

9554.1990(11)

LEAD AND ARSENIC WASTES TREATMENT STANDARDS

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

AUG 24 1990

Mr. Keith D. Colamarino  
Senior Project Engineer  
REMCOR, Inc.  
701 Alpha Drive  
P.O. Box 38310  
Pittsburgh, PA 15238-8310

Dear Mr. Colamarino:

In your letter of August 10, 1990, you expressed concern with regard to the correction notice in the August 2, 1990 Federal Register (55 FR 31387). The statement which you quoted from page 31388 of the August 2 notice is somewhat misleading. The statement should have said that the Extraction Procedure (EP) will no longer be used for hazardous waste identification purposes.

As you are aware, the treatment standards for certain lead and arsenic waste were based on the EP, and therefore, either the EP or the Toxicity Characteristic Leaching Procedure (TCLP) can currently be used to demonstrate compliance under Land Disposal Restrictions (LDR) for D006 (arsenic) and D008 (lead) wastes. Since the EP can still be used for this purpose, it is so noted in the regulatory language of the LDR regulation.

Currently, the Waste Treatment Branch is amending the regulatory language of the May 8, 1990 Third Third final rule (55 FR 22520, June 1, 1990) to resolve this issue. This will be done as part of a correction notice that will state that Appendix I of Part 268 (TCLP) or SW-846 test method 1310 (EP) may be used for measuring compliance. This correction notice is expected to be published in the Federal Register before the end of the year. Until the CFR is revised, the EP can be found in current CFR (Part 261, App. II) and as Method 1310 in SW-846, "Test Methods for Evaluating Solid Waste (Physical/Chemical Methods)," Third Edition; thereafter, the EP can readily be found only in SW-846.

I hope that this letter resolves any inconsistencies created by the August 2 correction notice. If you would like to discuss this further or have other concerns, please contact the Characteristics Section of the Office of Solid Waste at (202) 475-8551.

Sincerely yours,

Original Document signed

Sylvia K. Lowrance  
Director  
Office of Solid Waste