

9441.1988(17)

COLORED GLAZE SOLIDS COLLECTED IN POTTERY MANUFACTURING
OPERATIONS

MAY 18 1988

Mr. Mahmood Kapadia
Manager Ceramic Engineering
The Haeger Potteries, Inc.
Seven Maiden Lane
Dundee, Illinois 60118-9989

Dear Mr. Kapadia:

This correspondence is in response to your request for information on the proper classification of waste colored glazes collected as part of your pottery manufacturing operation. Specifically, you referred to a mixture of different glaze colors that are collected and treated by a "rotary vacuum" filter. The resultant solid waste produced, which exhibits the characteristic of EP Toxicity for lead (and possibly for cadmium and chromium), is then disposed of at a high cost. I apologize for the long delay in responding to your correspondence. The Agency is under a very tight schedule to meet the statutory deadlines applicable to the land disposal restrictions program.

As you stated in your letter (and have further described during telephone conversations with my staff), it is your desire to place the colored glaze solids into broken or good pottery, fire it in your tunnel kiln, and sell this fired piece at your retail sales outlet. In accordance with the definition of solid waste (40 CFR 261.2), if the colored glaze solids are used in the manner described, they would not constitute a solid waste, and thus would not meet the definition of a hazardous waste. The solid materials would not be a solid waste since the material would be recycled by being "used or reused as ingredients in an industrial process to make a product". 40 CFR 261.2(e)(1)(i). The colored glaze solids in this case would not be considered reclaimed, since you would be using the entire material, and not reclaiming certain constituents from the material.

The information provided above reflects hazardous waste

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management system regulations covered by Federal rules. Note, however, that compliance with applicable Federal regulations does not relieve an individual from compliance with applicable State environmental requirements. I hope this information adequately addresses your concerns. If you have any further questions, please feel free to contact Wanda LeBleu-Biswas, of the Waste Characterization Branch, at (202) 382-7392.

Sincerely,

Stephen R. Weil, Chief
Land Disposal Restrictions Branch