



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

COPY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 30, 1999

Mr. Donald Kemp  
Nu-Chrome Corp.  
Fall River Industrial Park  
161 Graham Road  
Fall River, MA 02720

Re: Status of F006 waste stream

Dear Mr. Kemp:

This letter is in response to your correspondence dated June 9, 1999 in which you request EPA's assessment of your F006 waste stream. In particular you ask three specific questions which are listed below and include the Agency response.

1. Does the F-006 classification apply to all wastewater treatment sludges generated by an electroplating operation? Yes, except as specified in the listing. An F-006 waste is defined under the listing as "Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc, and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum (see 40 C.F.R. §261.31).
2. Does the F-006 classification apply only to those wastewater treatment sludges generated from an electroplating operation utilizing process solutions containing cadmium, complexed cyanides, hexavalent chrome, and/or nickel? No, the F-006 classification applies to the wastewater treatment sludges from all electroplating operations except as indicated in the listing (see above).

3. Is segregation of F-006 point sources an acceptable option to prevent the F-006 classification from being assigned to wastewater treatment sludges generated from point sources that do not have the F-006 toxic constituents? Since the question is posed in such a way that would require further clarification in order for EPA to provide a simple yes or no answer we provide the following as a response to this question. As a point of clarification we would like to restate that it is the process that determines whether a waste carries the F-006 listing and not the toxic constituents which may be present.

Any mixture of solid waste and one or more listed hazardous wastes must be managed as a hazardous waste unless such mixture has been "delisted" (see 40 C.F.R. §261.3(2)(iv)). As an example, for any wastewater that would be considered non-hazardous (i.e. domestic sewage) that is combined with a wastewater from an electroplating operation, the resultant wastewater treatment sludge would be considered an F-006 waste, no matter what toxic constituents are present and what percentage of the sludge originates from the electroplating operation.

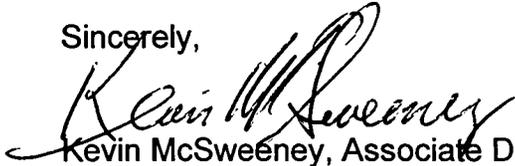
In the final paragraphs of your letter you request EPA concurrence of the regulatory status of wastes under eight proposed scenarios. It is unclear from the narrative and illustrative portions associated with the scenarios precisely what is occurring, therefore we cannot provide any specific assessment of them. In general, however, it appears that under all of the scenarios an F006 waste would be produced since they all involve an electroplating operation. EPA believes that the answers to the above questions will provide you with sufficient information to determine the status of the waste under each scenario. We would also like to restate, as indicated above, that wastewater treatment sludges from any electroplating operation except from those specifically excluded under the F-006 listing are considered a listed hazardous waste, the absence or presence of certain toxic constituents, i.e. zinc cyanide, is not a determining factor. Additionally, we would like to remind you that it is the responsibility of the generator of the waste to make the determination as to whether or not it is a hazardous waste and is ultimately responsible for the appropriate management of such wastes.

In accordance with Section 3006 of RCRA, the State of Massachusetts is authorized to administer and enforce the base RCRA program in lieu of the federal program and, in particular, has the authority to make waste determination decisions. You should consult with the appropriate State personnel regarding hazardous waste determinations.

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Should you have any questions regarding the above please contact Sharon Leitch, of my staff. She may be reached at (617)918-1647.

Sincerely,



Kevin McSweeney, Associate Director of Waste Policy  
Office of Ecosystem Protection

cc: Ken Rota, EPA RCRA Technical Unit  
Jeff Fowley, EPA Office of Regional Council  
Bill Sirull, MADEP Bureau of Waste Prevention  
Eric Johnson, MADEP Southeast Region