

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460**

OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

Mr. Tom Shinault  
REF Remediation Engineers  
2358 Danville Boulevard  
P.O. Box 308  
Alamo, California 94507

Dear Mr. Shinault:

Thank you for your January 17, 1998 letter regarding the proposed re-use of a nonhazardous petroleum by-product waste stream as an ingredient to produce a soil amendment. As you may know, EPA has promulgated regulations on the use of hazardous wastes in products that are applied to the land, such as soil amendments. (See 40 CFR §266.20.) EPA does not currently impose regulatory restrictions on the use of nonhazardous wastes in products that are applied to the Land. States generally regulate the management of nonhazardous wastes, therefore, you should contact the appropriate state regulatory agencies (e.g., California and Texas) to determine what regulatory requirements, if any, apply to the proposed use of the petroleum by-product which you have referenced.

In response to concerns raised by the public regarding the use of waste materials in products that are applied to the land, EPA is in the process of examining the potential risks from the current use of certain wastes and recycled secondary materials in products such as fertilizers and soil amendments. We will provide the interested public with information on that as the work progresses, The appropriate state agencies, however, are the regulatory bodies with which you should consult regarding your specific proposal.

Thank you for your interest in this matter. If you have any questions or need more information, please contact Jeff Hannapel of my staff at (703) 308-8826.

Sincerely,

Elizabeth A. Cotsworth, Acting  
Director  
Office of Solid Waste

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