

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

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Mr. T. L. Nebrich, Jr., CHMM
Technical Director
Waste Technology Services, Inc.
640 Park Place
Niagara Falls, New York 14301

Dear Mr. Nebrich:

Thank you for your letter of August 22, 1997 requesting clarification on two points involving the alternative treatment standards for hazardous debris in 40 CFR 268.45.

Specifically, you asked whether debris contaminated with a waste code that requires a treatment technology, such as P040 or U008, can be treated using the alternative debris standards found in Table 1 of §268.45, or does it have to be treated using the treatment technology specified in §268.40. The answer is that either is permissible. As is stated in §268.45(a), hazardous debris may be treated to the waste-specific treatment standards for the waste contaminating the debris (which may include a specified treatment technology), or it may be treated using the alternative treatment standards found in Table 1 of §268.45. You should note that, as is stated in §268.45(d), if the alternative treatment standards are used, then residuals from such treatment, if any, must be treated to meet the waste-specific treatment standards found in §268.40.

You also asked whether the alternative debris standards may be used in place of those found in §268.48 for debris contaminated with D012-D043 wastes. The answer is yes. Similar to the above case, the alternative treatment standards for debris can be used in place of the waste-specific treatment standards found in §268.40, which for D012-D043 includes meeting the treatment standards found in §268.48 for any underlying hazardous constituents present in the waste. However, as stated above, any residuals from using the alternative debris treatment standards have to be treated using the waste-specific standards in §268.40.

If you need further assistance on this matter, please contact Peggy Vyas in the Waste Treatment Branch, on (703) 308-5477.

Sincerely,

RO 14222

Elizabeth Cotsworth, Acting Director
Office of Solid Waste