LEGAL REQUIREMENTS OF INSPECTOR'S PROCEDURES

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A. INTRODUCTION

1. GENERAL AUTHORITY TO CONDUCT INSPECTIONS

Section 11 of the Toxic Substances Control Act (15 U.S.C. 2601) provides the basic authority for inspection of establishments and conveyances. It authorizes an inspector to enter, at reasonable times, any establishment, facility, or other premises in which chemical substances or mixtures are manufactured, processed, stored, or held before or after their distribution in commerce and any conveyance used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce.

Inspections may be made only upon the presentation of appropriate credentials and written notice to the owner, operator, or agent in charge of the premises or conveyance to be inspected. Section 11 provides that a separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection.

2. SCOPE OF TSCA SECTION 11 INSPECTIONS

Inspections conducted under Section 11 extend to all things within the premises or conveyance inspected (including records, files, papers, processes, controls, and facilities) bearing upon whether the requirements of TSCA applicable to the chemical substances or mixtures within the premises or conveyance have been complied with. However, inspections shall not extend to the following types of data unless the nature and extent of such data are described with reasonable specificity in the written notice presented to the owner, operator, or agent in charge of the premises or conveyance:

a. financial data
b. sales data (other than shipment data)
c. pricing data
d. research data (other than research data required by the provisions of TSCA or under a rule promulgated thereunder)
e. personnel data

3. PENALTIES FOR FAILURE TO ALLOW INSPECTION

Section 15 of TSCA makes it unlawful for any person to fail or refuse to permit entry or inspection as required by Section 11 or to fail or refuse to permit access to or copying of records. Section 16 provides for both civil and criminal penalties for violations of Section 15. Section 17 authorizes specific enforcement, including the obtaining of an injunction to restrain any violations of Section 15, or to compel taking of any action required under TSCA.

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B. Pre Inspection Considerations

1. General Preparation for Inspections

Certain Documents and data should be obtained and reviewed prior to performing on site inspections. Whenever practicable the inspectors should obtain relevant Federal State and Local permits and authorizations which have been obtained by the facility for the purpose of operating the facility. These permits should be reviewed to determine whether PCBs have been at issue with other regulatory programs. In addition, where possible the record for compliance with other relevant regulatory programs should be investigated by obtaining pertinent data.

The inspector should at all times obtain all PCB related approval documents, authorizations, exemption documents prior to arriving at an inspection site.

Where these documents contain operating conditions and requirements these conditions and requirements should be noted and serve as the basis for specific inquiries during the inspection. The inspector should then verify that the facility is complying with these conditions and requirements.

After review of the above documents and any available PCB records the inspector should prepare the Notice of Inspection. The scope of the Notice whould, at a minimum, cover the specific areas that the office review indicated may be potential problems.

2. Records Review

Prior to conducting a physical inspection the PCB records for the subject facility should be examined. In some instances the records inspection may be conducted prior to the physical inspection by requesting the facility to send the records to the Regional Office. Conducting the records inspections early might make the conduct of the physical inspection less difficult.

The arithmetic related to records inspections is fairly simple: PCBs removed from service should equal the PCBs stored plus the PCBs disposed. In addition to striking an appropriate balance, the records should adequately describe the disposition of all of the PCB items connected with the particular facility. The inspector should be able to determine the name and location of all storage and disposal facilities used, including the final disposal site.

The value of the records inspection lies in forcing the PCb facility to account for their PCB items in a fairly accurate manner. An inspector, by using the recorded information, should be better able to conduct physical inspections. Where records are kept properly, the inspector's observations of facility processes should serve to uncover sources of imbalance in the PCB equation. In addition to forming the basis of a violation in itself, inadequate or inaccurate record keeping serves as a flag to areas of concern in inspecting facilities.

