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CLASSIFICATION OF OLIN MERCURY RECOVERY UNIT AS AN INDUSTRIAL FURNACE

United States Environmental Protection Agency
Washington, D.C. 20460
Office of Solid Waste and Emergency Response

December 17, 1993

MEMORANDUM

SUBJECT: Classification of Olin Mercury Recovery Unit

FROM: Michael Shapiro, Director, Office of Solid
Waste

TO: Joseph Franzmathes, Director, Waste Management
Division US EPA Region IV

This memo is in response to Region IV's request for our advice on classifying Olin's mercury recovery unit located in Charleston, TN, as either an industrial furnace or a Subpart X miscellaneous treatment unit.

After review of the design and use of the mercury recovery unit, we have determined that it is a type of smelting, melting, or refining furnace and is therefore an industrial furnace (under the definition in 40 CFR 260.10) subject to the BIF rule. As a smelting, melting, or refining furnace, however, the unit is eligible for an exemption from the permitting, emissions standards, and certain other requirements of the BIF rule if it engages solely in metal recovery, as provided by 40 CFR 266.100(c). As you may know, the exemption is conditioned on the facility notifying EPA that it is claiming the exemption, sampling and analysis of the hazardous waste and recordkeeping to document eligibility for the exemption.

The determination that the mercury recovery unit is an industrial furnace is based on the following:

- The unit is an integral component of a manufacturing process that uses thermal

treatment to recover mercury. We understand that the unit will recover over 90 percent of the waste mercury for recycling into the chlorine production process;

- We understand that the unit will be used to convert mercuric sulfide to mercury in exactly the same manner as commercial roasters, and roasters are a type of smelting, melting, or refining furnace listed in 40 CFR §260.10; and
- The unit is also a retorter because it is used to volatilize mercury for subsequent recovery by condensation. In the metallurgical industry, a retorter is a furnace consisting of a fire chamber in which metals are recovered by distillation and subsequent recovery. These furnaces are used when the material must be vaporized and then condensed. Mercury, due to its low boiling point, is commonly recovered from secondary sources using retort furnaces. We believe that retorters are a type of pyrometallurgical device that meets the definition of smelting, melting, or refining furnace even though they are not specifically listed in 40 CFR 260.10 as an example of such devices.

If you have any further questions on the matter, please feel free to contact me at (703) 308-8414, or your staff may contact Nick Vizzone at (703) 308-8460.

CC: John Dickinson, EPA Region IV; Bill Gallagher, EPA Region VI; Denis Zielinski, EPA Region III; Mitch Kidwell, CAD; Sonya Sasseville, PSPD; Bob Holloway, WMD