



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

November 23, 1992

Michael Worthy
ENSR Consulting and Engineering
35 Nagog Park
Acton, MA 01720

Ref: Re-Solve, Inc. Superfund Site: Source Control Remedy - Offsite
Disposal of Organic Liquid from X*TRAX System Which Contains
Low Levels of Dioxin

Dear Mr. Worthy:

The United States Environmental Protection Agency (EPA) is in receipt of your letter dated November 13, 1992 regarding Chemical Waste Management, Inc.'s (CWM's) disposal of organic liquids produced by the X*TRAX system which contain low levels of dioxin. Specifically, the letter asks for EPA's confirmation that the subject organic liquid is a non-listed dioxin waste under RCRA and further that the dioxin at Re-Solve does not result from the manufacturing processes covered by RCRA waste codes F020 to F023, F026 to F028, F039, K043 and K099. In a related matter, your letter also requests EPA's determination on the acceptability status of three (3) incineration disposal facilities which CWM is contemplating using for the off-site disposal of the subject organic liquid.

EPA has reviewed your November 13, 1992 letter and the RCRA regulatory status of the organic liquid generated from the X*TRAX system being employed at the ReSolve. Based on our review and the information you have provided in your letter, it does not appear that the subject wastes can be identified as RCRA "listed" hazardous wastes.

Although the analytical results you have provided do show small quantities of dioxins and dioxin-producing compounds, the source of these compounds is not evident. The RCRA codes identified in CWM's October 19, 1992 letter to you, which is submitted as an attachment to your November 13, 1992 letter, do not apply to the waste unless evidence is present linking the compounds to the specific manufacturing processes. Specifically, EPA hazardous waste numbers F020, F021, F023, F026, F027, F028, K043, and K099 (identified in 40 C.F.R. § 261.31 and § 261.32) relate to specific manufacturing processes and/or uses. Unless these processes/uses can be linked to the activities and/or wastes at the site, these waste codes would be inappropriate.



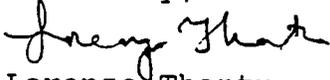
In addition, waste number F039, or "multi-source leachate", would only apply if the waste was a leachate resulting from the disposal of one or more "listed" wastes (not including the "dioxin" "F" codes identified above), and therefore does not apply in this situation. Therefore, since no "listed" dioxin waste codes apply, the waste would be considered hazardous under RCRA only if some other "listed" waste codes applied (e.g., F001-F005 "spent solvents") or if the waste exhibited one or more of the RCRA "characteristics" found at 40 C.F.R. § 261.20 through § 261.24). The procedures on determination of whether waste exhibited one or more of the RCRA "characteristics" have been addressed satisfactorily in both CWM's letters dated October 19, 1992 (submitted as an attachment to your November 13, 1992 letter) and September 24, 1992 (submitted as an attachment to your separate October 15, 1992 letter in reference to waste code classification prior to off-site disposal).

Please note that separate State hazardous waste codes may apply to such wastes. Therefore, State hazardous waste regulations should be consulted.

With regard to your request for EPA's determination on the acceptability status of three (3) incineration disposal facilities, please provide to me the EPA I.D. codes for each of these facilities. I will have the acceptability status checked for each of these three facilities once I have received the EPA I.D. codes from you.

If you have any questions, please contact me at (617) 223-5500.

Sincerely,



Lorenzo Thantu
Remedial Project Manager

cc: Richard Cavagnero, EPA
Phoebe Call, BEI
Stan Chin, EPA
Bob Cianciarulo, EPA
Debra Darby, DEP
Michael Last, Mintz Levin
~~Kenneth Rota, EPA~~
Lorenzo Thantu, EPA

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MEMORANDUM

DATE: November 19, 1992

SUBJ: Status of Dioxin-Containing Wastes at ReSolve Superfund Site

FROM: Kenneth B. Rota, Environmental Protection Specialist *KBR*
RCRA Support Section

TO: Lorenzo Thantu, Remedial Project Manager
MA I Superfund Section

This memo is regarding the RCRA regulatory status of the organic liquid generated from the X*TRAX system being employed at the ReSolve Superfund Site. Based on our discussions and the information you have provided me it does not appear that these wastes can be identified as RCRA "listed" hazardous wastes.

Although the analytical results you have provided do show small quantities of dioxins and dioxin-producing compounds, the source of these compounds is not evident. The EPA waste codes identified in Chemical Waste Management's October 19, 1992 letter to Mr. Michael Worthy of ENSR Consulting and Engineering do not apply to the waste unless evidence is present linking the compounds to the specific manufacturing processes. Specifically, EPA hazardous waste numbers F020, F021, F023, F026, F027, F028, K043, and K099 (identified in 40 C.F.R. § 261.31 and § 261.32), relate to specific manufacturing processes and/or uses. Unless these processes/uses can be linked to the activities and/or wastes at the site, these waste codes would be inappropriate. Additionally, waste number F039, or "multi-source leachate", would only apply if the waste was leachate resulting from the disposal of one or more "listed" wastes (not including the "dioxin" "F" codes identified above) and, therefore, does not apply in this situation. Therefore, since no "listed" dioxin waste codes apply, the waste would be considered hazardous under RCRA only if some other "listed" waste codes applied (e.g., F001-F005 "spent solvents") or if the waste exhibited one or more of the RCRA "characteristics" found at 40 C.F.R. § 261.20 through § 261.24). Separate State hazardous waste codes may also apply to such wastes. Therefore, State hazardous waste regulations should also be consulted.

If you have any further questions on the RCRA status of this waste, or other RCRA issues, feel free to call me at 573-5759.

cc: Bob Cianciarulo
Stan Chin