

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JAN 15 2002

Mr. Ken Morgan
 Transmission and Substation Systems Manger
 PUD of Clallam County
 Post Office Box 1090
 Port Angeles, WA 98362

Dear Mr. Morgan:

I am responding to your letter dated November 9, 2001 (attached). In this letter you ask about the distribution in commerce of drained electrical equipment and parts from drained electrical equipment. There have been changes in the requirements in 40 CFR 761 for the use and disposal of transformers which have been drained of liquids containing less than (<) 500 parts per million (ppm) PCBs since the letter to Ms. Toni Allen, dated September 9, 1986, was written,.

There is a regulatory distinction between drained, intact electrical equipment and parts from this equipment containing <500 ppm but ≥ 50 ppm and equipment containing <50 ppm, but first there are some qualifications for the equipment and parts. Any liquids present on the interior non-porous surfaces of the equipment (or exterior surfaces of the internal parts) must have been there from the original use of the equipment, including the parts. Drained means liquids have removed by gravity or pumping until there are no longer free-flowing liquids on any of the surfaces. There may be no liquids containing greater than or equal to (\geq) 50 ppm spilled on, seeped on, or wept on the exterior surfaces of the equipment. If there are liquids on the exterior surfaces of the equipment, the surfaces cannot be used but must be disposed or, in some cases, they may be decontaminated. If the liquids are on non-porous surfaces (painted metal is not a non-porous surface), any liquids on the non-porous exterior surfaces could be cleaned in accordance with the applicable provisions in 40 CFR 761.79. It may be possible to remove contaminated external porous surfaces (such as paint) from non-porous surfaces (such as metal) on equipment or parts, in accordance with 40 CFR 761.79(b)(3)(i)(B) and dispose of the removed porous material, and still be able to use the equipment and parts. Also, there is a regulatory distinction between distribution in commerce for use and distribution in commerce for disposal.

With one exception, distribution in commerce for use is prohibited for electrical equipment or the parts from the drained equipment where only interior surfaces were in contact with liquids

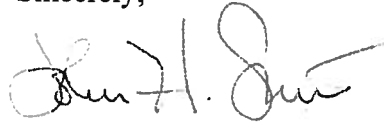
CONCURRENCES

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containing PCBs at concentrations <500 ppm but \geq 50 ppm, which were not the result of unauthorized dilution to avoid regulatory requirements. The exception is that it may be possible to decontaminate for use the non-porous materials to or meet, without decontamination, the levels in 40 CFR 761.79(b)(3)(i). Porous materials cannot be decontaminated for reuse. It may be possible to remove contaminated internal porous surfaces (such as paint) from non-porous surfaces (such as metal) on equipment or parts, in accordance with 40 CFR 761.79(b)(3)(i)(B) and dispose of the removed porous material, and still be able to use the equipment and parts. Distribution in commerce for disposal is approved for these parts or the electrical equipment.

For drained electrical equipment, including equipment parts, containing PCBs at concentrations <50 ppm, which is not the result of unauthorized dilution to avoid regulatory requirements, distribution in commerce for use (as excluded PCB products) or for disposal is not regulated.

Sincerely,

A handwritten signature in black ink, appearing to read "John H. Smith". The signature is fluid and cursive, with a large initial "J" and "S".

John H. Smith, Ph.D.
Chemist

Attachment