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JULY 5 1989

Mr. Jon Greenberg
Manager, Environmental Policy
Browning-Ferris Industries
1150 Connecticut Avenue, Northwest
Suite 500
Washington, D.C. 20036

Dear Mr. Greenberg:

This letter is intended as a follow-up to an Agency letter of October 27, 1988, which was in response to your written inquiry of August 11, 1988. In reviewing our letter, we discovered that some language was not included, due to a computer error. We would like to take this opportunity to correct this omission, thereby avoiding any confusion.

In our letter, we stated, "A residual generated from the treatment, storage, or disposal of a characteristic hazardous waste (or a waste that has been listed only because it exhibits a characteristic, such as F003) is a hazardous waste only if it exhibits a characteristic." This sentence should have stated, "A residual generated from the treatment, storage, or disposal of a characteristic hazardous waste (or a waste that has been listed only because it exhibits a characteristic, such as F003), when mixed with a solid waste, is a hazardous waste only if it exhibits a characteristic." However, we reiterate that treatment of a characteristic hazardous waste or a non-hazardous solid waste may generate a listed hazardous waste, such as the electroplating wastewaters mentioned in our previous letter. In that example, treatment of characteristic wastewaters generates a sludge which is listed as F006, even if the treatment occurs off-site from the generation of the wastewater.

We apologize for any inconvenience this error may have caused. If you have any further questions, please call the RCRA/Superfund Hotline at 382-3000.

Sincerely,

RO 11439

Sylvia K. Lowrance
Director