

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUN 21 2000

Linda Rockwood
 Faegre & Benson LLP
 2500 Republic Plaza
 370 Seventeenth Street
 Denver, Colorado 80202-4004

Dear Ms. Rockwood:

This letter is in response to your inquiry of March 27, 2000, regarding electromechanical impedance relays. In your letter you describe an electromechanical impedance relay and provide information on the PCB levels in these relays. You have posed several questions regarding the applicability of the PCB regulations to electromechanical impedance relays. My staff has reviewed your questions and our response follows.

Question 1: Can the relays be considered to be operating in a "totally enclosed manner" based upon testing which verifies that PCBs are not detected outside of the glass relay cover?

Answer 1: The issue is not whether the relays can be considered to be operating in a totally enclosed manner, but rather whether the capacitors are authorized for use. Based on your description of the relays, the source of the PCBs is the capacitors inside the relays. Please see the response to Question 2.

Question 2: Can the relays continue to be used pursuant to an EPA special use authorization?

Answer 2: A special use authorization for the relays is not required. The source of the PCBs are from the capacitor inside the relay, not the relay itself. The use of PCBs in intact, non-leaking capacitors is authorized by the regulations at 40 CFR Part 761.20 and 761.30(l). Therefore, if the capacitors in the relay are intact and non-leaking then the PCBs in the capacitor are authorized for use. If the capacitors are not intact and are leaking, then the PCBs are not authorized for use. From the information provided in your letter, it appears that the capacitors are not intact and are leaking. Therefore, the capacitors described are not authorized for use and are subject to the applicable disposal requirements in 40 CFR Part 761. In addition, any spills of PCBs to the relays constitute illegal disposal, so the relays must be decontaminated or disposed of in accordance with the applicable requirements in 40 CFR Part 761.

CONCURRENCES							
SYMBOL	9404	2404					
SURNAME	SMYGLI	Boyd					
DATE	6/21/2000	6/21/00					

If you have any further questions, please contact Sara McGurk at (202) 260-1107.

Sincerely,

A handwritten signature in black ink, appearing to be 'TSI' or similar, written in a cursive style.

Tony Baney, Chief
Fibers and Organics Branch