



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

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

file

February 27, 1995

Mr. Donald B. Sargent, Manager
Safety, Chemical & Environmental Program
I B M Corporation
Department 723
Building 966-2
1000 River Street
Essex Junction, Vermont 05452

Dear Mr. Sargent:

This letter is in response to your inquiry on the effect of the new land disposal restrictions (LDR) on IBM. As you know, the new LDRs were promulgated in the September 19, 1994 Federal Register and became effective on December 15, 1994. The regulations are applicable to the newly identified organic toxicity characteristic wastes, D012 - D043, which must meet the treatment standards prior to land disposal. IBM has indicated that D021, D022, D029, D039, D040, and D043 may be handled in the soil treatment facility.

Since IBM considers the contaminated soils as a toxic characteristic (TC) "D" waste, IBM may treat these wastes on-site in a tank or container (such as the vapor extraction system). The Universal Treatment Standards also require generator of a TC waste to determine whether any underlying constituents are present as defined at 40 CFR §268.2. If so, the treatment standards identified for these constituents must be met to satisfy the requirements of RCRA Section 3004(m) prior to on-site or off-site land disposal of this waste. A notification to EPA or the authorized state is required if IBM decides to send the wastes off-site to a Subtitle D disposal facility. In addition, the carbon canisters also need to meet the LDR standards prior to land disposal.

If you have any questions with this letter, please feel free to call me at (617) 573-5776 or Ken Rota, the LDR Specialist, at (617) 573-5759.

Sincerely,

David Lim

ME, NH & VT Waste Regulation Section

cc: Ken Rota, EPA
Ray McIntosh, IBM

