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

May 24, 1990

Jim Sherman
U.S. Army
Watervliet Arsenal
Watervliet, New York 12189-4050

Dear Mr. Sherman:

We have received Mr. Russell Wells' letter of February 7th concerning the proposed substitution of magnesium sulfate for aluminum sulfate currently used as a flocculating agent for waste soluble oils in your wastewater treatment system. As discussed further below, such a substitution may result in a waste which is not covered by your 1986 exclusion.

The substitution of treatment chemicals (or any change to your 1986 exclusion) may be considered a major process change if it significantly alters the composition of your waste. We believe that the substitution of magnesium sulfate for aluminum sulfate may significantly alter the composition of the petitioned waste, particularly if the rationale for the substitution is to reduce constituent concentrations in the resultant wastewater. However, we cannot fully assess the impact this substitution might have on the exclusion status of your wastewater treatment sludge without knowing more about the flocculation step.

Therefore, if the substitution that you describe is implemented, you may be producing a new waste that is not covered under the existing delisting. In this case you would have to submit an amended petition and we would have to reopen your delisting petition for review and comment. Please note that current delisting criteria are somewhat different than those used in 1986. For example, the health-based levels used in delisting decision-making may have changed for some hazardous constituents, and petitioners with on-site units containing the petitioned waste are now required to demonstrate that the petitioned waste has not adversely impacted

ground water.

If you still believe this change in process is not significant and will not adversely impact your waste, you may submit the following information to allow us to fully evaluate this proposed change:

- A description of the chemistry of the flocculation procedure, a discussion of why you believe that it would be beneficial to switch to magnesium sulfate, and any other process information that you believe might be pertinent
- An estimate of the new (using magnesium sulfate) average and maximum sludge generation rates on a monthly and annual basis
- Results of Oily Waste Extraction Procedure tests on samples of the new sludge, if your bench-scale work has reached this stage.

Please be aware that if you proceed with the substitution of magnesium sulfate for aluminum sulfate in your treatment process, the resulting sludge may no longer be excluded, and should be handled as a hazardous waste. Should you have any questions about this matter, please do not hesitate to contact me at (202) 382-2224.

Sincerely,
Robert Kayser, Chief
Variances Section

cc: Jim Kent, EPA HQ
Linda Cessar, EPA HQ
Andy Bellina, Region II
David Smith, SAIC