

MARCH 31, 1989

Colonel E. L. Williams, Jr., USAF
Director of Environmental Protection
Defense Logistics Agency
Defense Reutilization and Marketing Service
Federal Center
74 N. Washington
Battle Creek, MI 49017-3092

Dear Colonel Williams:

This is in response to your letter dated November 7, 1988 requesting an interpretation as to whether the venting/puncturing of aerosol cans is considered to be treatment.

In a follow-up to your letter, Mr. Stephen Cochran of my staff phoned Mr. Roy Howell of your staff to discuss this issue. Mr. Cochran indicated that the Office of Solid Waste (OSW) is currently reviewing this issue in order to make a national determination. In the meantime, it is our policy to have the EPA Regional Offices make this determination on a site-specific basis. Since your request for interpretation deals with multiple EPA Regions, Mr. Cochran agreed to poll the Regions to determine their policy on this issue. Most of the Regions, if they had to make a call, would consider the puncturing/venting of aerosol cans to be treatment.

As was relayed to Mr. Howell, OSW is reviewing its policy on this issue. In the meantime, I would recommend that you take the more conservative approach, which would be to consider the venting/puncturing of aerosol cans to be treatment. We will inform you in writing as to our final position on this matter (i.e., either a Notice of Proposed Rulemaking or a policy directive).

If you have any additional questions on this matter, please feel free to contact Mr. Cochran at FTS 475-9715 or (202) 475-9715.

Sincerely,

Sylvia K. Lowrance
Director, Office of Solid Waste