

9441.1985(19)

MAY 31 1985

EMPTY DRUMS CONTAINING METALLIC NICKEL OR NICKEL OXIDE

Mr. Frank W. Schaller
Inco Limited
Park 80 West-Plaza Two
Saddle Brook, New Jersey 07662

Dear Mr. Schaller:

In your letter of May 8, 1985, you request an Agency determination regarding the regulatory status of empty drums that contained either metallic nickel or nickel oxide.

Under the current hazardous waste regulations, metallic nickel and nickel oxide are not listed hazardous wastes nor are they constituents covered by the EP Toxicity Characteristic. Thus, empty drums that contained these compounds are likewise not a hazardous waste.

Although these waste are not covered under the Federal rules, you should consult with State officials to determine whether State requirements differ from the Federal. In many cases, State rules are more stringent.

If you have questions or require additional information, contact Jacqueline Sales, of my staff, at (202) 382-4807.

Sincerely,

Alan S. Corson
Branch Chief
Studies and Methods Branch