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TO: PCB Consensus Group FILE: 8462/5

FROM: Sarah M. Rockwell

DATE: June 8, 1995

RE: PCB MegaRule Reply Comments

Based on questions that I received from the EPA during my testimony at the PCB hearing, I recommend that the following items be included in the reply comments of our group:

1. Electrical Cable

The group should address three items: (1) the extremely limited use of PCBs in commercial cable, (2) the lack of evidence of PCBs in mining cable, and (3) the data on electrical cable described in the hearing testimony of David Laskin of Trans-Cycle Industries.

A. PCBs in Commercial Cable

Doug Bannerman has obtained information from the U.S. Navy which appears to indicate that the experience with PCBs in electrical cable may be limited to infrequent use on U.S. Navy ships. While we have no specific data, we have speculated that the PCBs may have been used on occasion as a fire retardant. There is no indication that such PCBs enjoyed widespread use in the commercial cable industry. Therefore, we should reemphasize that it is inappropriate for EPA to impose new requirements on all electrical cable when the only data available relates to infrequent use in cable on Navy ships.

B. Mining Cable

We should reemphasize that there is no evidence to indicate that PCBs were ever used in mining cable, and direct EPA to the letters from Mr. Teti and Mr. Wyatt, which are included in our comments.

C. Data from Trans-Cycle Industries

At the hearing, Mr. Laskin, representing Trans-Cycle Industries, described his experience with cable "oozing" PCBs. However, when pressed for actual data related to the concentration of PCBs in the cable, he stated the following: (a) only 5% of the cable tested had PCBs in

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excess of 50 ppm, (b) 95% of the cable tested had PCBs between 0 and 50 ppm, and (c) 70% of the cable tested had PCBs less than 5 ppm. We need to emphasize that this data, even if it is accurate, hardly indicates that the cable was "oozing PCBs". It also appears to be consistent with the USWAG data on lead-sheathed, oil-impregnated cable.

2. Capacitors

During my testimony regarding the definition of capacitor, Peter Gimlin of the EPA stated that the new capacitor definition was simply intended to be consistent with the existing requirements related to disposal of capacitors, which are contained in 761.60(b)(2) (page 454 of 40 CFR § 761.60). This requirement states that the disposal of any capacitor shall comply with all disposal requirements unless it is known from label or nameplate information, manufacturer's literature, or chemical analysis that the capacitor does not contain PCBs. Mr. Gimlin asked how capacitor owners were complying with the present requirements if it was so difficult to obtain nameplate information or manufacturer's literature or conduct chemical analyses.

While the PCB Panel should discuss an appropriate response to this question, I believe that at least two replies are as follows:

(1) While capacitor owners may comply with these requirements at the disposal stage, they do not want to have to conduct the required research or analysis when the capacitors are still in use.

~~(2) It may well be that capacitor owners are not complying with 761.60(a)(2), or are simply making the decision to follow the disposal requirements if they cannot verify the PCB concentration of the capacitor.~~

3. Spills Occurring Between 1978 and 1987

During my testimony, Tony Baney asked that our group provide suggestions in our reply comments on how EPA should treat spills occurring between 1978 and 1987.

4. Pre-1978 Spills

During my testimony, Tony Baney also asked me to clarify what options should be available to the party responsible for cleaning up a spill that occurred before 1978. We should reemphasize the points in our original comments that (1) EPA has no jurisdiction over pre-1978 spills, and (2) if EPA is going to assert that jurisdiction, it should make available to the party responsible for

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cleaning up such a spill all of the options that are available for clean up of any other spill (e.g., self-implementing, risk based, and traditional).

I will be on vacation from June 9 through June 19. Steve Rosenthal will be working with you on the reply comments.

- Drained / Transformers
- Manifesting
- Ballasts
-

MORRISON & FOERSTERM E M O R A N D U M

TO: PCB Group
FROM: Sarah M. Rockwell
DATE: May 26, 1995
RE: PCB MegaRule

Enclosed is a summary of comments 155-241. Happy reading.

Toni Allen and Doug Bannerman: I am sending copies of relevant comments to you by overnight mail.

