



NIOSH

Comments to EPA

**COMMENTS OF THE
NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH
ON
THE ENVIRONMENTAL PROTECTION AGENCY
PROPOSED RULE ON
POLYCHLORINATED BIPHENYLS IN ELECTRICAL TRANSFORMERS**

**40 CFR Part 761
Docket No. OPTS-62035F**

**REPRODUCED BY
U.S. DEPARTMENT OF COMMERCE
NATIONAL TECHNICAL
INFORMATION SERVICE
SPRINGFIELD, VA 22161**

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service
Centers for Disease Control
National Institute for Occupational Safety and Health**

October 2, 1987

The National Institute for Occupational Safety and Health (NIOSH) has reviewed the Environmental Protection Agency (EPA) proposed rule (PR) on polychlorinated biphenyls in electrical transformers and offers the following comments.

This rule is directed primarily toward allowing the use of PCB-containing transformers as replacements for existing PCB-containing transformers in certain emergency situations where a non PCB-containing transformer is not available. The proposed rule also allows the use of retrofilled transformers that may be contaminated with PCBs so that they may accrue sufficient in-service time to allow the unit to be reclassified as a nonPCB-containing transformer. NIOSH views this aspect of the PR as reasonable and believes that it will not place emergency crews who may respond to a failure, rupture, or fire, at increased risk. However, there are several other provisions of the proposed rule that we believe may diminish the protection afforded to workers by the previous regulation (50 FR 29170, PCB Transformer Fires Rule).

EPA proposes to substitute the words "rupture" or "ruptures" for the words "failure" or "failures." The purpose of this proposed change is to clarify EPA's intent which is to prevent the unexpected release of PCBs from PCB-containing transformers. Though NIOSH agrees that the words "failure" and "failures" do not clearly convey this intent, we do not believe that the words "rupture" or "ruptures" present a significant improvement. PCBs may be released from an overheated transformer or during a fire even though the transformer has not ruptured. Therefore, NIOSH suggests that EPA use the phrase "release of PCBs from a PCB-containing transformer."

In 50 FR 29170 (PCB Transformer Fires Rule), EPA required that all PCB transformers be labeled "M₁". EPA now proposes to accept alternative labeling in those cases where an alternative label is already in use. This is reasonable; however, NIOSH believes that uniformity of labeling is an important consideration for ensuring worker safety and health. We also believe that the message conveyed by a label must be unambiguous. Therefore, we recommend that EPA require that all transformers classified as PCB transformers have the following label:

WARNING

PCB Transformer

NIOSH has no comments on the other issues in the PR.

REPORT DOCUMENTATION PAGE	1. REPORT NO.	2.	3. PB91-169029
4. Title and Subtitle NIOSH Testimony on Polychlorinated Biphenyls in Electrical Transformers by R. A. Lemen, October 2, 1987		5. Report Date 1987/10/02	
7. Author(s) NIOSH		8. Performing Organization Rept. No.	
9. Performing Organization Name and Address NIOSH		10. Project/Task/Work Unit No. 11. Contract (C) or Grant(G) No. (C) (G)	
12. Sponsoring Organization Name and Address		13. Type of Report & Period Covered 14.	
15. Supplementary Notes			
<p>16. Abstract (Limit: 200 words) This testimony discusses the concerns of NIOSH on the proposed rule from the Environmental Protection Agency (EPA) regarding polychlorinated biphenyls (PCBs) in electrical transformers. NIOSH suggests that the rule is directed primarily toward allowing the use of PCB containing transformers as replacements for existing non PCB containing transformers in certain emergency situations where a non PCB containing transformer is not available. The proposed rule also allows the use of retrofilled transformers that may be contaminated with PCBs so that they may accrue sufficient in service time to allow the unit to be reclassified as a non PCB containing transformer. NIOSH views these conditions as reasonable and as not placing the workers or emergency crews who may respond to a failure, rupture, or fire at increased risk. Recommendations are made for wording which will improve on the use of the words failure or rupture by replacing them with the phrase release of PCBs from a PCB containing transformer. Suggestions were also made regarding labeling of PCB transformers.</p> <p style="text-align: center;">REPRODUCED BY U.S. DEPARTMENT OF COMMERCE NATIONAL TECHNICAL INFORMATION SERVICE SPRINGFIELD, VA 22161</p>			
<p>17. Document Analysis a. Descriptors</p> <p>b. Identifiers/Open-Ended Terms NIOSH-Publication, NIOSH-Author, NIOSH-Testimony, Lemen-R-A, Chlorinated-hydrocarbons, Electrical-equipment, Environmental-contamination, Industrial-hazards</p> <p>c. COSATI Field/Group</p>			
18. Availability Statement		19. Security Class (This Report)	21. No. of Pages 2
		22. Security Class (This Page)	22. Price