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3. Written Notice of Inspection

You must present the appropriate person at the facility to be inspected (preferably the Plant Manager or other similar official) with written notice of your intent to inspect the facility. Present the written notice at the time you appear at the facility to conduct the inspection. As a general rule advance notice of an inspection should not be given. However, a general notice to a company or an industry that it may be subject to inspection in the next several months is permissible. There may even be instances where specific advance notice of inspection would be warranted. The giving of any such specific advance should first be cleared through the haedquarters Regional Coordination Unit. Presentation of this notice will allow you to inspect most things in operation in the facilities. However, if you wish to inspect any of the following:

(1) Financial data;
(2) Sales data (other than shipment data);
(3) Pricing data;
(4) Personnel data, or
(5) Most research data

The written notice of inspection which you present to the appropriate official at the facility to be inspected must also contain a description of the nature and extent of the data in the above categories which is to be inspected. As a general rule, you will know in advance if you are going to inspect such data at the facility, in which case you should ensure that the notice of inspection describes the nature and extent of that data. An example of a written notice of inspection is shown in Appendix II.

4. Credentials

You must bring with you and present to the appropriate person at the inspection site (Plant Manager or similar official having responsibility for operations at plant) credentials which indicate that you are a lawful representative of the Administrator of the Environmental Protection Agency and that you are authorized to perform the inspection which you are to undertake. Sample credentials for making inspections of facilities under TSCA are shown in Appendix I.

5. Confidentiality

During the inspection of a facility, you may come across information which should be treated as confidential by the Environmental Protection Agency. To help protect bona fide business trade secrets from public disclosure, you must adhere to the following procedure at the time you present your credentials and notice of inspection to the appropriate official at the facility you are about to inspect.

At the time you present the facility official with the Notice of Inspection, also present such official with one copy of the TSCA

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Inspection Confidentiality Notice, shown in Appendix III. You will have four copies of the TSCA Inspection Confidentiality Notice. At the time you present a copy of this Notice to the facility official, place a copy in an envelope addressed to the Chief Officer of the business whose facility you are inspecting. You should determine the name of such Chief Officer before your arrival at the inspection site. Mail the envelope at your earliest opportunity via certified mail. The envelope should be mailed no later than two days after your inspection of the facility.

As indicated in the Enforcement Proceedings Manual, when you submit your Inspection Report to the person indicated in the Enforcement Proceedings Manual, also submit one copy of the TSCA Inspection Confidentiality Notice. Retain one copy for your own records.

6. Opportunity to Accompany Inspector During Inspection

At the time you present the appropriate facility official with the Notice of Inspection, tell him that company representatives may accompany the inspector during the inspection for the purpose of:

(a) indicating to the inspector which processes, facilities, operations, records, etc. of the facility should be treated as confidential, and
(b) any other reasonable purpose.

7. Opportunity to Obtain Duplicate Samples

At the time you present the appropriate facility official with the Notice of Inspection tell him that you may be taking samples during your inspection and inform the official that he has the right to request and receive duplicate samples.

C. What To Do If You Are Denied Entry

1. If you are denied entry, first make sure that you have provided the appropriate facility official with all of the material which must be presented prior to inspection. If you have not presented this official with such material, do so.

2. If you have followed all the appropriate procedural steps prescribed above and you are still denied entry, ask the person who denied you entry his or her reason for denying you entry into the facility. If the response indicates that you failed to adequately show your credentials show the person your credentials again.

3. If the person adamantly refuses to admit an inspector, make no further attempt to enter.

Upon leaving the premises make appropriate notes concerning any relevant observations whichc may have been noted concerning the refusal. If there are any reasonable bases for suspecting that refusal was based upon a desire to cover up regulatory violations note the bases

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for such conclusions. Also note such observations about the appearance of the facility as are possible. If there is a belief that an immediate inspection of the facility is imperative, call the Headquarters Regional Coordination Unit at 202-755-1212. Where immediate inspection is desired, a search warrant may be required by law. The Regional Coordination Unit will aid the inspector in obtaining a warrant where appropriate.

