

9441.1993(22)

REGULATORY STATUS OF CEMENT PRODUCED USING HAZARDOUS WASTE
FUELS

United States Environmental Protection Agency
Washington, D.C. 20460
Office of Solid Waste and Emergency Response

November 2, 1993

Mr. Mark Eisen, Manager
Environmental Marketing
The Home Depot
Two Paces West
2727 Paces Ferry Road, N.W.
Atlanta, Georgia 30339

Dear Mr. Eisen:

Thank you for your letter of September 28, 1993, to Administrator Browner expressing your concerns regarding hazardous contaminants in cement produced using hazardous waste fuels.

As you know, under the Resource Conservation and Recovery Act (RCRA), the Environmental Protection Agency (EPA) does not currently regulate cement produced from ingredients ("clinker") from kilns using hazardous waste fuels. The Agency does not consider such cement to be derived from a hazardous waste based on the understanding that hazardous waste fuel residues do not end up in the cement product. We are, however, currently gathering additional information regarding such contaminants in conjunction with Agency effort to develop a Report to Congress on cement kiln dust. The Report to Congress is scheduled for publication on December 31, 1993.

To date, we have no data indicating that there is a significant increase in risks posed by the use of cement product from "clinker" from kilns using hazardous waste fuel relative to cement produced from "clinker" from kilns using conventional fuels. Should we determine that there is an increase in risk to human health or the environment presented by intermediate or final products produced by facilities using hazardous waste fuels, we would then consider ways to reduce those risks, including

regulation.

Note that when a cement kiln burns hazardous waste as a fuel, the burning process itself is subject to hazardous waste regulations, thus ensuring that the burning is protective of human health and the environment. In addition, there are cases where the cement product itself is subject to regulation. For example, when a hazardous waste is used directly as an ingredient (i.e., mixed in) in the production of cement, the cement product must meet treatment standards based on the Best Demonstrated Available Technology (BDAT). So, there are regulatory safeguards to control risks to human health and the environment if hazardous waste is used as an ingredient in the production of cement.

Thank you for your interest in ensuring that products produced by facilities in the burning of hazardous wastes fuels are safe.

Sincerely,
Bruce R. Weddle, Acting Director
Office of Solid Waste