

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 24 1997

Mr. Thomas A. Peluso  
Vice President  
Barnard Environmental Inc.  
P.O. Box 160  
Bozeman, Montana 59771-0160

Dear Mr. Peluso:

Thank you for your letter of March 22, 1996 concerning the proposed plan by Barnard Environmental Inc. (BEI) to recycle spent aluminum potliner (K088). You requested that the Environmental Protection Agency (EPA) concur with the Washington State Department of Ecology's determination that BEI's recycling proposal constitutes legitimate recycling.

I apologize for our delay in providing a written response to you. As we have discussed with you, your request raises some difficult technical and regulatory questions regarding the management of spent aluminum potliner. After completing our preliminary review of your proposal this past fall, the Agency received several other inquiries from States and recycling vendors that raised issues regarding the appropriate national policy for managing this waste. As a result, we are carefully reexamining your proposal and are working closely with affected States, industry, and public interest groups to resolve these national issues.

We recognize the importance of this issue and the need to provide national guidance as soon as possible. We acknowledge that this has been a long and difficult process for you and we appreciate your concerns about the potential impacts of the delay in the Agency's decision on your proposal. Let me assure you that this issue is a high priority for us, and we expect to reach a decision on your proposal and provide national policy direction on this issue shortly.

Thank you for your interest in this very important issue. If you have further questions, please contact Mike Flynn of my staff at (703) 308-8894.

Sincerely,

Elizabeth A. Cotsworth, Acting Director  
Office of Solid Waste

cc: Mike Bussell, EPA Region 10.  
Megan White, Washington Department of Ecology

Faxback# 14065