R54866

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M E M O R A N D U M

TO: PCB Industry Group
Panel

FROM: Sarah M. Rockwell

DATE: May 25, 1995

RE: Summary of Comments 155-241

155. Sola/Hevi-Duty Electric.
Questions on decontamination standards for Large Volume PCB wastes (retroactivity, use of solvents). Thinks proposed rules for open burning and industrial furnaces discourage responsible recycling. Want site-specific permit conditions for industrial boilers and furnaces. Doesn't like operating or notice requirements for industrial furnaces. Questions on disposal of PCB-Contaminated Material Light Ballast rule is unenforceable. Comments on importing requirements. New criteria for drain electrical equipment meaningless and unenforceable. Questions on reporting. Dislikes new requirements for commercial storage facilities. Dislikes suggestion that states implement TSCA-look alike statute. Questions regarding registration. Clarifications on small quantity exemption for solids. Comments on transfer of ownership requirements for storage facilities.
156. Natural Gas Pipeline Company of America
Supports plan to review toxicity of PCBs. Wants use authorization for historically contaminated natural gas pipeline systems, appurtenances and air compressor systems. Wants self-implementation procedure for reclassification of pipeline systems. Comments on cleanup of historical spills. Eliminate presumption that pipeline located downstream of 500 ppm contamination is PCB article. Comments on storage requirements, and storage for reuse.
157. Portland General Electric Company.
General agreement with USWAG on proposed cleanup requirements. Agrees that no TSCA authority over pre-1978 spills. Supports USWAG on preemption,

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self-implementing site remediation rules, sampling requirements, definitions, drainage and storage for reuse requirements.

158. State of New Hampshire Department of Environmental Services.
Proposed rules overly complicated and present greater burdens. PCB Transformer definition is too restrictive. Opposes registration requirements. Use conditions in 761.30(q) too restrictive, and creates unfunded mandate. Wants section on disposal of PCB-contaminated non-liquids to include blackout ovens. Other specific comments on disposal requirements and procedures. Comments on PCB-remediation waste and self implementing requirements. Specific questions on procedures for decontaminating porous surfaces less than or equal to 10,000 ppm.
159. Cinergy.
Agrees with PCB Group on definition of PCB Transformer, light ballasts, support for 1987 Spill Clean Up Policy issues, definition of porous surfaces. Wants to extend allowable storage to two years and amend criteria for facilities storing PCBs for disposal. Wants clarification of vehicle marking requirements. Wants limited importation of PCBs for disposal.
160. Virginia Electric and Power Company.
Strong support for our comments, especially on PCBs declining, single spill clean up policy, changes in definitions, 48 hour drainage requirement and state registration.
161. CMA, USWAG and NEMA.
Our comments.
162. American Petroleum Institute.
Likes new rules on disposal of remediation on nonremediation waste. Anti-dilution language confusing, likes new temporary storage rule, wants EPA to use risk based approach in setting decontamination standards. Opposes stringent monitoring requirements for non-liquid materials containing any concentration of PCBs, wants expansion of storage options for PCB wastes. Wants to use PCB field screening test kits for determining PCB concentration of liquids.

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163. EPA, Region V.
Requests changes in methods (see letter).
Questions on requirements for use of Immunoassay in
Section 761.61(a)(2)(11)(c)(1) and (c)(2).
Comments on requirements for bulk containers.
Comments on core sampling requirements in
Appendix II. Technical comments on Appendix III.
Requests for clarification on disposal of waste
generated during chemical analysis of PCBs, wet
weight/dry weight clarification, gas chromatography
procedure.
164. DOW.
Support for CMA comments. Wants clarification of
definitions distinguishing liquid and non liquid
PCBs, no sampling of pipelines if no reason to know
of PCB contamination, changes to definitions of
porous and nonporous surfaces, changes to storage
requirements for waste storage records,
clarification of status of triple rinsing.
165. Undersecretary of Defense.
Believes regulations will create large burdens on
Department of Defense with no showing of
unreasonable risk to human health or environment.
Wants spill cleanup policy expanded to other
spills. Wants clarification of ownership of PCB
wastes following facility sale, definition of PCB
nonremediation waste. Opposes changes to
definitions of PCB transformer (lots here),
nonporous surfaces, others. Questions on export
requirements (e.g., vessels for metal salvage and
parts exploration, shipments of U.S.-owned PCBs.)
Specific comments on use authorizations, pre-TSCA
PCB use. Opposes new light ballast rule, new
marking requirements. Does not like air
monitoring, wipe sampling requirements. Questions
on disposal requirements (e.g., light ballasts,
drained PCB-contaminated equipment). Supports
remediation waste disposal provisions, with
comments. Comments on nonremediation waste. Other
disposal comments. Comments on TSCA PCB
coordinated approval mechanism. Decontamination
standards.
166. Collier, Shannon, Rilt & Scott for Steel
Manufacturers Association.
Specific comments on RCRA portion of proposed rule.

