



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

June 17, 1999

James M. Solyst
Chemical Manufacturers Association
1300 Wilson Blvd.
Arlington, VA 22209

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Dear Mr. Solyst:

This letter is in response to your June 1, 1999 letter concerning the applicability of section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) to metals and metal compounds transferred off-site for waste management purposes. Specifically, you are asking for clarification regarding the identification of metals and metal compounds that may be considered "treated for destruction" and reported as such under Section 8.7 of the Form R. In your letter you refer to EPA guidance on how facilities should report for barium chloride that is converted to barium sulfate. That guidance can be found in Q&A 456 of the 1998 EPCRA Section 313 Questions and Answers document (December 1998; EPA 745-B-98-004). Q&A 456 reads as follows:

456. Waste containing barium chloride is shipped off site to a RCRA treatment, storage, or disposal (TSD) facility. The TSD facility treats the barium chloride, converting it to barium sulfate. The barium sulfate is stabilized and subsequently disposed. Since barium sulfate is excluded from the EPCRA Section 313 barium compounds category, should the barium chloride be reported as shipped off site for treatment or transferred off site for disposal?

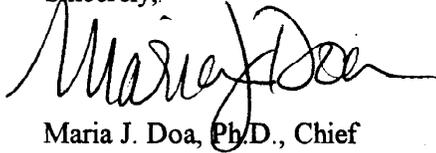
Barium chloride is being converted into a chemical that is not reportable under EPCRA Section 313. Therefore, the barium chloride would be considered to be treated for destruction. The barium chloride should be reported in Section 6.2 as transferred off site for treatment. M69-other waste treatment-should be used. Despite the fact that barium chloride is a metal compound, the quantity of barium chloride transferred off site should be reported in Section 8.7 rather than Section 8.1. The waste management of barium chloride is reported this way in Section 8 because the metal compound that barium chloride is converted to (barium sulfate) is not reportable and thus the barium chloride can be considered destroyed.

Accordingly, in response to the example posed in your letter, if titanium tetrachloride (an EPCRA section 313 listed compound) is transferred off-site and as a result of off-site treatment is converted to titanium sulfate (not listed), facilities should consider the titanium tetrachloride

treated for destruction and therefore, the facility sending the material off-site should report this waste management activity under sections 6.2 and 8.7. Unlike the metal compound categories, in which only the metal portion of the metal compound is reportable in the release and other waste management sections of the Form R (Part II, Sections 5-8), for individually listed metal compounds, such as titanium tetrachloride, the whole compound is reported in the release and other waste management portions of the Form R. Thus, if titanium tetrachloride in waste is converted to titanium sulfate, the titanium tetrachloride would be considered treated for destruction.

I hope this information is helpful in making threshold determinations and release and other waste management calculations for section 313 of EPCRA. If you have any other questions, or desire further information, please call either Larry Reisman at 202.260.2301 or me at 202.260.9592.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria J. Doa". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Maria J. Doa, Ph.D., Chief
Toxics Release Inventory Branch