

9442.1995(03)

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

February 27, 1995

Mr. Daniel Wozniak  
Environmental and Safety Engineer  
YKK AP America, Inc.  
100 Firetower Road  
Dublin, GA 31021

Reference: Clarification of F006/F019 Interpretive Letter

Dear Mr. Wozniak:

This letter is in response to your request for further clarification of our October 20, 1994 interpretive letter in reference to wastes generated from your aluminum coating process. The following is the revised version of the letter, reproduced here for future reference purposes. This action is being taken because the phrase "metal salts" was inadvertently included in the original letter and is irrelevant with respect to the intent of the listing.

Your process consists basically of three unit operations which are described below, together with a discussion of the relevant hazardous waste listing descriptions:

The aluminum is first anodized in sulfuric acid. The F006 listing description (40 CFR 261.31) specifically excludes wastewater treatment sludges from sulfuric acid anodizing of aluminum.

The anodized material is next sealed and colored by immersion in solutions of inorganic or organic colorants. Neither ferrocyanide nor chromate-containing solutions are used in this coloring process. The material is finally coated by electro-deposition with a clear acrylic film.

Based on the information you provided us, these processes apparently do not involve the use of chromates or cyanides; thus, any wastes generated from this process do not satisfy the

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descriptions of F006 or F019. Additionally, since these processes are not identified in any of the specific or non-specific source hazardous waste listings in 40 CFR Part 261, Subpart D, any wastes generated from this process would only be subject to evaluation for hazardous waste characteristics, as specified at 40 CFR Part 261 Subpart C.

Please be aware that under Section 3006 of RCRA (42 U.S.C. Section 6926) individual States can be authorized to administer and enforce their own hazardous waste programs in lieu of the Federal program. When States are not authorized to administer their own program, the appropriate EPA Regional office administers the program and is the appropriate contact for any case-specific determinations. Please also note that under Section 3009 of RCRA (42 U.S.C. Section 6929) States retain authority to promulgate regulatory requirements that are more stringent than Federal regulatory requirements. Although this interpretation indicates that the wastes generated from the above processes are not subject to the hazardous waste listings under federal regulations, the wastes may therefore be subject to more stringent state or local regulations.

Thank you for your patience in this matter. If you have any further questions, please contact Max Diaz of my staff at (202) 260-4786.

Sincerely yours,

William F. Brandes  
Chief, Waste Identification Branch

cc: Jeffrey T. Pallas, Region IV  
Renee Hudson Woodley, Georgia DNR

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

October 15, 1994

Mr. Daniel Wozniak  
Environmental and Safety Engineer  
YKK AP America, Inc.  
100 Firetower Road  
Dublin, GA 31021

Dear Mr. Wozniak:

This letter is in response to your letter of November 24, 1993, outlining your aluminum coating process, and inquiring if any of the wastes generated meet the hazardous waste listing descriptions for F006 or F019 published at 40 CFR 261.31. We have consulted with Mr. Jeffrey T. Pallas, Hazardous Waste Management Branch, U.S. EPA Region IV and Ms. Renee Hudson Goodley, Georgia Department of Natural Resources in preparing this response.

According to your description in your letter, your process consists basically of three unit operations which are described below, together with a discussion of the relevant hazardous waste listing descriptions:

The aluminum is first anodized in sulfuric acid. The F006 listing description (40 CFR 261.31) specifically excludes wastewater treatment sludges from sulfuric acid anodizing of aluminum.

The anodized material is next sealed and colored by immersion in solutions of inorganic or organic colorants. Neither ferrocyanide nor chromate-containing solutions are used in this coloring process. The material is finally coated by electro-deposition with a clear acrylic film.

Based on the information you provided us, these processes apparently do not involve the use of metal salts, chromates, or cyanides; thus, any wastes generated from this process do not

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satisfy the descriptions of F006 or F019. Additionally, since these processes are not identified in any of the specific or non-specific source hazardous waste listings in 40 CFR Part 261, Subpart D, any wastes generated from this process would only be subject to evaluation for hazardous waste characteristics, as specified at 40 CFR Part 261 Subpart C.

Please be aware that under Section 3006 of RCRA (42 U.S.C. Section 6926) individual States can be authorized to administer and enforce their own hazardous waste programs in lieu of the Federal program. When States are not authorized to administer their own program, the appropriate EPA Regional office administers the program and is the appropriate contact for any case-specific determinations. Please also note that under Section 3009 of RCRA (42 U.S.C. Section 6929) States retain authority to promulgate regulatory requirements that are more stringent than Federal regulatory requirements. Although this interpretation indicates that the wastes generated from the above processes are not subject to the hazardous waste listings under federal regulations, the wastes may therefore be subject to more stringent state or local regulations.

Thank you for your patience in this matter. If you have any further questions, please contact Max Diaz of my staff at (202) 260-4786.

Sincerely yours,

William F. Brandes

Chief, Waste Identification Branch

cc: Jeffrey T. Pallas, Region IV  
Renee Hudson Woodley, Georgia DNR