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CLARIFICATION ON THE APPLICABILITY OF THE DEBRIS STANDARDS TO  
P078 WASTES

United States Environmental Protection Agency  
Washington, D.C. 20460  
Office of Solid Waste and Emergency Response

January 4, 1994

Mr. James W. Wright, Chief  
Environmental Management Office  
National Aeronautics and Space Administration  
John F. Kennedy Space Center, Florida 32899

Dear Mr. Wright:

Thank you for your letter dated November 4, requesting clarification on the applicability of the debris standards to your P078 wastes. In your letter, you refer to a November 27, 1992, correspondence from EPA which indicates that the Agency did not take action on your request for a treatability variance for solid debris since it was indicated that the Kennedy Space Center should be able to utilize the new debris standards. However, you have concerns that the regulatory language may not allow this resulting that is, the contaminants subject to debris treatment are those established for the wastes under §§268.41 and 268.43, while P078 is regulated in §268.42.

Section 268.42 lists those wastes for which EPA established a treatment method as the standard. The Agency fully intends that debris contaminated with those wastes be subject to the alternate debris standards found in the August 18, 1992 rule (57 FR 37194). The source of confusion in the rule is that, technically, only the wastes themselves, and not waste constituents, are listed in §268.42. Section 268.45(b)(2) should have read "The contaminants subject to treatment for debris that is contaminated with a prohibited listed hazardous waste are those constituents or wastes for which BDAT standards are established for the wastes under §268.41, 268.42, and 268.43." The Agency will be correcting this unintended language in a future amendment to the Debris Rule.

Therefore, the debris standards, including the Kennedy Space

Center's proposed use of Chemical Extraction - Water Washing and Spraying are applicable to debris contaminated with P078.

If you have any further questions, please call Richard Kinch of my staff at (703) 308-8434.

Sincerely,  
Michael Shapiro, Director  
Office of Solid Waste

cc: Richard Kinch