

DEC 5 1989

Mr. Carl A. Evers
Vice President
Tricil Environmental Services
3055 Kettering Boulevard
Suite 400
Dayton, Ohio 45439-1900

Dear Mr. Evers:

I am writing in regard to your August 22, 1989 letter in which you discuss your definition of a batch as it pertains to the conditional testing requirements included as part of Tricil's November 17, 1986 final exclusion. (Please note that we did not receive an original copy of this letter; we were first made aware of the letter through David Hefner's November 17, 1989 letter to us.) Based on your definition of a batch, it is clear that Tricil and the Agency interpret the term "batch" differently, and as discussed further below, this situation must be corrected.

As stated in our July 31, 1989 letter, we believe a batch should, at a minimum, be confined to the sludge contained within 1 lugger box. Under Tricil's current practices, however, 4-4 1/2 lugger boxes are represented by only a single composite sample. We believe Tricil is over-compositing the waste samples from individual lugger boxes, and thus, is not collecting and analyzing samples which are representative of the waste. As also noted in our July 31 letter, we assume that the lugger box is filled gradually over a given time period; grab samples should be taken from each of the periodic loads transferred to the lugger box. All grab samples representing wastes transferred to a single lugger box should then be composited to form a single composite sample. This composite should then be subjected to the appropriate conditional testing requirements. We suggest that this same approach be used to collect batch samples at all three of your facilities.

If you do not agree with our definition of a batch for Tricil's treatment system, then we believe it is necessary to meet with you to discuss the matter further. In particular, under such circumstances we believe it may be necessary to reopen Tricil's exclusion to include a significantly more precise definition of a batch. As we mentioned in our July 31 letter, any new proposal would also incorporate updating Tricil's conditional delisting limits. If you do agree with our definition of a batch, however, when we will notify the appropriate Regional and State, authorities, and concurrences will be, consider closed.

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Should you have any questions or require any additional information regarding this matter, please contact Linda Cessar of my staff at (202) 475-9828.

Sincerely,

Original Document signed

Robert Kayser, Chief
Variances Section

cc: Linda Cessar, EPA HQ
Jim Kent, EPA HQ

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