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SMALL-VOLUME MIXED WASTE LABORATORY GENERATED MATERIALS AND  
LEAD

JUN 13 1988

Mr. Kerry Bennert  
Coordinator Special Projects  
E.I. du Pont de Nemours & Co. (Inc.)  
331 Treble Cove Road  
No. Billerica, MA. 01862

Dear Mr. Bennert:

I received your letter of April 18, 1988 in which you commented that regulatory events limiting mixed waste disposal have impacted your radioactive materials manufacturing operations. Specifically, you cited as examples, the absence of disposal capacity for "small-volume mixed waste laboratory generated (organic solvents) materials" and lead.

As you know, EPA promulgated regulations which appeared in the Federal Register of November 7, 1986 prohibiting land disposal of certain spent solvent wastes unless they meet specific concentration based treatment standards. Some solvent containing mixed wastes may not lead themselves to incineration, the best demonstrated available technology (BDAT) for solvent wastes. Such wastes could conceivably be delisted and disposed in a low-level waste disposal facility following treatment.

Enclosed is a copy of a letter to Mr. Terry Husseman, Chair, Northwest Interstate Compact Committee which details the Agency's position on disposal of lead. As the Husseman letter points out, EPA has not evaluated specific containerization or encapsulation methodologies using the EP toxicity test. Such approaches to managing lead mixed waste may be viable in certain circumstances. Of course, States may adopt a more stringent position with regard to regulation of lead or any other hazardous waste. We recommend disposal of lead in a mixed waste unit.

Also, I share your concern that neither of the three existing commercial low-level radioactive waste disposal facilities have applied for a RCRA permit although U.S. Ecology has expressed a

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strong interest in filing such an application. EPA and NRC developed a series of guidance documents last year aimed at facilitating the State and compact effort in siting and designing a low-level waste disposal unit that could also accept mixed waste. As a regulatory agency, EPA believes this level of involvement is consistent with its mandate. The Agency is available to review alternate waste management proposals developed by industry. However, until such time] as disposal capacity becomes available or treatment technologies are identified, storage, an activity which also requires a RCRA permit, may be the only waste management option available to generators of mixed waste.

Although mixed wastes are not subject to Federal hazardous waste regulations until the State applies for and obtains authorization to regulate the hazardous component of the mixed waste, State law is applicable in the interim. The deadline for filing mixed waste authorization applications is July of this year. You may want to contact Paul Bedrosian, the mixed waste coordinator for EPA Region I (617-833-1792) to discuss your concerns. Further, I will apprise you of any future developments on management of solvent containing mixed wastes.

Sincerely,

Bruce R. Weddle, Director  
Permits and State Programs Division

cc: Paul Bedrosian, Region I