

PPC 9487.1993(01)

United States Environmental Protection Agency  
Washington, D.C. 20460  
Office of Solid Waste and Emergency Response

October 15, 1993

Mr. Frederick J. Scheffler, Director  
Coalition of Organic Absorbent Producers  
c/o Absorption Corporation  
1808 Eagle Harbor Lane  
Bainbridge Island, Washington 98110

Dear Mr. Sheffler:

Thank you for forwarding to me Laidlaw Environmental Services Inc.'s letter to you concerning EPA's recent rule on disposal of sorbed materials in hazardous waste landfills. I am writing to you to correct Laidlaw's interpretation of the rule's effect and explicitly to clarify that pozzolanic stabilization of sorbed materials may constitute adequate treatment under the rule.

Laidlaw is correct in its understanding that EPA's sorbents rule, which can be found at 40 CFR 264.314(e), applies to all wastes--including non-hazardous wastes--disposed of at hazardous waste landfills. Thus, liquid wastes treated with "biodegradable" sorbents (as defined in the rule) cannot be directly disposed of in a hazardous waste landfill. However, both in the preamble to the sorbents rule and in Richard Guimond's May 5, 1993 letter to you, EPA emphasized that wastes sorbed with "biodegradable" sorbents could be placed in landfills after appropriate treatment. The letter stated that "such treatment will generally remove the biodegradable components or render them unavailable to the environment or will remove the liquid."

In EPA's view, chemical reagents (including pozzolanic materials, as well as thermoplastic or organic binders) are appropriate non-biodegradable sorbents (see 57 Fed. Reg. 54456 (November 18, 1992)) and therefore treatment with these materials is appropriate and adequate additional treatment for purposes of compliance with the final rule (provided, of course, that the stabilization is successful and the resultant material passes the paint filter test). These processes are acceptable, not only

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because they often involve a sorption process, but also because they provide additional treatment by chemical stabilization.

The above clarification addresses only compliance with 40 CFR 264.314(e). As you are well aware, hazardous waste disposed of in landfills must also meet applicable land disposal standards under 40 CFR Part 268. In many cases, pozzolanic stabilization may not be sufficient to meet these standards. It is reasonable to assume, however, that treatment that meets Part 268 standards will generally also meet section 264.314(e).

I hope this letter responds to your concerns. If you have any questions, please contact Matthew Hale of my staff. He can be reached at 703-308-8404.

Sincerely yours,  
Jeffery Denit  
Acting Director  
Office of Solid Waste