

9441.1983(08)

LEACHATE FROM A MUNICIPAL LANDFILL, REGULATION OF

OCT 21 1983

Mr. N.C. Vasuki
General Manager
Delaware Solid Waste Authority
P.O. Box 455
Dover, Delaware 19903-0455

Dear Mr. Vasuki:

Thank you for your follow-up letter of September 30 requesting clarification of the news item on leachate that appeared in the American City & County magazine. Also, please accept my apologies for not responding to your letter of August 9 that was apparently misplaced.

The statement that appeared in the July, 1983 issue of American City and County magazine is correct. Leachate from a municipal landfill is subject to the hazardous waste regulations if it is found to be hazardous by any of the hazardous waste criteria. These criteria include ignitability, reactivity, corrosivity, and toxicity. If the leachate is a hazardous waste by any of these definitions, the landfill becomes a hazardous waste generator and the leachate is subject to all the hazardous waste regulations unless the landfill can qualify as a small quantity generator. At the present time, a hazardous waste generator producing less than 1000 kg. per month is exempt from most requirements of the hazardous waste regulations.

If the leachate is not found to be a hazardous waste, the leachate can continue to be recycled back into the landfill. However, if the leachate is a hazardous waste and does not qualify under the small quantity generator exclusion, the leachate must be treated or disposed of in a permitted hazardous waste facility or, as you noted, discharged into a public sewer system.

I hope that this clarifies the issue for you. Once again please accept my apologies for not responding earlier.

Sincerely yours,

RO 12149

John H. Skinner
Director
Office of Solid Waste

cc: Thomas P. Eichler
Region III Administrator

WH-565E:Kent Anderson:pj:S206:382-4654:WSM:10/19/83