D. Inspection Procedures

1. Conduct During Inspection

Inspector's Instructions, Violation Worksheet and Maintenance of Diaries and Field Notes

The Inspection Manual for the PCB Marking and Disposal Regulation is divided into several sections. In addition to the sections dealing with Legal Requirements for Inspections and the Enforcement Proceedings Manual, the Inspection Manual contains instructions on how to conduct inspections at the various categories of facilities subject to the regulations. For each category of facilities, there are separate instructions. Thus, for example, if you are inspecting an electric utility company facility, turn to the Electric Utility Company portion of the Inspector's Manual and follow the instructions provided there. While conducting an inspection of a particular facility, the inspector should closely follow the instructions in the Inspection Manual for inspecting facilities of that type to the extent that they apply to the circumstances of the particular facility.

Each inspector must maintain legible and detailed Field Notes providing an accurate and inclusive documentation of inspection activity. Entries in an Inspector's Field Notes should should include, but not be limited to, the following:

(i) Name and location of facility inspected

(ii) Explanation of what parts of the facility were inspected

(iii) Summary of inspection related conversations with facility employees, along with names of employees with whom the conversations occured

(iv) Place in the facility where samples were taken, along with explanation of the sampling technique employed, including, but not limited to:

(1) Number of samples collected
(2) Description of origin of sample (transformer, PCB container, etc.)
(3) Detailed analysis of method of obtaining the samples, including description of sample container.

(v) Nature of suspected violation, including place and time of discovery, and including explanation of why you think your discovery is a violation.

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reports, they must contain only facts and observations. Language should be objective, factual and free from personal feelings or terminology which might prove inappropriate. The Field Notes are part of EPA's files and should not be considered the inspector's personal property.

The government's case in a formal hearing or criminal prosecution hinges on the evidence gathered by the inspector. It is likely that inspectors will be called to testify in enforcement hearings. Therefore, it is imperative that each inspector keep detailed records of inspections in his Field Notes. This data will serve as an aid in giving testimony, in determining the conduct of the prosecution of the alleged violator, and in helping the inspector prepare his Inspection Report.

Personal Demeanor During Inspection

An inspector must conduct an inspection with the highest degree of honesty and is expected to perform his duties in a professional and responsible manner. At the very least, the inspector must conduct himself at all times in accordance with the regulations prescribing Environmental Protection Agency Employee Responsibilities and conduct which were published in the Federal Register (Vol. 38, No. 73) on April 17, 1973, codified at 40 CFR Part 3, and reissued in the EPA handbook "Responsibilities and Conduct for EPA Employees". In addition, the inspector must:

A. Develop and report facts of inspections completely, accurately and objectively.

B. Inspectors should at all times wear such safety equipment as is customary in the facility being inspected. Inspectors should wear a hard hat, safety glasses or gloves if the owner or his agent so advises.

C. Know the limits of your inspection authority. If you have presented the appropriate credentials and written notice of inspection, your inspection of the facility may extend to all things within the premises being inspected (including records, files, papers, processes, controls and facilities) bearing on whether the requirements of the PCB Marking and Disposal Regulation have been complied with. Although you may not on your own authority take anything belonging to the facility other than a sample out of the facility, you may copy any relevant records and take the copies with you as part of your inspection report. You should remember that if you want to inspect financial data, sales data (other than shipment data), or most research data you need to describe the nature and extent of such data you wish to inspect in the written notice of inspection. If at any time during the inspection you are prohibited from inspecting particular things or processes which you believe are within

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the allowable scope of your inspection, remind the person that such prohibition is unlawful but do not argue with the person who prohibits your inspection. Simply ask the person why you are not being allowed to inspect the particular thing or process and note all the particulars in your Inspection Diary, along with the name of the person who refused to let you inspect. Then, continue the remainder of your inspection of the facility. Following the inspection, contact the designated TSCA Enforcement Attorney for the regions for instructions concerning the area where you were not allowed to inspect.

