



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAR 24 1998

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

David L. Durler (G04E)  
Environmental Consultant  
Public Service Company of Oklahoma  
212 East Sixth St.  
P.O. Box 201  
Tulsa, OK 74102-0201

Dear Mr. Durler:

This is in response to your letter of February 12, 1998 in which you request further clarification of EPA's interpretation (as seen in a letter from me to you dated September 19, 1997) of the requirement to keep a distinct Annual Document Log (ADL) for each electrical substation that may contain in-service PCB Transformers. It is your belief that a distinct written ADL for a location with in-service PCB Transformers is necessary only if the site meets the requirements of 40 CFR 761.65(b) or (c)(7) as storers of PCB waste material. It is your contention that one only needs to prepare an ADL pursuant to 40 CFR 761.180(a) if you have submitted a Notification of PCB Waste Activity (form # 7710-53) as a generator with on site storage. You further state in your letter that your company has four divisions for which it develops an ADL for each and "the EPA I.D. number used with this division ADL is "40CFRPART761." You ask whether this is an acceptable methods of documenting such in-service equipment is suitable to EPA.

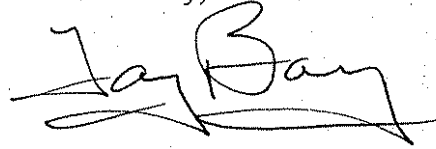
Since 1979, 40 CFR 761.180(a) has stated that an ADL (referred to as the "annual document" in 1979) shall be developed and maintained by: "... each owner or operator of a facility, other than a commercial storer or disposer of PCB waste, using or (emphasis added) storing at any one time at least 45 kilograms (99.4 pounds) of PCBs contained in PCB Containers, or one or more PCB Transformers..." Clearly, the intent is to have the ADL prepared for each type of facility whether it be one that has an on site storage area or one that simply uses a PCB Transformer(s) and periodically removes one from service for disposal. If the facility uses PCB Transformers and temporarily stores them at the same facility an ADL is required. It appeared in your previous letter that the temporary storage areas and the facilities where the transformers were used were separate and distinct facilities and I responded accordingly - that is, if the facility is used only for temporary storage, an ADL is not required.

We have reviewed our records which show you notified EPA as a generator with on site storage for four facilities (Tulsa, Bartlesville, Lawton, and McAlister). Each of these four

facilities was issued an EPA I.D. number. Are these the "four operational divisions" you mention in the third paragraph of your letter? It is unclear to me why and when you are using the generic I.D. number (40CFR PART 761). It is acceptable to use this generic I.D. number when waste is shipped directly from a temporary storage area to a commercial storer or disposer but it has been our experience that commercial storers and disposers are reticent to accept PCB waste without a "formal" EPA I.D. number. Waste shipments from any of your four permanent on site storage areas should use the corresponding EPA I.D. number assigned to it when preparing the manifest.

If you have any further questions or comments, you may contact Tom Simons of my staff at 202-260-3991.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Baney". The signature is written in a cursive style with a horizontal line underneath.

Tony Baney, Chief  
Fibers and Organics Branch

cc: Lou Roberts, USEPA, Region VI



Public Service Company of Oklahoma

February 12, 1998

Mr. Tony Baney  
Chief, Operations Branch  
Office of Prevention, Pesticides, and  
Toxic Substances  
U.S. Environmental Protection Agency  
Washington, D.C. 20460

Re: 40 CFR Part 761.180 - General Records and Reports

Dear Mr. Baney:

This correspondence is in response to your letter of September 19, 1997 (attached). In that letter you clarified some regulatory issues dealing with PCB records for temporary PCB waste storage facilities and electrical substations with in-service PCB transformers. Public Service Company of Oklahoma (PSO) is requesting a further clarification of your interpretation on the latter issue, i.e., the requirement of a distinct Annual Document Logs for electrical substations that may contain in-service PCB transformers.

PSO's original letter to your agency on September 4, 1997 (attached) requested whether or not it was necessary for the company to develop an Annual Document Log (ADL) for each substation facility that has one or more in-service PCB Transformers. Your response to that question indicated that "a distinct, written ADL must be prepared and maintained for each distinct facility." Our company questions this regulatory interpretation of 40 CFR 761.180 (a). PSO believes a distinct written ADL for a location with in-service PCB transformers is necessary only if the site meets the requirements of 761.65(b) or (c)(7) as storers of PCB waste material. In other words, if a facility has submitted a Notification of PCB Waste Activity for PCB waste storage and also stores/used in-service PCB transformers at this facility, then a distinct ADL (containing the information on the transformers) would have to be developed for that facility. PSO believes this is the intent of the regulation. If this were not the case, PSO would have to develop/revise over a thousand ADLs, dating back to 1979, for our 200+ substations that contain assumed PCB transformers.

