

Sent ~ 5/4/93

Cynthia A. Adams, Environmental Engineer
Colt's Manufacturing Company, Inc.
P.O. Box 1868
Hartford, CT 06144-1868

Dear Ms. Adams:

This letter is in response to your April 27, 1993 letter requesting EPA's opinion of the regulatory status concerning a rejected shipment of baghouse dust from a Canadian facility. Specifically, 26,540 pounds of baghouse dust contaminated with lead was rejected by Stablex, Canada, Inc. located in Blainville, Quebec, Canada for radioactivity levels above 0.1 becquerels per gram. This shipment was manifested on the State of Rhode Island hazardous waste manifest number RID0023228.

EPA has contacted representatives of your office, the primary exporter, Northland Environmental, Inc., the Nuclear Regulatory Commission, and other experts from both the public and private sectors about this matter. Based on our investigation and discussions with all parties involved, the baghouse dust does not appear to be regulated as a low level radioactive waste.

According to Jim Mitch, president, Northland Environmental Group, the level of radioactivity detected in the baghouse dust was approximately 2.1 becquerels per gram. This translates to a radioactivity level of approximately 2.2×10^{11} disintegrations per sec. According to Steve Courtemanche, of the Nuclear Regulatory Commission, this level of activity is roughly equivalent to environmental (background) levels. As a comparison, Mr. Courtemanche stated that the level of radioactivity associated with a smoke detector, which is not regulated, is approximately one million times greater than the levels detected in the baghouse dust. Mr. Courtemanche also stated that the type of equipment needed to conduct such low measurements for radioactivity are extremely sophisticated. The fact that this reading was allegedly taken using hand held equipment makes the results suspect.

EPA agrees with this opinion. Based on discussions between yourself and Ken Rota of my staff, the cleanout of the baghouse unit at your facility generated a total of four containers of baghouse dust. Three of these containers were not found to be radioactive. Because all of the material came from the same unit, the validity of the testing conducted is questionable.

The NRC has reviewed this situation and verbally indicated that this rejected material, in their opinion, is not considered low-level radioactive waste.

Based on these discussions between the NRC and EPA, the rejected manifested shipment of baghouse dust is only subject to RCRA Subtitle C requirements for the lead concentrations. An exception report documenting the return of this waste to the United States, and the subsequent shipment of this waste to a permitted RCRA facility, EnviroSAFE, located in Ohio, completes the "cradle to grave" tracking for this material.

If you have any questions concerning this matter, please call Kenneth Rota of my staff at (617) 573-5759.

Sincerely,

Bruce A. Marshall, Chief
RCRA Support Section

cc: Kenneth Rota, EPA
Steve Courtemanche, NRC