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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

MAR 25 1987

Kathryn T. Allford
NL Treating Chemicals
NL Industries, Inc.
17402 Wallisville Road
Houston, TX 77049

Dear Ms. Allford:

Thank you for your letter of February 27, 1987. Your question concerning on-site treatment by a generator is covered by 40 CFR §262.34, the "90-day generator" rule. You are correct in your assessment of the rule. That is, a generator who otherwise meets the requirements of 40 CFR §262.34 need not obtain a RCRA hazardous waste permit to conduct treatment in a tank system. In your specific situation, you are well within the 90-day time limit, and as long as you meet the other requirements of §262.34, you should have no regulatory problems in setting up your treatment system.

If you have further questions, call Mike Petruska of my staff at (202) 382-4761.

Sincerely,

Original Document signed

Marcia E. Williams
Director
Office of Solid Waste

RO 11231