

PPC 9441.1984(08)

EMISSION CONTROL DUST/SLUDGE FROM ELECTRIC ARC FURNACE AT  
FOUNDRY NOT A K061 WASTE

May 3, 1984

Mr. Len Devaney  
Plant Engineer  
Pettibone Corporation  
4700 West Division Street  
Chicago, Illinois 60651

Dear Mr. Devaney:

In response to your letter of March 5, 1984 and as clarified in our telephone conversation, it was determined that the emission control dust that is generated from your electric arc furnace is not considered a hazardous waste under the EPA hazardous waste classification of K061 - Emission control dust/sludge from the primary production of steel in electric furnaces. This determination is based solely on the fact that your facility is a foundry.

The November 14, 1980 background document for the Identification and Listing of Hazardous Waste makes it clear that the Agency did not intend to apply this listing to dusts/sludges that are generated at foundries (see Enclosure). This distinction was made in response to comments submitted by the American Foundryman's Society (AFS) on the original interim final listing K061 - Emission control dust/sludge from the electric furnace production of steel. See 45 FR 33124, May 19, 1980.

Although your facility's emission control dust is not classified as a K061 waste, it may still be considered hazardous if it exhibits any of the characteristics of hazardous waste (i.e., ignitability, corrosivity, reactivity, and extraction procedure (EP toxicity)). It is incumbent upon you to determine if your waste exhibits one or more of the hazardous waste characteristics; if your waste exhibits any of the characteristics, your emission control dust is hazardous and must be managed in accordance with the hazardous waste regulations. (See 40 CFR 262.11).

RO 12230

Should you have any further questions regarding this matter,  
please do not hesitate to contact me at (202) 475-8551.

Sincerely yours,

Matthew A. Straus  
Acting Chief  
Waste Identification Branch (WH-562B)