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INTERNATIONAL DIELECTRICS SYMPOSIUM

U.S. ENVIRONMENTAL ISSUES AFFECTING PCB USAGE

IN THE U.S. THE FIRST FEDERAL AGENCY TO TAKE ACTION RELATING TO PCB'S WAS THE FOOD AND DRUG ADMINISTRATION. BASED ON STATUTES WHICH GIVE IT THE APPROPRIATE AUTHORITY THE ADMINISTRATION IN MID-1970 ESTABLISHED AN ACTION GUIDELINE PERMITTING A MAXIMUM OF 5PPM OF PCB IN THE BUTTERFAT OF MILK. THIS GUIDELINE WAS USED BY STATE AUTHORITIES IN OHIO TO EMBARGO MILK AND TO QUARANTINE HERDS FOUND TO BE CONTAMINATED.

DURING 1971 AND 1972 ADDITIONAL ACTION GUIDELINES WERE ESTABLISHED FOR SUCH FOODS AS POULTRY AND FISH. FINALLY IN MID-1973 THE FDA PUBLISHED TEMPORARY TOLERANCES FOR THE FOLLOWING:

MILK AND MANUFACTURED DAIRY PRODUCTS 2.5 PPM (FAT BASIS)

FOOD PACKAGING MATERIAL	10.0 PPM
POULTRY	5.0 PPM (FAT BASIS)
INFANT AND JUNIOR FOODS	0.2 PPM
EGGS	0.5 PPM
FINISHED ANIMAL FEED	0.2 PPM
FEED COMPONENTS	2.0 PPM
FISH AND SHELLFISH	5.0 PPM (EDIBLE PORTION)

OF PARTICULAR INTEREST TO THE USERS OF DIELECTRIC PCB'S, THIS REGULATION SPECIFICALLY PERMITS THE USE IN FOOD, FEED AND FOOD-PACKAGING PLANTS OF ELECTRICAL TRANSFORMERS AND CAPACITORS CONTAINING PCB'S IN SEALED CONTAINERS.

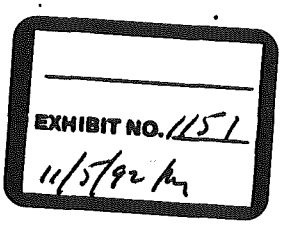

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EXHIBIT NO. 1151
11/5/92 [illegible]

IN LATE 1971 AT THE SUGGESTION OF THE FOOD AND DRUG ADMINISTRATION, THE COUNCIL OF ENVIRONMENTAL QUALITY FORMED A FEDERAL INTERDEPARTMENTAL TASK FORCE ON PCB'S TO COORDINATE THE SCIENFIFIC EFFORTS OF THE GOVERNMENT AIMED AT UNDERSTANDING PCB'S. THE GROUP CONSISTED OF REPRESENTATIVES FROM THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF COMMERCE, DEPARTMENT OF HEALTH, EDUCATION AND WELFARE AND THE DEPARTMENT OF THE INTERIOR. IN MAY, 1972, THE TASK FORCE PUBLISHED A REPORT OF ITS REVIEW. IN ITS FINDINGS, CONCLUSIONS AND RECOMMENDATIONS, THE TASK FORCE CONCLUDES THAT THE CONTINUED USE OF PCB'S FOR TRANSFORMERS AND CAPACITORS IS CONSIDERED NECESSARY AND ALSO RECOMMENDS THAT THE CONCENTRATION OF PCB'S IN RIVERS AND LAKES SHOULD NOT EXCEED 0.01 PARTS PER BILLION.

ON JULY 6, 1973, THE ENVIRONMENTAL PROTECTION AGENCY PUBLISHED A PROPOSED LIST OF TOXIC POLLUTANTS AS REQUIRED BY THE FEDERAL WATER POLLUTION CONTROL ACT. PCB'S WERE INCLUDED IN THIS LIST.

ON JULY 16, JULY 30, AUGUST 1, AUGUST 3 AND NOVEMBER 29, 1973 PUBLIC HEARINGS WERE HELD BY THE EFFLUENT STANDARDS AND WATER QUALITY INFORMATION ADVISORY COMMITTEE TO CONSIDER INFORMATION PERTINENT TO PROPOSING EFFLUENT STANDARDS FOR TOXIC POLLUTANTS.

