

May 4, 1995

TechLaw Inc.  
14500 Avion Parkway, Suite 300  
Chantilly, VA 22021-1101  
Attn: Craig J. Schwartz, CHMM

Dear Mr. Schwartz:

We are in receipt of your letter dated April 7, 1995. In response to the issues you raised in your letter, I offer you the following clarification:

If a facility generates less than 100 kg of hazardous waste but more than 1 kg of acute hazardous waste during a calendar month, "full regulation" applies equally to both the acute and the non-acute hazardous waste.

If a facility generates more than 100 kg but less than 1,000 kg of hazardous waste and more than 1 kg of acute hazardous waste during a calendar month, "full regulation" applies equally to both the acute and the non-acute hazardous waste.

Finally, you proposed a scenario where a conditionally exempt small quantity generator generates more than 1 kg of acute hazardous waste during one calendar month and would be subject to some very detailed and time-consuming requirements. Your concern was whether only the regulations pertaining to the management of the waste itself apply or was the intent of the requirement for "full regulation" to apply. The applicable regulations are based on the quantity of hazardous waste generated rather than the hazard properties of waste. The intent of the quantity limits is to minimize the adverse impacts on human health and the environment (see FR, Vol.45, No. 98, May 19, 1980, 33102). The EPA encourages pollution prevention and waste minimization so as not to invoke "full regulation."

If you have any further questions, you can reach me at (617) 573-5723.

Sincerely,

Patricia A. Hickey  
Environmental Engineer