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RCRA/Superfund/OUST Hotline Monthly Report Question

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3. K061 Waste

Emission control dust/sludge from the primary production of steel in electric arc furnaces is listed as K061 waste under RCRA. A facility owner uses an electric arc furnace (EAF) to make steel billets. Is the emission control dust from this EAF a K061 waste?

On December 18, 1978, (43 FR 58959), EPA originally proposed the K061 listing under SIC code 3312 as "iron making electric furnace dust and sludge." The American Iron and Steel Institute commented that the electric furnace process is only used for steel making and not iron and steel making as listed in 1978. In response to this comment, EPA promulgated the listing on May 19, 1980, (45 FR 33124) as "emission control dust/sludge from the electric furnace production of steel." The American Foundryman's Society then pointed out that the Agency had insufficient data to show that foundry electric furnace emission control dusts and sludges were sufficiently similar in composition to warrant inclusion in the same listing. Therefore, on November 12, 1980, the Agency modified the listing of K061 to what it is today clarifying that the listing applies to "primary" steel producers only (see 45 FR 74892). The Agency intended only to distinguish steel production from other metal production processes (i.e., foundry operations) when it added the word "primary" to the November 12, 1980, listing (45 FR 74892). Foundry emission control dust is excluded from the scope of K061 listing (see Figure 1 attached).

In summary, steel producers using scrap metal in an EAF will generate K061 waste from their emission control equipment. For example, emission control dust generated from EAFs used to produce "semi-finished goods" such as steel billets or rolled steel, is regulated as R061 waste when disposed. However, emission control dust and sludge from foundry operations that use EAFs remain excluded from the contest of the K061 listing and may only be identified as a hazardous waste if it exhibits any characteristics of hazardous waste per 40 CFR Part 261, Subpart C.

Figure 1: Steel Production flowchart