The company has four operational divisions and presently develops an ADL for the total number/weight of in-service PCB transformers present in each of these divisions. The EPA I.D. number used with this division ADL is 40CFRPART761. Our company would like to know if this method of documenting such in-service equipment is suitable to EPA.

Please provide a written response to the above question. If you need clarification on these questions, please contact me at (918)599-2654. Your assistance in this request is greatly appreciated.

Sincerely,

David L. Durler  
Environmental Consultant

xc:

H. Ground

Rec'd 9/30/97



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

SEP 19 1997

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

David L. Durler  
Environmental Consultant  
Public Service Company of Oklahoma  
212 East Sixth Street  
P.O. Box 201  
Tulsa, OK 74102-0201

Dear Mr. Durler:

This is in response to your letter of September 4, 1997 requesting an interpretation of the recordkeeping requirements in 40 CFR 761.180(a) of the PCB regulations. Specifically, whether an Annual Document Log must be developed for 1) temporary storage areas and 2) each of your 300 substations that contain small instrument transformers such as current and potential transformers.

An Annual Document Log (ADL) is not required to be kept for each area you designate as a temporary storage area (i.e., areas that meet the qualifications of 761.65(c)(1)). While waste must be tracked that is placed in temporary storage areas (i.e., date of removal from service for disposal, eventual inclusion in the ADL when the waste is placed in your permanent storage area, and use of a manifest when it is shipped off site for disposal), a separate ADL need not be prepared for individual areas/sites you may designate for temporary storage of PCB waste. In addition, 761.180(a)(2)(i) states that as part of the ADL, a facility's EPA identification number must be recorded. Temporary storage areas are not required to seek and receive EPA identification numbers, which is in keeping with the Agency's intention to not have owners keep an ADL for temporary storage areas.

An ADL is required to be kept for each substation facility that has one or more in-service PCB Transformers. However, the ADLs may be maintained at one central facility of your choosing as long as the location of the central facility is identified at each individual substation and you do not aggregate all of your use and/or storage data into one document. A distinct, written ADL must be prepared and maintained for each distinct facility.



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If you have any further questions or comments, you may contact Tom Simons of my staff at 202-260-3991.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Baney'. The signature is stylized with a large, looped 'T' and 'B'.

Tony Baney, Chief  
Fibers and Organics Branch



Public Service Company of Oklahoma

September 4, 1997

Mr. Tony Baney  
Chief, Operations Branch  
Office of Prevention, Pesticides, and  
Toxic Substances  
U.S. Environmental Protection Agency  
Washington, D.C. 20460

**Re:** 40 CFR Part 761.180 - General Records and Reports

Dear Mr. Baney:

Public Service Company of Oklahoma (PSO) is requesting an interpretation of the referenced rule for the following situations.

A) PSO has several long-term waste PCB storage facilities that meet the definition for such facilities in 761.65(b). The company develops an Annual Document Log and Annual Records for these long-term waste PCB storage facilities. PSO also temporarily stores PCB waste materials at our operating centers prior to shipment to our long-term PCB waste storage facilities. The operating centers are considered temporary waste PCB storage facilities that meet the qualifications in 761.65(c)(1). Waste PCB transformers and PCB dirt/debris containers (greater than 45 kg) may be stored at any of the operating centers, or temporary waste PCB storage facilities, during a calendar year.

*Question:* A strict rendering of 761.180(a) indicates that an Annual Document Log must be developed for any of our temporary waste PCB storage facilities that store for disposal PCB transformers and PCB containers (greater than 45 kg) during a calendar year. Is this a correct interpretation of 761.180(a)?

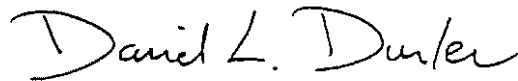
B) PSO has over 300 electrical substations that contain small instrument transformers such as current and potential transformers. These transformers can contain oil or a viscous compound as the primary dielectric material; in rare cases, askarel may be present. Most of these units have not been tested for PCBs because they are sealed units and/or cannot easily be taken out of service for sampling. It is not uncommon for these units to be considered PCB Transformers because the nameplates do not indicate the type of dielectric fluid in the equipment. If these units are assumed

to be in-service PCB transformers, then they must be entered on the facility's Annual Document Log as in-service PCB transformers.

*Question:* Does PSO have to develop an Annual Document Log for each substation facility that has one or more in-service PCB Transformers?

Please provide a written response to the above questions. If you need clarification on these questions, please contact me at (918)599-2654. Your assistance in this request is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "David L. Durler". The signature is written in a cursive style with a large, prominent "D" at the beginning.

David L. Durler  
Environmental Consultant

xc: H. Ground