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167. Collier, Shannon, Rilt & Scott for Florida Steel Corporation.
Need flexibility in TSCA regulations as is available under CERCLA. Agrees with us on pre-1978 spills. Supports risk-based disposal for large volume PCB wastes. Agrees with "as found" concentrations as establishing disposal method. Opposes RCRA PCB Action Level at 1 ppm.
168. Kirkland and Ellis Letter (?)
169. Electronic Industries Association.
Opposes new ballast requirements.
170. Boeing. Notification requirements for continued use of non-liquid materials containing PCBs are unclear. Opposes registration requirements. Supports disposal requirements for hydraulic machines and fluorescent light ballasts. Wants clarification on prior spills or releases that have resulted in contamination of concrete or environmental media of less than 50 ppm PCBs. Questions regarding spill cleanups already undertaken. Likes temporary storage regulations and one-year extension for storage of articles destined for disposal.
171. ENSR. Suggests EPA promulgate as final rules the less complicated portions of the proposed regulations and consider reproposing other, more complicated provisions that require revision. Questions on wet weight, dry weight and sample analysis. Dislikes definition of high exposure area, PCB contaminated electrical equipment, porous surface/nonporous surface. Supports rules on import and export of PCBs. Specific comments on import and import petition process. Confused with definition of processing activities. Supports registration of PCB transformers. Wants deletion of § 761.30(a)(1)(vii)(d) and 761.30(a)(3) as surplusage. Questions requirement of notification of certain R&D activities to the regional EPA. Questions requirements on pre-TSCA uses of PCBs. Suggests changes to regional administrators' risk finding in § 761.60. Supports the ban on open burning. Generally supports stricter disposal of PCB-contaminated electrical equipment but has comments. Wants clarification of PCB-contaminated electrical equipment. Questions scope of spill cleanup policy. Believes notification requirement for self-implementing R&D for disposal is

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confusing. Considers the vitrification option used in § 761.61 to be the equivalent of open burning. Opposes EPA proposal to allow stabilization and microencapsulation process technologies to be applied to PCB wastes. Supports proposal to allow storage of PCB wastes in RCRA permitted facilities. Supports the limitation of storage for reuse to less than three years. Questions coordinated approval requirements. Wants omission of specific solvent "kerosene" in decontamination standards. Questions why physical separation disposal/recycling processes are not now approved methods. Supports reporting requirement for disposers of PCBs.

172. DuPont. Wants prospective application of the rules. Questions definition of high exposure area versus low exposure area. Questions including concrete or cement in definition of porous surfaces. Does not believe agency can claim that legal disposal of intact and nonleaking fluorescent light ballast triggers CERCLA reporting unless it reopens previous rulemaking and defines federally-permitted release exemption of CERCLA. Believes antidilution prohibition is confusing. Opposes registration of PCB transformers. Comments regarding electrical cable insulation and whether they pose a threat. Believes regulation regarding disposal of PCB contaminated electrical equipment is overly restrictive. Wants longer period for storage for reuse. Wants five-year period or length of storage for reuse. Opposes burdensome regulations on instrument transformers, current transformers and potential transformers. Wants TSCA 1 ppm level as action level for PCB remediation. Wants only prospective application of new cleanup standards. Wants EPA to consider RCRA debris treatment approach for PCB debris. Wants bioremediation as PCB disposal technology. Wants EPA to exempt decontamination activities for reuse and disposal that occur in RCRA containment buildings.
173. Blasland, Bouck & Lee, Inc. for Tecumseh Products Company. Wants remediation to be determined by risk-based approaches. Describes limitations associated with dredging sediments containing PCBs.
174. Stanford University. Happy that EPA proposes to allow use of PCBs in scientific equipment and in

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research and development. Wants more flexibility for cleanup of PCB remediation waste.

