

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

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Mr. Christian Richter
Washington Representative
American Foundrymen's Society
900 2d St. N.E. Suite 109
Washington, D C. 20002

Dear Mr. Richter:

Thank you for meeting with my staff on February 29, 1996 to discuss the regulatory status of recycled foundry sands under the Resource Conservation and Recovery Act (RCRA). I understand that the meeting was very informative, and I appreciate your taking time to update us on events affecting foundry sands.

As you are aware, one of EPA's conservation priorities is the recycling of hazardous waste. Recycling can conserve our virgin resources, and save time and money as well. Many businesses find that reusing their waste makes good environmental and economic sense, to further this priority, the Agency is currently engaged in an effort to change the RCRA regulations governing hazardous waste recycling. This effort has three goals. First, we want to remove disincentives that may lead industries to dispose of their wastes rather than reusing them. Second, we wish to target those recycling practices that are of greatest environmental concern. Finally, EPA plans to clarify and simplify these regulations to make them more "user-friendly" for all concerned.

The Agency has already proposed rule changes that we believe would accomplish these goals for certain industries. On November 20, 1995, EPA proposed to modify the current regulatory definition of solid waste under RCRA to promote the environmentally sound recycling of petroleum refining wastes (60 FR 57747). On January 25, 1996, the Agency proposed similar rule changes for mineral processing wastes, processed scrap metal, shredded circuit boards, and wood preserving wastes (61 FR 2338). Other industries will be addressed in a broader future proposal, which we expect to issue this fall.

The options we are considering for this future proposal are still under evaluation and will not become effective until a final rule is published. However, some of these options would affect the regulatory status of certain foundry sands under RCRA. For

RO 14226

example, the two principal options under consideration would clarify RCRA jurisdiction to exclude legitimate on-site recycling unless it included burning for energy recovery, land placement, or speculative accumulation. AS part of this modification, we are also considering eliminating the current distinction between reuse and reclamation. A recycling process that was considered to be ongoing manufacturing would be excluded from the definition of solid waste even if it necessitated certain reclamation steps such as separating and screening.

I want to thank you again for the cooperation you have shown my staff and your willingness to share information with US. You have raised some thoughtful questions that we are examining at. part of our regulatory reform effort. If you have any questions, please contact Marilyn Goode of my staff at (202) 260-6299

Sincerely,

Michael Shapiro, Director
Office of Solid Waste

April 12, 1996

NOTE

To: Mike Flynn

From: Marilyn Goode

Thru: Denise Wright

Attached is a letter to the American Foundrymen's Society. At our last meeting with them on 2/29, we agreed to consider sending them a letter reflecting ongoing discussions and saying how foundry sands might fit into our new regulatory scheme. Currently, recycled foundry sands that are returned to the moldmaking process on-site are classified as spent materials being reclaimed (one type of reclamation just involves mechanical sorting and screening, another type involves thermal incineration). The purpose of the letter is mainly to enable AFS to say to their members that AFS has been energetic in presenting members' concerns, that we are listening, etc.

The letter has been reviewed by Michele A and staff members previously involved in foundry sand issues, including Paul Borst. WMMD staff and Mike Petruska have also reviewed it, because of the incineration issues (which would probably not be affected by the DSW rule).

If you want to learn more about this, the issues are explained in a 3/8/95 letter to AFS from Shapiro - I gave you a copy recently. If you have any questions, please let me know.

RO 14226