D. If an authorized representative of the facility being inspected wishes to accompany you during the inspection allow him to do so.

E. Be alert for any statements made by employees of the facility being inspected which may be construed to be admissions of acts of violation of the regulation.

Prohibited Activities

The following activities may not be engaged in by an EPA inspector before, during or after an inspection of a facility under the PCB Marking and Disposal Regulation. These prohibitions are based upon and derived from material in the EPA Pesticides Inspections Manual.

A. Never discriminate by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for yourself or anyone else, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of your government duties. The EPA handbook entitled "Responsibilities and Conduct for EPA Employees" specifies that an employee shall not accept anything of value from the trade, public or consumers for or because of any official act he has performed or will perform. Each inspector should refer to the above referenced handbook for amplification of this policy.

In this regard one area of concern to inspection personnel which generates more questions than any other is the matter of handling a situation where, during a facility inspection, you have lunch with plant officials and/or personnel and find your lunch paid for by them, or there is no way you can pay for your portion of the luncheon. EPA regulations cover this by providing an exemption whereby you can accept food and refreshments of nominal value on infrequent occasions in the ordinary course of an luncheon or dinner meeting or other meeting or on an inspection tour where you may be properly in attendance.

Under no circumstances shall you interpret this to allow acceptance of meals or refreshments when it is proper and feasible for you to pay for your own. You must avoid such situations when possible and must make every effort to pay your part,

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unless the situation is such that it is impossible for you to do so or to force the issue would provoke a scene creating embarrassment to or bring discredit on the government.

B. Make no private promises of any kind which may be construed as binding upon the Agency since a Government employee by his private word cannot bind the Government.

C. Never use any information coming to you confidentially in the performance of governmental duties as a means for making private profit.

D. During an inspection do not speak of any product, process, facility or person in a derogatory manner.

Taking Samples

1. Responsibility

Samples should be collected and prepared in accordance with procedures outlined in this Manual. Keep in mind that you may have to testify in court regarding a sample you have taken. You may be required to identify the sample collected and to explain that you followed the sampling procedures provided in this Manual. Mistakes or deficiencies in procedures may damage the Government's case in this regard. However, if you make a mistake in sampling, do not, under any circumstances, attempt to cover up the mistake. Record the mistake in your Field Notes and re-take the sample as appropriate.

2. When to Sample

Take a sample only under the circumstances indicated in this Manual and only during the course of an inspection of a facility covered by this Manual.

3. How to Sample

A. Taking Samples

When taking a sample during an inspection of any facility covered by this Inspector's Manual you should follow the specific sampling techniques appropriate for each type of facility you inspect. Deviation from the Standard Methods and procedures for a sample might cause problems in introducing your sample into evidence during an enforcement proceeding. If there is any deviation from established procedures, explain the deviation in your Field Notes.

B. Duplicate Samples

If a responsible agent of the facility being inspected requests a duplicate sample, it should be collected and marked in the same manner the official samples, with an indication on the extreme left hand corner of the Sample Tag to be attached thereto that the sample

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is a "Duplicate Sample". Of course, the fact of having prepared a duplicate sample should be reflected in the Inspector's Field Notes. If you provide a duplicate sample, make the appropriate notation on the chain of custody record, described below.

C. Special Category of Samples - Photographs

During an inspection, you may want to photograph various parts of the facility, certain operations in the facility or locations where a sample was taken. In all cases where you take a photograph during an inspection, write the following in your Field Notes for each photograph taken.

1. Nature of object or process photographed
2. The sequential number of that photograph for the inspection.
3. Inspector's Number
4. Inspector's Name
5. Time, date and place of taking photograph.

When the photographs are developed, transpose the information recorded in your fields notes onto the back of the photograph at your first opportunity.