175. New York Power Authority. Believes use conditions for nonliquid PCB-containing items are overly burdensome. Comments on light ballast requirements, concerns regarding ballast recyclers, storage requirements.
176. Envirosafe Services of Idaho, Inc. Comments on new requirements for incinerating PCB liquids. Problems with definition of high exposure area and application to PCB remediation.
177. T&R Service. Wants changes to 48 hour drain requirement, industrial furnaces regulations. No transformers to be disposed in municipal solid waste storage approvals. Wants warnings on PCB Field Screening Tests.
178. Chemical Waste Management. General agreement with us. Comprehensive comments on definitions. Wants free movement of PCBs within United States, Canada and Mexico. Wants expansion of what processing activities require approval. Opposes requirements on small capacitors, disposal of liquid PCBs. Comments on industrial furnaces, large volume PCB articles, self implementing site remediation. Use current data in establishing disposal requirements. Other disposal comments, use of TCLP. Supports wet weight, dry weight analysis. Lots of specific disposal comments. Wants longer storage limit. Doesn't like coordinated approval. Comments on generators. Concerned with requirements for commercial storage facilities. Spill clean-up, definitions, CERCLA reporting obligations. Doesn't like Appendices.
179. Consumers Power Company. Supports comments of American Gas Association, the Interstate Natural Gas Association of America, and our comments. Costs of new regulations much greater than the benefits to be gained by their adoption. Supports consistent decontamination standards, remediation and disposal based on actual concentrations, risk related classifications of existing and future site uses, accessibility to PCB-contaminated materials and locations, and contaminated surface porosity. Other comments consistent with our comments.

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180. Texas Eastern Transmission Corporation. Comments on natural gas pipeline issues. (Use authorization and pipeline disposal). Supports comments of Interstate Natural Gas Association of America and our comments.
181. Minnesota Pollution Control Agency. New disposal policy contains overly complicated requirements. Opposes redefining PCB contamination through wipe sample standards, segregation of heterogenic materials for PCB sampling. Wants disclosure of data that is solicited in the current disposal revisions during the notification of PCB activity or other notifications. Likes transformer and voltage regulatory registration. No dilution clause should not apply to research and development. Wants risk evaluation manual for PCBs.
182. Brooklyn Union. Supports American Gas Association comments.
183. N.S. Dailey. Concerned with household waste exclusion because it is much too strict. Other miscellaneous comments.
184. Union Camp Corporation. Concern on proposed authorization of pre-TSCA PCB-impregnated items, state and local rules are adequate. Doesn't like use of TCLP test. Comments on CERCLA release reporting. Doesn't like TSCA one PPM level for PCBs in soil.
185. Westinghouse Electric Corporation. General agreement with our comments.
186. American Gas Association. wants clearer definition of natural gas pipeline system equipment subject to PCB regulation. Wants clarification of and revisions to proposed reuse provision as it applies to natural gas pipelines. Supports agency proposal to authorize abandonment in place of certain natural gas pipelines. Encourages EPA to expand the universal disposal options. Wants revisions to standards and procedures for decontaminating non-porous surfaces. wants changes to use definition to address natural gas pipeline systems.
187. Panhandle Rural Electric Membership Association. Opposes transformer registration.

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188. City Public Service of San Antonio, Texas. Likes greater flexibility in disposal of large volume PCB wastes. Wants elimination of anti dilution language and inclusion of as-found concentration language. Questions authority to regulate pre-1978 disposal. Supports alternatives to landfilling. Wants changes to porous/non-porous definitions, PCB remediation waste definition. Wants to decontaminate porous materials. Questions regarding disposal of large volume PCB articles. Opposes EPA's consideration of regulating PCB contaminated electrical equipment. Comments on disposal issues. Opposes new definitions of PCB transformer and PCB-contaminated equipment. Comments regarding storage requirements. Questions on PCB samples and standards. Wants clarification of requirements for alternative methods of disposal, wet weight, dry weight definition. Opposes registration requirements for PCB transformers.
189. South Dakota Rural Electric Association. Opposes definition of PCB transformer and PCB-contaminated electrical equipment. Supports changes on import/export. Supports new marking requirements. Supports new requirements for pre-1978 spills. Comments on remediation and nonremediation waste, storage for disposal, storage for reuse. Opposes change in reporting requirement from one pound to ten pounds. Questions records and monitoring requirements.
190. Coastal. Supports comments of Interstate Natural Gas Association of America.
191. Integrated Waste Services Association. Comments on definition of household waste and household waste exclusion. Believes EPA inadvertently included all municipal sewage treatment sludges in the definition of PCB remediation waste. Finds no reason to distinguish between liquid and solid PCB wastes for purposes of establishing a de minimis storage level. Opposes requirements for disposal of small capacitors.
193. Jersey Central Power and Light Company. Supports USWAG comments. Opposes registration requirements. Supports requirements that manufacturers mark electrical equipment. Suggests changes to definition of commercial storer of PCB wastes.

