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RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

APRIL 86

6. Land Disposal Ban

A petrochemical company generates a solid waste that contains traces of naturally occurring benzene and toluene [The waste is quenching oil]. Would the presence of these hazardous constituents prohibit the generator from land-disposing this waste?

Section 3304(e) of the Solid Waste Disposal Act, as amended by Section 201 of the Hazardous and Solid Waste Amendments of 1984, prohibits land disposal of certain RCRA hazardous wastes. On January 14, 1986, (51 FR 1602), EPA proposed that the spent solvents, F001 through F005, be among those wastes banned from land disposal (§268.30(b), 51 FR 1763). Both spent toluene and spent benzene (added to F005 on February 25, 1986, 51 FR 6537) are listed in the F005 group, but only when they meet the listing as spent solvents.

The quenching oil does contain the hazardous constituents of concern, namely benzene and toluene, but does not meet the listing of F005. The oil does not contain spent benzene or toluene used for solvent purpose. Accordingly, the oil would not be banned from land disposal by the proposed §280.30. The spent quenching oil, however, would be subject to other bans on the disposal of bulk and noncontainerized hazardous (if it exhibited a characteristic) and non-hazardous liquid wastes in landfills (§264.314(a), 50 FR 28748, and §264.314(e), 50 FR 28749; §265.314(b), and (f), 50 FR 28750). In the future, the quenching oil may also be listed as RCRA hazardous waste F030, depending on the outcome of the rule proposed on November 29, (50 FR 49170). Within six months of that listing, EPA would have to make a decision on whether used oil should be banned from land disposal per §3004(g)(4).

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