



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mitchell L. Press
DuPont-Chambers Works
Building 654
Route 130
Deepwater, NJ 08023

Dear Mr. Press,

This letter is in response to your June 11, 1998 facsimile in which you asked a question concerning the reporting obligations under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA). Specifically, your question concerns reporting aqueous ammonia, an EPCRA section 313 toxic chemical, that is solidified / stabilized prior to disposal in an on-site landfill.

As I understand your situation, an EPCRA section 313 covered facility receives a waste sludge for disposal on-site in a Resource Conservation and Recovery Act (RCRA) subtitle C permitted landfill. The sludge is comprised of a solid fraction and a free liquid fraction that contains ammonium chloride solution. The facility solidifies / stabilizes the free liquid fraction of the waste prior to disposing the waste in the landfill. No anhydrous ammonia is generated from this process. You ask if the facility should report the aqueous ammonia as treated for destruction or as disposed (released) on the Form R.

Ammonia with the qualifier: "includes anhydrous ammonia and aqueous ammonia from water dissociable ammonium salts and other sources; 10 percent of total aqueous ammonia is reportable under this listing" is an EPCRA section 313 toxic chemical. (60 FR 34172; June 30, 1995) If you know that the aqueous ammonia and ammonia compounds in waste have been completely dehydrated, you may report the this toxic chemical as treated for destruction in sections 7 and 8 of the Form R. However, due to the high solubility of ammonia and ammonia compounds in water, in many cases there is sufficient water such that the toxic chemicals will remain dissolved in the water present. In these cases, the toxic chemicals have not been treated for destruction. In this case, there is still aqueous ammonia present and disposal of this aqueous ammonia should be reported in sections 5 and 8.1 of the Form. (See Question and Answer No. 324 in the 1997 revised EPCRA Section 313 Questions and Answers guidance document.)

Beginning with the 1998 reporting year, facilities will need to consider certain waste management activities towards the EPCRA section 313 otherwise use threshold. As you know, EPA recently revised it's interpretation of the term otherwise use to include: