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PCB DECHLORINATION TREATMENT PROCESS

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

NOV 7 1988

Mr. Glen Maling
Mid-Atlantic Regional Manager
Sun Environmental, Inc.
Building 11A
Industrial Highway
Eddystone, PA 19013

Dear Mr. Maling:

Thank you for your letter dated June 22, 1988, requesting the Agency to justify its reasoning of why your PCB dechlorination treatment process does not qualify for the totally enclosed treatment exemption. In our June 14, 1988, correspondence to you, the Agency stated that your treatment system would not meet the exemption because it was not connected to an industrial process. In your letter, you stated that you consider Phase I and Phase III of the PCBX treatment system and transformers as industrial production processes. Also, you have requested from the Agency:

- (1) Original documents submitted by Grede Foundry which shows a flow diagram of producing reusable metal from scrap material; and
- (2) Technical justification to differentiate between scrap metal material versus the reclamation of mineral oil.

After further reviewing your letter and reviewing the Resource Conservation and Recovery Act (RCRA), as amended, the Agency believes that your treatment system would not be regulated under RCRA because of section 261.6 (a) (3) (iii). This sections states that used oil that exhibits one or more of the characteristics of hazardous waste but is recycled in some other manner than being burned for energy recovery is not presently subject to regulation under RCRA. Therefore, the question of whether your treatment system could qualify for the totally

enclosed treatment exemption is a moot point.

Also, you requested process flow diagrams of the Grede Foundry's production of reusable material. The Agency did not receive any process flow diagrams from the Grede Foundry, only the correspondence between Region V and headquarters that I believe you have already received.

In summary, the Agency believes that the treatment system is not subject to RCRA requirements and, therefore, the totally enclosed treatment exemption would not be applicable for your treatment system. I apologize if there was any inconvenience due to our response to your first letter.

Sincerely,

Original Document signed

Sylvia K. Lowrance
Director
Office of Solid Waste