

PPC 9442.1991(13)

EXEMPTION FROM PARTICLE SIZE REDUCTION STEP IN TCLP

OCT 9 1991

Dr. Irving M. Kipnis  
Gascoyne Laboratories, Inc.  
2101 Van Derman St.  
Holabird Industrial Park  
Baltimore, MD 21224-6697

Dear Dr. Kipnis:

I am writing in response to your letter of September 13, 1991 requesting an exemption from the particle size reduction step in the Toxicity Characteristic Leaching Procedure (TCLP).

The RCRA hazardous waste regulations allow a generator to use his/her knowledge of a waste (which could include previous testing data on wastes known to be very similar) or the processes that generated a waste to determine if it should be regulated as a hazardous waste. We do not require you to test. If you decide to test for the Toxicity Characteristic, however, you must use the TCLP (Method 1311). At this time, the particle size reduction step is included in the TCLP, and laboratories are required to follow the steps in the method. Because TCLP does not explicitly describe how to reduce the particle size of all materials, a laboratory analyst must use his/her best professional judgement for determining an appropriate method. This might include cutting, crushing or grinding. The responsibility lies with the generator to make that determination.

In addition, the TCLP states that one must collect a representative sample of the waste as generated for analysis. If you scrub your subsamples prior to TCLP testing, then you may not be testing a representative sample. We have no way of knowing whether the cleaning procedure will alter or affect the sample's physical or chemical composition (and therefore its leaching potential) in some way. Therefore, we cannot make an up-front determination that your proposed method is an acceptable or appropriate step.

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If you have any additional questions, please feel free to call me at (202) 260-4761.

Sincerely yours,

Gail Hansen  
Chief,  
Methods Section (OS-331)

cc: Alec McBride  
Dave Topping  
David Bussard  
Carrie Wehling, OGC  
RCRA/Superfund Hotline  
MICE Line