

9433.1986(17)

SLUDGE WASTE HANDLING IF TEMP. EXCLUSION IS
WITHDRAWN/FUTURE METALS RECOVERY-STEEL FACILITY

SEP 30 1986

George Bays
Bethlehem Steel Corporation
Burns Harbor Plant
Box 248
Chesterton, Indiana 46304

Since our last telephone conversation, I have looked into the regulatory requirements that would be applicable to Bethlehem's waste should the temporary exclusion, it may be handled and disposed as a non-hazardous solid waste. If Bethlehem were to move the petitioned sludge to a new site closer to the Burns Harbor sinter plant in order to prepare the sludge for metals recovery, a hazardous waste manifest would not be necessary while the temporary exclusion was in effect. Manifesting would be necessary in order to transport the waste to the new site after the exclusion was withdrawn.

Whenever the exclusion for this waste is lost, the waste must be managed as hazardous whenever it is located on Bethlehem's property. If the waste was re-located prior to loss of the sinter plant, then Bethlehem may be eligible for interim status as a storage facility under §3005(e) of RCRA, subject to Part A permitting requirements and compliance with storage standards (40 CFR Part 262). Please contact your Regional representative for further information.

Concerning Mr. Sapia's desire to store the waste on site for future reclamation, it may be possible for Bethlehem to do so under the conditions specified above. It may also be possible that the future management of this waste may be affected by the Agency's definition of solid waste, which contains several exemptions for the recycling and recovery of waste materials. For additional information, you should contact Mr. Matthew Straus, Chief of the Waste Characterization Branch, at (202) 475-8551.

If you have any questions concerning the delisting petition review process, please call me at (202) 382-4783.

Sincerely,

Scott J. Maid
Environmental Protection Specialist
Permits and State Programs Division