



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

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

February 5, 1992

David A. Nash  
Director  
Waste Engineering and Enforcement Division  
Connecticut Department of Environmental Protection  
165 Capitol Avenue  
Hartford, CT 06106

Re: Consent Decree Regarding Olin Corporation, Cheshire, Ct

Dear Mr. Nash:

The Region has reviewed the consent order between the Connecticut Department of Environmental Protection and Olin Corporation (Olin). The consent order specifies the terms Olin will have to comply with in regards to what Olin calls the Chemical Transfer Room. The consent order states that Olin would regulate the chemical storage area as a satellite accumulation area and not have to regulate the Chemical Transfer Room as a less than 90 day storage area.

EPA's position is that the Chemical Transfer Room is a less than 90 day storage area and should be regulated as such. In order for the Chemical Transfer Room to be considered a satellite accumulation area, the requirements of 40 CFR § 262. 34(c)(1) must be met. 40 CFR § 262. 34(c)(1) states:

A generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in § 261. 33(e) in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) of this section provided he:

(i) Complies with §§ 265.171, 265.172, and 265.173(a) of this chapter; and

(ii) Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

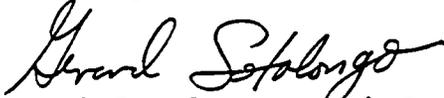
The December 20, 1984 Federal Register, Page 49569 states that "Satellite areas are those places where wastes are generated in the industrial process or the laboratory and where these wastes initially accumulate prior to removal to a central area." Olin's



Chemical Transfer Room is not at or near any point of generation where wastes initially accumulate nor is the room under control of the operator of the process generating the waste. Therefore, the Chemical Transfer Room must be regulated as an interim status less than 90 day storage area.

The Region appreciates the opportunity to review regulatory matters in order to ensure consistency in the program. If you have any other questions, please do not hesitate to call me at (617) 573-9680.

Sincerely,



Gerard Sotolongo, Chief  
Connecticut Waste Regulation Section

Enclosure

cc: Michael Hill, EPA  
Mary Hogan, CT DEP