

Interoffice Communication

To Plant Managers
From J. C. Ledvina
Date March 25, 1981
Subject INSPECTION AND MAINTENANCE OF PCB TRANSFORMERS

EPA has issued new inspection and maintenance requirements for PCB transformers. The complete Federal Register notice is attached. However, I have extracted two portions of the text which appear below. Pay particular attention to EPA's enforcement intent.

REQUIREMENTS

1. PCB Transformers (those that contain 500 ppm PCBs or greater) and PCB-Contaminated Transformers (those that contain between 50 ppm and 500 ppm PCBs) posing an exposure risk to food and feed products must be inspected for leaks once every week.

2. All other PCB Transformers must be inspected for leaks at least once every three months.

3. Any "moderate leak" discovered by the inspection must be repaired and cleaned or the transformer replaced beginning within 2 days from the time the leak is observed. Moderate leaks from transformers posing an exposure risk to food or feed products must be reported to EPA within 5 days from the date the leak is observed.

4. Records must be kept of the following:

(a) The location of each transformer subject to the Program.

(b) The date of each inspection and the name of the inspector.

(c) All leaks observed.

(d) A description of all servicing on the transformer after the date of the first inspection.

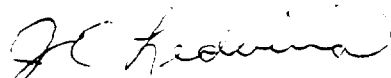
These requirements go into effect on May 11, 1981. This means that the first inspection of transformers posing an exposure risk to food or feed products must be completed by May 18, 1981, and the first inspection of other transformers subject to this Program must be completed by August 10, 1981.

ENFORCEMENT

EPA intends to enforce the Interim Measures Program and the PCB regulations vigorously. Compliance will be monitored by all means legally available to the Agency. This includes inspections pursuant to section 11 of TSCA. Persons who are not in strict compliance with the Interim Measures Program cannot claim the benefits of the Court's stay. The use of PCBs in transformers, capacitors, and electromagnets by persons not complying with both the Interim Measures Program and the regulations is a violation of section 6(e) of TSCA. Thus, continued use of PCB-containing transformers, capacitors, and electromagnets in violation of either the Interim Measures Program or the regulations in 40 CFR Part 761 is a violation of section 15 of TSCA for which the Agency can seek civil or criminal penalties under section 16 of TSCA. The Office of Enforcement is currently formulating guidelines for the assessment of civil penalties for violations of the Interim Measures Program.

Consider our Chemicals operations not to be food and feed product related. The first inspection must be completed by 8/10/81.

Give me a call if you'd like to discuss.


J. C. Ledvina