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Believes EPA has underestimated the record keeping and reporting costs of the rule.

194. Bangor Hydroelectric Company. Concern with definition of PCB transformer and PCB-contaminated electrical equipment, proposed requirements for registration, storage for reuse provisions, storage for risk disposal provisions, records and monitoring provisions, definitions and remediation strategy for spills which occur prior to 1987 PCB Spill Clean-Up Policy.
195. East Ohio Gas Company. Believes that PCB rules do not clearly address particular circumstances encountered in natural gas pipeline, and provides detailed comments.
197. Oldover Corporation. Believes rules unnecessarily affect its operations and makes screening for regulated levels of PCBs unnecessarily cumbersome and contrary to current regulatory requirements.
198. Mid-Continent Area Power Pool. Believes PCBs are a declining issue and proposed rules add regulatory burdens while apparently providing no further protection of the environment. Supports retaining current standards for spill clean-ups for old spills. Wants clarification of scope of exemption for commercial operations that accumulate household capacitors for disposal in TSCA-proof facilities. Opposes requirement that generators submit more than one manifest per shipment. Doesn't want to be held to standards applied to commercial storers. Wants changes to definitions of PCB-contaminated electrical equipment and PCB transformer. Opposes requiring additional approval for transfer of PCB-contaminated oil to high efficiency boilers from storage containers or bulk transport vehicles. Agrees with removing prohibitions against reuse. Opposes registration requirements. Opposes requirements related to fluorescent light ballasts. Likes marking requirements for equipment containing PCB transformers or PCB large capacitors. Dislikes drain time of 48 hours. Wants changes to storage requirements. Likes proposal to waive requirement for prior approval for listed decontamination activities.
199. Department of Water and Power of the City of Los Angeles. [Note: Copying problems, difficult to read] Opposes revisions to PCB transformer

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definition, non-porous surface definition, and PCB-contaminated electrical equipment definition. Opposes limitation on number of ballasts which can be landfilled. Opposes 48 hour drainage requirement. Questions whether self-implementing clean-up option for remediation waste is truly self-implementing. Wants exemption from time restrictions or recordkeeping requirements for equipment in storage for reuse. Comments on decontamination standards. Thinks additional recordkeeping requirements are unnecessary.

200. Potomac Electric Power Company. Supports PCB panel comments. Believes that PCB remediation waste definition will impose requirements on biosolids containing PCBs that conflict with EPA standards for the use or disposal of sewage sludge.
202. The New England Gas Association. Supports American Gas Association comments.
203. State of New Jersey Department of Environmental Protection. [Note: Difficult to read.] Wants changes to deed restriction requirements when remediation is being implemented by a public entity. Wants change to definition of disposal. Thinks definition of PCB nonremediation waste and PCB remediation waste are contradictory. Questions distinction between high exposure area and low exposure area. Believes that the specific guidance contained in Section 761.61(a)(4) dictates potentially overly protective clean up standards and remedies for certain PCB-contaminated sites. Concern that remediation requirements will impede redevelopment of contaminated sites. Wants monitoring requirements to ensure that spills or leaks are properly addressed. Wants modification of Appendix II to allow averaging of site PCB concentrations as well as to allow the use of concentration gradients.
204. Hogan and Hartson for Chem-Security (Alberta) Ltd., Bovar Corporation, and Cintec Environment. Believes EPA proposal to alter current policies and procedures with respect to PCB import for disposal is contrary to TSCA and APA. States that EPA risks a substantial likelihood of court challenge and reversal if it chooses to promulgate rules in final.