ON SEPTEMBER 7, 1973, THE TOXIC POLLUTANTS LIST WAS PUBLISHED WITHOUT CHANGE.

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ON DECEMBER 27, 1973, THE EPA PUBLISHED EFFLUENT STANDARDS FOR THE LISTED TOXIC POLLUTANTS. A PREHEARING CONFERENCE WAS HELD ON JANUARY 25, 1974. WRITTEN TESTIMONY BY OBJECTORS WAS SUBMITTED BY MARCH 15. HEARINGS WERE STARTED ON APRIL 8 and COMPLETED ON MAY 24.

OBJECTORS TESTIFYING FOR PCB STANDARDS INCLUDED GENERAL ELECTRIC COMPANY, WESTINGHOUSE ELECTRIC CORPORATION AND MONSANTO COMPANY. IN MY OPINION THE HEARINGS WERE NOT CONDUCTED WITH THE OBJECTIVE OF INTRODUCING ALL AVAILABLE INFORMATION WHICH COULD BE USED TO ESTABLISH REALISTIC, RESPONSIBLE STANDARDS. EPA ATTORNEYS ATTEMPTED TO DISCREDIT INDUSTRY INFORMATION AND TRIED TO INTRODUCE NEW EPA INFORMATION TO SUPPORT THE PROPOSED EFFLUENT STANDARD. THE HEARING OFFICER DID NOT PERMIT THE NEW INFORMATION INTO THE RECORD.

FOLLOWING THE HEARINGS THE EPA APPEALED THE HEARING OFFICER'S DECISION. THE APPEAL WAS DENIED.

WE HAVE ATTEMPTED TO DETERMINE THE STATUS OF THE EPA'S PLANS FOR PUBLISHING THE FINAL STANDARDS AND HAVE BEEN UNABLE TO GET SPECIFIC INFORMATION. SOME EPA REPRESENTATIVES HAVE EXPRESSED AN INTEREST IN REDEFINING PCB'S TO ACKNOWLEDGE THE DIFFERENCES IN DEGRADABILITY OF THE VARIOUS ISOMERS. SOME CONSIDERATION IS ALSO BEING GIVEN TO ALLOWING FOR BACKGROUND LEVELS OF PCB'S WHICH RESULT FROM SOURCES OTHER THAN CURRENT OPERATIONS. A REVIEW IS ALSO BEING MADE OF THE BIOACCUMULATION FACTORS USED IN ARRIVING AT THE PROPOSED

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EFFLUENT STANDARD. THIS GROUP ALSO WOULD LIKE TO USE THE REJECTED EPA INFORMATION AND HOPESTO DO SO BY SUBMITTING NEW STANDARDS AS A REPROPOSAL FOLLOWED BY NEW HEARINGS AND FURTHER REVIEW.

HOWEVER, OTHERS IN EPA DO NOT BELIEVE THAT ADEQUATE DATA EXISTS TO SUPPORT BIODEGRADATION CONSIDERATIONS OR NEW DEFINITIONS. FURTHER, THEY BELIEVE THAT TOTAL PCB'S SHOULD BE CONTROLLED INCLUDING BACKGROUND LEVELS AND THAT THE BIOACCUMULATION FACTORS USED (10^5) ARE REALISTIC.

AT PRESENT IT APPEARS THAT REVISED STANDARDS, FINAL OR RE-PROPOSED, WILL NOT BE PUBLISHED UNTIL NOVEMBER-DECEMBER.

IN SUMMARY:

1. DIFFERENCES OF OPINION DO EXIST WITHIN EPA RELATING TO THE INFORMATION AVAILABLE ON PCB'S.
2. THERE IS NO INTENT, EXPRESSED OR IMPLIED, BY THE EPA TO BAN OR DISCOURAGE THE CONTINUED USE OF PCB'S IN TRANSFORMERS AND CAPACITORS.
3. THERE APPEARS TO BE SOME EFFORT BEING MADE TO RELAX THE PROPOSED STANDARD. WHETHER IT WILL BE RELAXED ENOUGH TO RESULT IN AN ACHIEVABLE LEVEL IS UNKNOWN.
4. IN ANY CASE WE ARE ALL EXPECTED TO DO A MUCH BETTER JOB OF CONTROLLING LOSSES AND CLEANING UP OUR PLANTS.

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