

PPC 9441.1984(35)

OIL/WATER EMULSIONS GENERATED BY PETROLEUM REFINERY WW
SYSTEMS - K049 WASTE

DEC 7 1984

MEMORANDUM

SUBJECT: November 20th Meeting with Texas Department of Water
Resources (TDWR) and Texas Mid-Continental Oil
and Gas Association (TMOGA)

FROM: Jack McGraw
Deputy Assistant Administrator

TO: Dick Whittington
Regional Administrator, Region VI

I enjoyed the opportunity to meet with you, Charles Nemir, and his associates from TDWR, and the representatives from TMOGA on November 20. Hopefully, our conversations clarified any confusion that may have arisen with respect to the scope of current regulation of oil/water emulsions generated by refinery wastewater systems. In the way of a follow up to the meeting. I thought that it might be useful to summarize the main points that were made.

First, with respect to the question of which emulsions are hazardous wastes, the answer is relatively straightforward. Slop oil emulsion solids are generated in the first vessel where the oil/water emulsion is allowed to stratify. The emulsion layer that forms is the listed hazardous waste (K049-Slop oil emulsion solids from petroleum refineries) independent of the subsequent treatment, storage, reclamation or disposal steps to be applied to the waste. Consequently, whether K048 (Dissolved air flotation float is added to this mixture is irrelevant, since the material is already a listed hazardous waste. On the other hand, the oil reclaimed in a slop oil or other oil recovery system is a reclaimed product and is not currently regulated. Consequently, petroleum refinery production units are not hazardous waste treatment facilities.

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Turning to the subject of regulations applicable to the on-site management of K049, the oil reclamation process is presently exempted from regulation with two exceptions. Emulsion breaking in surface impoundments or other earthen devices would constitute storage of a hazardous waste.

Such units would require a permit since there is no 90 day exemption for storage in those units. On the other hand, emulsion breaking or storage in tanks would be subject to permitting only if storage exceeded 90 days (provided the requirements of §262.34 are complied with).

Generators of K049 also need to be aware that the shipment of oily emulsions off-site constitutes transport of a hazardous waste, regardless of the intended recipient or their plans for the waste. Furthermore, although it was not an issue at the meeting, any final mixture of emulsion and solids that is not reclaimed is regulated as a hazardous waste.

Turning to the off-site recipients of the emulsion, they are receiving a hazardous waste. Therefore, they are required to notify, complete the manifests, and obtain permits for storage tanks and any other devices that are not directly involved in the reclamation process. However, the reclamation process is not currently required. Non-reclaimed emulsion (even if it is reclaimable) is a hazardous waste.

In closing, let me again say that we were pleased to be of assistance. Do not hesitate to contact me or Matt Straus of our staff, if you should require further assistance in this or other matters.

cc: Regional Administrators I-X
John Skinner
Matt Strauss
Francine Jacoff
Ben Smith