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205. Southwestern Public Service Company. Opposes application to pre-1978 spills. Supports alternatives to current requirement that PCB remediation wastes be managed based on original PCB concentration. Thinks clean-up policy in residential areas is too restrictive. Opposes reversal of policy concerning concrete. Supports agency determination that TSCA PCB spill cleanup policy still be available to address recent spills from electrical equipment. Opposes changes to definition of PCB contaminated electrical equipment. Comments regarding use authorizations. Opposes new requirements for fluorescent light ballasts. Comments regarding storage and proposal and time limits. Opposes registration requirements.
206. Public Service Electric and Gas Company (Newark, New Jersey). Supports our comments. Opposes redefinition of PCB transformer. Opposes changes to vehicle marking requirements. Believes fluorescent light ballast requirements are unreasonable. Wants greater use of self-implementing procedures for remediation waste. Wants changes to requirements related to abandonment of natural gas pipeline, additional changes to natural gas pipeline requirements. Believes cost estimates are seriously flawed.
207. Gencorp. Questions why EPA is applying different standards and definitions to pre-1987 spills. Opposes definitions of high exposure area and low exposure area and wants "porous" and "nonporous" to be changed to "impervious" and "nonimpervious". Opposes PCB transformer registration requirements. Supports preemption of state and local authority regarding PCBs. Wants streamlining of R&D approvals to allow pilot scale research into disposal methods. Wants to increase applicability and encourage use of self-implementing option for PCB remediation waste. Wants option to dispose of PCB non-remediation wastes in industrial furnaces. Opposes deletion of allowance to store certain non-leaking items on pallets. Wants waiver of 100 year flood plain restrictions on storage of PCBs for disposal in certain circumstances. Wants exception to the storage facility requirements for bulk PCB remediation waste. Believes large volume waste should be addressed on a case by case basis. Believes coordinated approval is cumbersome.

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Comments regarding decontamination standards.
Specific comments on Appendix II and Appendix III.

208. Public Utility District No. 1 of Okanogan County. Supports comments of Northwest Public Power Association. Questions reported savings to the regulated community. Opposes new PCB transformer definition. Opposes registration requirement. Questions requirement that utilities secure a certificate of disposal for each item manifested for disposal.
209. Southern Company Services. Believes proposed regulations will place an undue burden on facilities without improving human health or environment. Supports our comments.
210. Pacific Gas and Electric Company. Wants EPA to expeditiously promulgate proposed regulations relative to self-implementation of clean-ups and disposal of PCBs and retract other parts of the proposed rule. Wants EPA to convene joint industry/EPA working group to redraft the regulations. Supports our comments.
211. Louisville Gas and Electric Company, Questions definitions of PCB contaminated, PCB contaminated electrical equipment and PCB article. Opposes transformer registration.
212. Trans-Cycle Industries Inc. Wants change to regulations to require that a sample be drawn from a reclassified transformer shortly before it is shipped for disposal in order to determine proper PCB classification and disposal method. In the alternative, wants requirement that all reclassified transformers be disposed of according to their original PCB content. Opposes allowing landfilling of any liquid-filled electrical device. Wants ban of practice of shipping units without manifests. Wants expansion of 761.3 to include facilities that are engaged in taking possession of PCB-contaminated electrical equipment formerly owned by others where there is a reasonable chance that the unit will ultimately be disposed of. States that numerous transformers manufactured after 1979 have significant amounts of PCBs..... Supports assumption that all electrical cable containing PCBs be treated as containing greater than 50 ppm. More comments on electrical cable. Believes industrial furnace requirements for

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disposal of PCB-contaminated drained electrical equipment is overly restrictive. Questions effectiveness of capping pipelines and abandoning them in place. Believes changes to decontamination requirements are contrary to anti-dilution, and would open the door for widespread unverified decontamination activities which would circumvent the alternate PCB disposal approval process and its required proof of meeting or exceeding the incinerator efficiency standards.

- 213. Pepper, Hamilton and Scheetz, on behalf of William Walsh. Wants self-implementing option to be expanded to include sediments.
- 214. Commonwealth of Massachusetts Department of Environmental Protection. Rule should address the need for enhanced state/federal coordination and acknowledge alternative approaches to managing PCB wastes. EPA should increase the use of the existing waiver process to forge agreements between regions and states. EPA should expand regional waivers through national waiver guidance.
- 215. Dracewell & Patterson, for El Paso Electric Company. Wants EPA to broaden the assumption rule and expand the flexibility of its application. Believes procedures for draining PCBs from electrical equipment should be the same as those governing drainage of hazardous waste under RCRA. Wants EPA to retain the ability to store non-damaged large capacitors and PCB-contaminated equipment. Wants EPA to retain and expand opportunities for operational flexibility.
- 216. Enron Operations Corp. Wants EPA to review the toxicity of PCBs and take action based upon such new assessments. Supports comments of Interstate Natural Gas Association.
- 217. Northeast Utilities System. Agrees with us that exposure to PCBs is declining. Opposes redefinition of PCB transformer and national registration. Believes regulation of PCB building materials would impose cost burdens in excess of benefits. Questions authority to regulate pre-1978 cleanups. Opposes further regulation of voltage regulators. Wants EPA to continue to allow storage adjacent to annex IIIs. Opposes requirements on long term storage of PCB articles designated for reuse and 48 hour draining.