4. Post - Sampling Procedure

A. Identification of Samples

Each unit of the sample is to be tagged in the Inspector's handwriting in ballpoint (waterproof) ink. The tag (See Attachment IV) shall contain, at a minimum, the following information: Inspector's Name, type of sample, sample number, name of person taking sample, and the type of analysis required. This tag should be completely filled out by the inspector and attached to the sample container.

B. Receipt of Samples

After taking a sample, prepare a Receipt for Samples Form in triplicate (See Appendix V). Give one copy to the Plant Manager or similar official at the facility, include one copy in your Inspection Report and retain one copy for your own records. You may record all the samples taken during the inspection of a facility on one Receipt for Samples Form.

E. Chain of Custody Procedures

1. Inspector to Laboratory

The inspector who collects samples is responsible for the care and custody of the samples until properly dispatched to the receiving laboratory or turned over to an assigned custodian. You must assure that each container is:

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a. In your physical possession, or
b. In your view, after being in your physical possession, or
c. After being in your physical possession was locked by you in a manner so that no one could tamper with it.

The following procedures should be followed:

(1). Samples will be accompanied by a Chain of Custody Record (Appendix VI) which includes, the name of person taking the sample; inspector's number; type of sample taken; analysis required. If the person who takes the sample is required to transfer possession of the sample prior to dispatching it to the appropriate laboratory for analysis, the transferor and transferee will sign, date and time the sheet.

(2). The inspector taking the sample, or the person who rightfully receives possession of the sample directly or through a chain originating with the inspector who took the sample, has the responsibility of properly packaging and dispatching samples to the proper laboratory for analysis. As a matter of policy, the inspector taking the sample should not relinquish possession of the sample prior to dispatch to the appropriate laboratory except in circumstances where to do so would be highly impractical. In any event, the person who dispatches the sample to the appropriate laboratory for analysis should fill in the "Dispatch" portion of the Chain of Custody Record.

(3). Samples will be properly packed in shipment containers such as ice chests to avoid breakage. The shipping containers will be padlocked for transfer to the receiving laboratory.

(4). All packages will be accompanied by the Chain of Custody Record showing identification of the contents. The original will accompany the shipment (inside the locked shipment container) and will remain on record in the laboratory performing the analysis.

(5). If sent by mail, the person who dispatches the sample to the laboratory must send the package certified mail with return receipt requested. If sent by common carrier, a government bill of lading should be obtained. Receipts from post offices and bills of lading will be retained as part of the permanent Chain of Custody documentation.

2. Laboratory Custody Procedures

a. The laboratory shall designate a "Sample Custodian". An alternate will be designated in his absence. In addition, the laboratory shall set aside a "sample storage security area". This should be a clean, dry, isolated room which can be securely locked from the outside.

b. All samples should be handled by the minimum possible number of persons.

c. All incoming samples shall be received only by the custodian who will indicate receipt by signing the Chain of Custody Record Sheet accompanying the samples and retaining the sheet as permanent records.

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Couriers picking up samples at the airport, post office, etc. shall sign jointly with the laboratory custodian. If samples are delivered to the laboratory when appropriate personnel are not there to receive them, the samples must be locked in a designated area within the laboratory in a manner so that no one can tamper with them. The same person must then return to the laboratory and unlock the samples and deliver custody to the appropriate custodian.

d. Immediately upon receipt, the custodian will place the sample in the sample room, which will be locked at all times except when samples are removed or replaced by the custodian. To the maximum extent possible, only the custodian should be permitted in the sample room.

e. The custodian shall ensure that heat-sensitive or light-sensitive samples, or other sample materials having unusual physical characteristics, or requiring special handling, are properly stored and maintained.

f. Only the custodian will distribute samples to personnel who are to perform tests.

