The Commonwealth of Massachusetts
Water Resources Commission
Leverett Saltonstall Building, Government Center
100 Cambridge Street, Boston 02202

OFFICE OF THE DIRECTOR
DIVISION OF WATER POLLUTION CONTROL

March 19, 1974

Mr. Philip J. Morgan
Executive Vice President
Aerovox Industries, Inc.
740 Belleville Avenue
New Bedford, Massachusetts 02741

Re: New Bedford (SCM)
Aerovox Indr., Inc.
PCB.

Dear Mr. Morgan:

The Governor has referred your letter of February 21, 1974, to the Division of Water Pollution Control. The Division has been aware that the proposed EPA effluent standards affecting PCB's would seriously damage the transformer and capacitor industry. A considerable amount of documentation of the economic and social impact of a cessation of the production of PCB transformers and capacitors was communicated to the Environmental Protection Agency in November 1973. Testimony was given by the General Electric Company at EPA hearings as recent as March 15, 1974. The following observations can be made:

1. Toxicity of the Pollutant. EPA has wrongfully characterized PCB's as having a "high order of toxicity to man" and is mistaken in this important fundamental respect.

2. PCB's persistence, degradability. The proposed standard fails completely to recognize the significant differences in persistence and degradability among the homologs. There is neither chemical nor biological justification for considering all PCB isomers and homologs to be equivalent in respect to the criteria for toxicity used by EPA.

3. The usual or potential presence of the affected organism in any waters. EPA has made no attempt to relate the calculation of proposed standards to organisms known to exist in the waters affected by the Massachusetts Companies using PCB's. The EPA has not realized the distinction between criteria and standards. It has used data meant as guidelines which were to be used in conjunction with a thorough knowledge of local conditions, and just arbitrarily made them into a standard.

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4. Effluent Standard EPA has set an effluent standard for all streams that varies only in proportion to the flow of the stream and does not take into account the location of the stream and all the species present in the stream, the long and short term effects, the temporary or permanent effects, etc.

5. Testing Method EPA has established a standard at a level so far below the discrimatory ability of the test method prescribed for determining compliance that it would be impossible for any regulatory agency to enforce.

This Division has forwarded copies of this letter to the EPA in Washington and the regional office in Boston.

Very truly yours,

Thomas C. McMahon
Director

TCM/HIB/lmm

cc: Dr. C.H. Thompson, Chairman, Hazardous and Toxic Substances, Regulation and Task Force, Office of Water Programs, NSEPA, Washington, D.C. 20460
John A.S. McGlennon, Regional Administrator, Environmental Protection Agency, John F. Kennedy Building, Boston, Massachusetts 02203
George Brown, Special Assistant to the Governor, Environmental Affairs, State House - Room 158, Boston, Massachusetts

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