

9554.1990(02)

D001 CHARACTERISTIC WASTES - LAND DISPOSAL RESTRICTIONS

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

FEB 22 1990

William McDonald  
Chemical Compliance Manager  
Wellcraft Marine  
Sarasota, Florida

Dear Mr. McDonald:

This letter is in response to your question concerning the impact of the proposed Third Third Land Disposal Restrictions rule on D001 characteristic wastes.

The 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act directed EPA to set levels and methods of treatment for hazardous wastes which substantially reduce the toxicity of the waste. Wastes or residuals from the treatment that meet treatment standards established by EPA may be land disposed.

Land disposal of these hazardous wastes are prohibited unless 1) the wastes are treated to a level or by a method specified by EPA, 2) it can be demonstrated there will be no migration of hazardous constituents from the land disposal unit for as long as the wastes remain hazardous, or 3) the wastes are subject to an exemption or variance from meeting the treatment standards.

D001 is an ignitable waste which is currently subject to some restrictions on placement in surface impoundments, waste piles, land treatment units, and landfills. These restrictions can be found in 40 CFR 264.229, 264.256, 264.281, 264.312, 265.229, 265.256, 265.281, and 265.312.

There are four categories of D001 ignitable waste. The first, ignitable liquids such as solvents and paint thinners, must, according to the proposed rule, be treated through thermal destruction technologies such as incineration and fuel

substitution before they can be land disposed. The second, ignitable compress gasses, are generally recovered by direct use or are vented into an incinerator. The third, ignitable reactives, are primarily inorganic solids or wastes containing reactive materials such as alkali metals or metalloids. These wastes must be deactivated, according to the proposed rule, before being land disposed. The final category is oxidizers, which include such wastes as peroxides, perchlorides, and permanganates. These wastes must also be deactivated, according to the proposed rule, before being land disposed.

The treatment of D001 waste raises some policy issues which EPA is still resolving, as to when dilution is a permissible form of treatment, and if characteristic wastes, such as D001, must be treated to levels below which they exhibit a characteristic. See 54 FR 48490-48494. Unfortunately, EPA cannot discuss these matters at this time, due to restrictions concerning the rulemaking process. EPA's decision on these two issues will appear in the Third Third Land Disposal Restrictions final rule on May 8.

If you have questions concerning specific aspects of EPA's proposals for D001 wastes, please give Robert Burchard a call at 202-475-6775.

Sincerely,

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Robert Scarberry  
Chief, Land Disposal Restrictions Branch