g. The sample analyst will record, in his laboratory notebook or analytical worksheet, identifying information describing the sample, the procedures performed and the results of the testing. The notes shall be dated and indicate who performed the tests and they should note any abnormalities which occured during the testing procedure. In the event that the person who performed the tests is not available as a witness at time of trial, the government may be able to introduce the notes in evidence under the Federal Business Records Act.

h. Standard methods of laboratory analyses shall be used as described in the "Guidelines Establishing Test Procedures for Analysis of Pollutants", 38 F.R. 28758, October 16, 1973. If laboratory personnel deviate from standard procedures, they should prepare the justification for the deviation in the laboratory notebook.

i. Once the sample testing is completed, the unused portion of the sample, together with all identifying tags and laboratory records, should be returned to the custodian. The returned tagged sample will be retained in the sample room until it is required for trial. Strip charts and other documentation of work will also be turned over to the custodian.

j. Upon completion of laboratory PCB sample analysis, the custodian shall send a copy of all laboratory records and a copy of the appropriate chain of custody record to the Regional PCB Violation Coordinator. The laboratory should retain the originals as permanent records.

k. Alterations in or deviation from this chain of custody procedure must be approved, by the Regional Office of General Counsel and/or the Headquarters Enforcement Office, prior to implementation.

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Appendix I

TSCA Inspection Credentials

UNITED STATES OF AMERICA

ENVIRONMENTAL PROTECTION AGENCY

This is to certify that

_____

whose signature and photo appear below is an authorized representative of the Administrator of the U.S. Environmental Protection Agency.

Date issued: Expiration Date:

(Photo)

Name:

Title: Inspector

This Inspector is authorized under the Toxic Substances Control Act to conduct inspections (including taking samples, photographs and other inspection activities) of establishments, facilities, or other premises in which chemical substances or mixtures or any articles containing same are manufactured, processed, stored or held before or after their distribution in commerce, and any conveyance being used to transport chemical substances, mixtures or such articles in connection with distribution in commerce.

_____
Signature of Inspector

_____
Signature of the Administrator

No._____

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Appendix II

U.S. Environmental Protection Agency
NOTICE OF INSPECTION
UNDER THE TOXIC SUBSTANCES CONTROL ACT

Name of Firm:
Firm Address:

Date Inspection Commenced:
Hour:
EPA Regional Office Address: (type)

Reason for Inspection:

☐ For the purpose of inspecting (including taking samples, photographs and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures or articles within or associated with such premises have been complied with.

☐ For the purpose of inspecting (including taking samples, photographs and other inspection activities) a conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures or articles within or associated with the conveyance have been complied with.

☐ In addition, this inspection extends to (circle appropriate letters):

A) Financial data
B) Sales data
C) Pricing data
D) Personnel data
E) Research data

The nature and extent of inspection of such data specified in A through E above is as follows:

Name of Person to Whom Notice of Inspection Was Given:

Signature of EPA Employee:

_____ _____ DATE_____

_____ _____

TITLE TITLE

Distribution: one copy Plant Manager
one copy PCB Violation Coordinator
one copy Inspector's Files

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Reverse Side- Notice of Inspection

TSCA Notice of Inspection

Authority to Conduct Inspections

By authority of Section 11 of the Toxic Substances Control Act (15 USC 2601) an authorized representative of the Administrator of the United States Environmental Protection Agency may enter and inspect, at reasonable times, any establishment facility, or other premises in which chemical substances or mixtures are manufactured, processed, stored, or held before or after their distribution in commerce and any conveyance used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce.

Scope of Inspections

Inspections conducted under Section 11 of the Toxic Substances Control Act (15 USC 2601) extend to all things within the premises or conveyance inspected (including records, files, papers, processes, controls, and facilities) bearing upon whether the requirements of the Toxic Substances Control Act applicable to the chemical substances or mixtures within the premises or conveyance have been complied with.

