For purposes of complying with the marking and disposal requirements,  
12 representative samples may be taken from either the common containers or  
13 the individual electrical equipment to determine the PCB concentration.  
14 Except, That if any PCBs at a concentration of 500 ppm or greater have been  
15 added to the container or equipment then the total container contents must be  
16 considered as having a PCB concentration of 500 ppm or greater for purposes  
17 of complying with the disposal requirements of this Act;  
18 (F) Any person conducting the chemical analysis of PCBs shall do so using gas  
19 chromatography. Any gas chromatographic method that is appropriate for the  
20 material being analyzed may be used.

21 SECTION 4. *Separability Clause.* – If any part or provision of this Act is held  
22 invalid or unconstitutional, the other parts or provisions thereof shall remain valid and  
23 effective.

24 SECTION 5. *Repealing Clause.* – All laws, decrees, orders, proclamations, rules  
25 and regulations or parts thereof, inconsistent with the provisions of this Act are hereby  
26 repealed, amended or modified accordingly.

1 SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days  
2 from its publication in at least two (2) newspapers of general circulation.

Approved,