

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APR 15 1994

Keith R. Reed
 President
 Environmental Protection Services
 4 Industrial Park Drive
 P.O. Box 710
 Wheeling, WV 26003-0091

Dear Mr. Reed:

I am writing in response to your letter (postmarked 3/16/94) to Peter Gimlin of my staff concerning the export of untested distribution transformers, both as complete units, and partially disassembled. Your letter was in regard to a phone conversation with Mr. Gimlin on February 15, 1994.

As Mr. Gimlin indicated on the phone, untested mineral oil transformers must be assumed to be between 50 and 499 parts per million (ppm) PCB concentration. These transformers cannot be assumed to be below 50 ppm PCB; the concentration must be known, either through testing, or from information provided by the manufacturer.

In general, 40 CFR 761.20(c) prohibits the processing and distribution in commerce of PCBs and PCB Items for export. An exception is provided at § 761.20(c)(1), which allows for the distribution in commerce of intact, non-leaking PCB Items, including transformers, for continued use. This exception does not, however, apply to the export of PCB Items (≥ 50 ppm) for disposal, which is banned.

In your letter and in your conversation with Mr. Gimlin, you indicate(d) that you intent to scrap these transformers for metal recovery and/or for salvaging useable component parts. While you describe this as "re-use" in your letter, EPA characterizes scraping and salvaging as disposal. Therefore, export of untested transformers for scraping/salvaging activities is prohibited.

CONCURRENCES

SYMBOL	7404	7404	7404					
SURNAME	Gimlin	Simons	B...					
DATE	4/15/94	4/15/94	4/15/94					

I have enclosed two letters which elaborate on the export of PCB Items for continued use. If you have any additional questions, please call Peter Gimlin of my staff at (202) 260-3972.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Baney', with a long horizontal flourish extending to the right.

Tony Baney, Chief
Operations Branch

Enclosures

cc: PCB Coordinator,
Region III