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218. Department of the Air Force. Suggests changes to many of the definitions. Wants expansion of trans-boundary shipment provisions to include import for disposal of military supplies and equipment procured by the Air Force from local ORC sources as a result of military operations in those locations. Opposes registration requirements. Believes natural gas pipeline abandonment allowances should be expanded to include underground storage tanks with PCB contaminated coatings. Opposes certain of the use condition requirements in 40 C.F.R. 761.30(g)(1). Questions pre-1970 disposal assumptions. Opposes light ballast disposal requirements. Wants regulation of drained PCB contaminated electric equipment and drained PCB contaminated articles.
219. Tennessee Valley Authority. Comments similar to ours on anti-dilution, self-implementing clean-up option, pre-1978 spills and definitions.
220. Electric Cities of North Carolina, Inc. Concern with classification of concrete as a porous material.
221. Central Maine Power Company. Supports alternative disposal methods for large volume PCB wastes and wants it to be expanded to include Thermal Desorption technologies and solvent extraction technologies. Supports allowing large volume PCB wastes to be managed based upon existing concentration. Wants PCB remediation wastes to be allowed to be managed in a variety of ways. Wants solid PCB wastes and PCB contaminated wastes to be reclassified after treatment, consistent with other regulatory programs. Wants dielectric fluids and other liquid materials to be disposed of based on existing PCB concentrations. Opposes EPA's intent to expand TSCA to include regulations regarding non-remediation wastes or to regulate site clean-up activities where PCB concentrations are less than 50 ppm. Wants field screening techniques to be used for both characterization and verification. Opposes defining interior concrete surface as porous surface. Wants non-remediation waste to be managed in a variety of ways. Opposes regulating non-liquid materials that may contain PCBs.
222. Thompson & Knight for Chaparral Steel Company. Questions rationale for regulating the disposal of shredder wastes under TSCA. Wants shredder waste

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exempt from regulation if they are generated at facilities that have a stringent scrap source plan. Wants revision of definition of household waste to include automobiles and light trucks. In the alternative, wants deletion of 15 day notice requirement for facilities that dispose of shredder wastes on site.

223. GeoSafe Corporation. Comments on proposed rules regarding the application of ISV technology to the treatment disposal of PCBs. Believes this technology should be used for remediation of contaminated soil, sediment and other earthen materials, and the treatment of PCB-contaminated waste and debris materials.
224. Sacramento Municipal Utility District. Wants revision of temporary storage requirements as they relate to duration, so that they are consistent with RCRA requirements.
225. National Railroad Passenger Corporation (Amtrak). Questions definitions of the good PCBs and non-liquid PCBs, PCB-contaminated, and porous surface. Opposes state registration requirement. Questions on disposal requirements as they relate to spills that were remediated after April 18, 1978, but before May 4, 1987. Wants changes in water operation requirements for PCB remediation wastes. Questions whether disposal of PCB remediation wastes of less than 50 ppm in any permitted licensed or registered facility is realistic. Opposes 50 day notice requirement for shipment of PCB non-remediation waste if it passes to TCLP test. Opposes including concrete and cement in definition of porous surface.
226. Brazos Electric Cooperative. Opposes requirement that only kerosene be used as a solvent in cleaning non-porous surfaces of PCBs. Wants exemption from new regulations regarding storage for reuse of utilities and industry facilities. Wants changes to PCB voltage regulator requirements. Opposes state registration requirements.
227. Ohio Edison. In applicability section, wants further clarification by referring to the weight of the PCBs as 50 ppm or greater, not the total weight of the material. Opposes redefinition of PCB transformer, and PCB contaminated electric equipment. Opposes registration requirements.

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Opposes light ballast disposal requirements. Opposes change in time frame reference regarding storage for disposal. Believes requirement to submerge and soak an item for decontamination is impractical for in service surfaces such as steel structures. Opposes requirement that current recorded inventory of PCBs and PCB items in storage for disposal be maintained at the storage unit site.

