

Office of Enforcement and
General Counsel
Environmental Protection Agency
Washington, D.C. 20460

Re: Environmental Protection Agency
40 CFR Part 126
National Pollutant Discharge Elimination System
Federal Register, Vol. 37, No. 234,
pp. 25898-25906, Tuesday, December 5, 1972

Gentlemen:

We have reviewed the Environmental Protection Agency's proposed forms and guidelines for acquisition of information from owners and operators of point sources subject to the National Pollutant Discharge Elimination System (NPDES).

With respect to this rule making we have the following comments to offer relating specifically to Item 15, Column 3, Page 25900; Item 13, Column 2, Page 25902; Item 14, Column 3, Page 25903; and Item 10, Column 2, Page 25904 of the Federal Register, Vol. 37, dated December 5, 1972.

In each of these identically worded paragraphs the last sentence contains an extremely short list of materials which presumably are intended to be typical examples of substances which are defined in the first sentence of these paragraphs and are freely involved in commerce in significant quantities. Included in this list are polychlorinated biphenyls (PCBs).

0002252

Monsanto Company, the principal producer of PCBs in the United States, unilaterally took steps intended to reduce the entry of PCBs into the environment. A program was initiated for reducing the sale of PCBs which provided that sales would be made only for use in applications where (a) the products were necessary from the standpoint of the public interest and, (b) no acceptable alternatives were available. Today all PCBs manufactured by Monsanto Company are used only by the electrical industry for dielectric uses such as in transformers and capacitors. All other sales have been terminated. Recent reports supporting this use include the Interdepartmental Task Force on PCBs report entitled "Polychlorinated Biphenyls and the Environment" dated May, 1972, the Food and Drug Administration's "Environmental Impact Statement - Notice of Proposed Rule Making - Polychlorinated Biphenyls" dated May 8, 1972 and the U.S. Department of Agriculture Ad Hoc Group on PCBs' report entitled "Agriculture's Responsibility Concerning Polychlorinated Biphenyls (PCBs)" dated September, 1972.

With this current limited and controllable application involving a relatively small number of manufacturers and users, it appears to us that PCBs are not appropriate candidates for a list of "typical" materials. Inclusion will create unwarranted disruption to many owners and operators who have never used PCBs and are totally unfamiliar with the material.

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We respectfully urge that polychlorinated biphenyls (PCBs)
be eliminated from these lists.

Respectfully Submitted,

W. B. Papageorge
Manager
Product Acceptability

WBP/bt

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