



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

David L. Shaw
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Transformer Division
100 Cooperative Way
Georgetown, TX 78626

Dear Mr. Shaw:

This is in response to your letter of March 3, 1999 to Tony Baney requesting a response to your letter of December 22, 1998 to Lou Roberts in EPA's Region VI. In your letter to Ms. Roberts, you seek clarification on the assumptions one may apply to pole-top and pad mount distribution transformers manufactured prior to July 2, 1979. In particular, whether the assumptions at 40 CFR 761.2 "PCB concentration assumptions for use" apply once the transformers are disconnected and no longer in use. The following are your specific questions and the Agency's corresponding answers:

Q1: [What is] EPA's definition of the term "In use" as it relates to pole-top and pad mount distribution transformers?

A1: EPA has not published a formal definition of "In use" but the Agency generally considers electrical equipment to be "In use" when it is connected in the electrical system. Therefore, once a piece of electrical equipment is disconnected from the electrical system, it is no longer "In use". At this point, based on the decision of the owner of the unit, its regulatory status is either "in storage for reuse" or "in storage for disposal".

Q2: Do pole-top and pad mount distribution transformers classified as mineral oil-filled, keep this designation for the useful life of the unit?

A2: Yes, absent any test data that establishes a PCB concentration, documentation from the manufacturer indicating the PCB concentration at the time of manufacture and servicing records indicating the unit was topped off or otherwise serviced with PCBs ≥ 500 ppm, pole-top and pad mount distribution transformers manufactured prior to July 2, 1979, may be considered mineral oil-filled and therefore, in the concentration range of 50 - <500 ppm PCBs for the remainder of the useful life of the units. Mineral oil-filled electrical equipment manufactured after July 2, 1979, may be assumed to be non-PCB (<50 ppm) for the remainder of the useful life of the

equipment. If the date of manufacture of mineral oil-filled equipment is unknown, any person must assume it to be PCB-Contaminated (50 - <500 ppm).

Q3: At what point must you refer to the PCB concentration assumptions for use criteria to determine the type (non-PCB, PCB-Contaminated, [or] PCB) of unit you are handling?

A3: Absent test data that establishes a PCB concentration, documentation from the manufacturer indicating the PCB concentration at the time of manufacture and servicing records that show a unit was serviced with a specific concentration of PCB fluid, the provisions in section 761.2, "PCB concentration assumptions for use", may be applied while the electrical equipment is in use. The assumption policies in section 761.2 do not apply when electrical equipment is being disposed of. At that time, the owner or operator of PCB equipment must know its actual PCB concentration and use the proper disposal method.

Q4: Can pole-top or pad mount distribution transformers missing nameplates and or proper documentation on the date of manufacture, and type of dielectric fluid be loaded on a transport vehicle for servicing?

A4: Yes, any piece of electrical equipment, regardless of its known or assumed PCB concentration, may be transported for purposes of servicing.

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

Sincerely,



John W. Melone, Director
National Programs Chemical Division

cc: PCB Regional Coordinators