



**Franklin
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ENVIRONMENTAL SERVICE PROFESSIONALS

August 15, 1990

U.S. Environmental Protection Agency
J.F.K. Federal Building
Room 2203
Boston, MA 02203

AUG 17 1990

Attn: Mr. Jerry Levy
Massachusetts Waste Management Branch

Dear Mr. Levy:

I am writing to you to request a written clarification for future reference of the Land Disposal Restrictions and Hazardous Waste Classification sections of 40 CFR.

Franklin Environmental Services, Inc. is a full service environmental contractor with 12 years of experience in the industry. We are asked continually by waste generators to assist them in interpreting the RCRA regulations and we want to ensure that our interpretations are correct.

I will pose a situation and my interpretation and you can inform me of the correct interpretations based upon the regulations.

An electroplater, who meets the criteria of a Large Quantity Generator, is closing a portion of his facility down and wants to demolish the area and dispose of all the debris. The area could be divided into two areas, the area the plating was performed to include baths that meet the F007 waste definition, and the wastewater treatment area that produces an F006 waste. Both the F007 and F006 areas include piping, tanks, wood flooring, and concrete, all of which show varying levels of contamination from F006 and F007 constituents above the treatment standards of 40 CFR 268.41(a) and 268.43(a). To be disposed of as is, the piping, tanks, etc. (which carries the F006 or F007 due to the "mixture rule" of 261.3(a)(2)(iv)) would have to go through a "stabilization" process until it met the treatment standards at which time it would still be required to go to a RCRA hazardous waste landfill as an F006 or F007 (due to the "derived from" rule of 261.3(c)(2)(i)).

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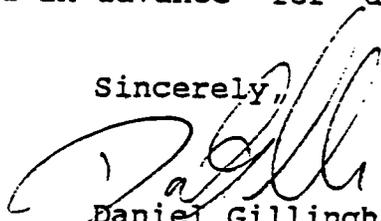
The alternative would be to decon the various equipment through high pressure washing with a suitable cleaning agent. The rinse from this would be collected and disposed of as F006 or F007 due to the mixture rule again. The equipment would be tested for F006 or F007 constituents and confirmed to be below the treatment standards of 268.41(a) and 268.43(a) at which time it would be disposed of in a RCRA hazardous waste landfill as an F006 or F007 meeting treatment standards (due to the "derived from rule" of 261.3(c)(2)(i)).

That is my interpretation of the given situation. What has surfaced in the past are numerous questions that I would request you answer individually and provide the appropriate reference in 40CFR so that I find the regulations you are referring to for your interpretation.

1. Are tanks, piping, flooring correctly represented as F006 or F007 when resultant of minor contamination such as the situation described?
2. After a complete decon with the resulting analysis showing the hazardous constituents at much less than the 268.41(a) and 268.43(a) standards, are the debris still required to go to a RCRA hazardous waste landfill?
3. If, after deconning, subsequent analysis of the area showed all F006 and F007 constituents as "None Detected", would the debris still be required to go to a RCRA hazardous waste landfill?
4. Are there any standards for closures of Large Quantity Generator facilities as there are for TSD's?

I would like to thank you in advance for addressing this situation in a written reply.

Sincerely,



Daniel Gillingham
Inside Sales Manager

DG/det

April 18, 1990

Mr. Edward Cook
Bridgeport Metal Goods Mfg. Co.
365 Cherry St.
Bridgeport, CT 06605

Dear Mr. Cook;

In response to our telephone conversation of April 12, the following information is being provided to clarify the RCRA requirements for spent carbon and solvent waste we discussed.

Spent trichloroethylene is a RCRA hazardous waste, it is a listed waste (hazardous waste No. F001) as defined in 40 CFR Part 261 Subpart D. The mixture of carbon and spent trichloroethylene must be handled as a hazardous waste. This waste is subject to the provisions of 40 CFR Part 268, land disposal prohibitions. Manifesting requirements (as required by 40 CFR Part 262 and Part 268) for this restricted waste must be followed. The Best Demonstrated Available Technology, from which treatment standards have been set, for trichloroethylene is incineration.

If you have any further questions concerning the above information you may call me at (617) 573-9677.

Sincerely,

Richard Piligian
CT Waste Regulation Section