228. PG&E. See summary at No. 210.
229. Southern California Gas Company. Supports comments of American Gas Association. Provides detailed comments on gas pipeline regulations as they relate specifically to SoCalGas specific operating situation and viewpoint.
230. Sacramento Municipal Utility District. Wants clarification of recommendation that core and absorbent material be removed from PCB-contaminated electrical equipment and placed in TSCA-approved landfills. Wants clarification of EPA policy for recycling for non-porous surfaces having PCBs at less than 500 ug/100 cm². Wants more information on fluorescent light ballast issue. Questions definitions of PCB transformer and PCB-contaminated electric equipment. Questions requirement that transformers be drained for a period of not less than 48 hours. Questions assumption that equipment manufactured after July 2, 1979, for which there is no documentation be considered PCB-contaminated.
231. Ford. Supports comments of American Automobile Manufacturers Association. Supports EPA proposal to allow the import of PCBs for purposes of disposal in certain circumstances. Supports recommendation of CMA and AAMA that U.S. companies be allowed to import for purposes of disposal PCB waste and equipment associated with operations outside the United States. Other comments regarding import of PCBs for disposal. Opposes registration of PCB transformers. Believes requirements for pre-TSCA uses of PCBs are excessive and overly burdensome. Wants clarification of porous/non-porous and impervious/non-impervious definitions, particularly as they relate to concrete.
232. Gardere and Wynne for utility clients. Proposing revisions to regulation proposed to EPA on March 3,

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1995 regarding allowing historic PCB contamination on the internal surfaces of the transformer vault structure to remain in place with institutional controls, until such time as easy access for demolition is accommodated by renovation or removal of the structure.

233. Pepper, Hamilton & Scheetz for biotechnology industry organization. Urges EPA to add biotreatment to the list of disposal methods for PCB remediation waste self-implementing rule and PCB non-remediation waste rule. Wants provision added to PCB remediation waste self-implementing rule to allow any technology that meets risk-based treatment levels to be used to clean up PCB-remediation wastes. Supports site specific and generic risk assessment options for selecting remedial technology. Wants flexibility to change the clean-up and treatment levels if EPA issues specific Aroclor cancer potencies and reference doses for the various PCB Aroclors. Wants on-site containment of low PCB concentrations with a 10" cover. Wants criteria for conducting risk assessment and general guidance on clean-ups, including risk assessment guidelines. Believes self-implementing option is too narrow and should be expanded. Believes clean-up goals containment levels, treatment levels, and treatment effectiveness levels are too restrictive.
235. American Automobile Manufacturers Association. Supports our comments, particularly (1) EPA has no TSCA jurisdiction over pre-1978 spills, (2) EPA has defined too narrowly the universe of sites for which self-implemented remediation is available, and (3) the self-implemented clean-up rule should be expanded to include other demonstrated technologies.
236. Wisconsin Ballast Inc. Describes limited testing on potting material of lighting ballasts and finds some detection level of PCB. Concern that information from manufacturers was that the PCB was only in the capacitors, not the potting material. Lab tests are included.
237. South Dakota Department of Environment and Natural Resources. Wants transformer registration information to be made available to the states by EPA upon request to eliminate duplicative efforts. Believes section 761.60(a)(4) does not adequately

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address the intermediate stages of metal recovery salvage operations.

238. Texas Department of Health. Thinks disposal requirements are more confusing than before. Offers specific changes. Confused with apparent duplicative applicability of sub-part D, Storage and Disposal, and PCB Spill Clean Up Policy.
239. Alcoa. Supports PCB panel comments. specific comments on anti-dilution, disposal requirements, clean-up requirements, porous surfaces, self-implementing clean-up, sampling requirements, pre-TSCA uses, and transformers.
240. Duke Power. Concurs with PCB panel comments. Particular interest in definitions, authorizations (opposition to registration requirement), marking requirements for transport vehicles, disposal, remediation wastes, PCB chemical analysis waste, storage for disposal, storage for reuse.
241. S.D. Myers (Transformer Consultants). Believes lighting ballast potting compounds contain PBCs and concerned with unregulated burning. Wants consistent interpretation of requirements across regions. Concerned with inconsistencies in large volume PCB wastes clean up. Supports alternatives to landfilling, changes to remediation strategy. Comments on test methods. Likes changes regarding shredder wastes. Supports making clean up approvals easier to obtain. Questions use of kerosene as solvent for decontaminating solid nonporous surfaces; other comments on decontamination standards. PCB small capacitors were used in old household appliances and lead to risks of scrapyard contamination. Believes cable should be specifically designated as an authorized continued use. potting compound in light ballasts does contain PCBs. Likes new R&D requirements but has specific concerns. Doesn't like 48 hour drainage requirement. Detail comments on changes to open burning and industrial furnace rules. Detailed comments on import exceptions. Detailed comments on proposed rules relating micrograms to ppm. Detailed comments on fluorescent lighting ballasts with copies of studies.