However, inspections shall not extend to the following types of data unless the nature and extent of such data are described with reasonable specificity in the written notice presented to the owner, operator, or agent in charge of the premises or conveyance:

1. financial data
2. sales data (other than shipment data)
3. pricing data
4. research data (other than research data required by the provisions of the Toxic Substances Control Act or under a rule promulgated thereunder)
5. personnel data.

Penalties for Failure to Allow Inspection

Section 15 of the Toxic Substances Control Act makes it unlawful for any person to fail or refuse to permit entry or inspection as required by Section 11 or to fail or refuse to permit access to or copying of records. Section 16 provides for both civil and criminal penalties for violations of Section 15. Section 17 authorizes specific enforcement, including the obtaining of an injunction to restrain any violations of Section 15.

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Appendix III
TSCA INSPECTION CONFIDENTIALITY NOTICE

United States Environmental Protection Agency

Regional Address:

Facility Inspected:

Date Inspected:

Address of Facility:

Name of person at the facility to whom this notice given:

_____

_____
TITLE

Name of chief officer of business:

Name of EPA Inspector:

Address:

Date mailed to chief officer:

It is possible that EPA will receive public requests for release of the information obtained by inspectors during inspection of the facility indicated above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 U.S.C. 552, EPA regulations issued thereunder, 40 CFR Part 2, and the Toxic Substances Control Act Section 14. EPA is required to make inspection data available in response to FOIA requests unless the Administrator of the agency determines that the data contains information entitled to confidential treatment.

In order to facilitate the Agency's timely response to any public inquiries, while giving due consideration to your company's right to request confidentiality, please provide us with a statement specifying any information which our inspection of the above indicated facility may reveal which you believe should be entitled to confidential treatment.

Your statement should be addressed to _____ (RESPONSIBLE EPA OFFICIAL) and should reach this address no later than 30 days after your receipt of this notice. Failure by your firm to submit, within the 30 day time period, a written request that information be characterized as confidential or privileged will be treated by EPA as a waiver by your company of any claims for confidentiality regarding the inspection data and the data will be made available to the public without further notice to you.

_____ date received by owner/operator

_____ signature of Plant Manager

Distribution: one copy Plant Manager
one copy Chief Officer of Business
one copy PCB Violation Coordinator
one copy Inspector's Files

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Appendix IV

SAMPLE TAG

USEPA, TSCA PCB Marking and Disposal Regulation Field Sample

Inspector's Name	Type of Samples	Date Taken

Time Taken	Place Taken	Name of Person Taking Sample (written & signed)

Analysis Required:
(Determination of PCB Content)

Sample Number:

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Appendix V

U.S. Environmental Protection Agency

Receipt for Samples

Regional Address:

Name of Plant Manager or Similar Official:

Firm Name:

Firm Address:

Sample Numbers:

Samples Collected: (Describe fully the time, place, date and type of sample, number of containers for each type of sample)

Acknowledgement of Plant Manager or Similar Official

The undersigned acknowledges that the samples described above have been collected:

Signature: Title:

Duplicate Samples for each Type of Sample Taken:

Sample #	Requested and provided	Not requested

Name of person who collected samples:

Title of Collector:

Signature of Collector:

Distribution: one copy to Facility Plant Manager
original to PCB Violation Coordinator
one copy for Inspector's Records

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Appendix VI

Environmental Protection Agency
Toxic Substances Control Act
PCB Marking and Disposal Regulation

CHAIN OF CUSTODY RECORD

Name of Person Taking Sample: Signature:

Inspector's Number:

Type of Sample	Date Taken	Time Taken	Place Taken	Required Analysis

Relinquished by: Received by: Date: Time:

Relinquished by: Received by: Date: Time:

Relinquished by: Received by: Date: Time:

Dispatched by: Date: Time:

Received for Laboratory by: Date: Time:

Method of Shipment:

Distribution: Original to Accompany Shipment (inside locked shipment container). One copy from laboratory to Regional PCB Violation Coordinator upon completion of analysis.

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