

PPC 9494.1986(05)

ADMINISTRATIVE CONTROLS AND STORAGE STANDARDS
FOR MARKETERS OF HAZARDOUS WASTE

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APR 11 1986

Arthur J. Helmstetter, P.E.
General Manager
Systech Corporation
245 North Valley Road
Xenia, Ohio 45385

Dear Art:

This is to confirm that your understanding (reference your March 21, 1985 letter) is correct regarding the applicability of the November 29, 1985, administrative controls for marketers and burners of hazardous waste and used oil fuels to Systech's situation.

You are correct that:

- Systech is a marketer of hazardous waste fuel because you take title to hazardous waste that you collect from generators and deliver to cement kilns.

- As a marketer, Systech must:

- Notify regarding your hazardous waste fuel marketing activities. You should use your corporate office name and location on the notification form.
- Ensure that the manifest system, pre-transport, and recordkeeping and reporting requirements are compiled with. The generator's and cement company's EPA Identification Numbers should be used on the manifest because they are the shipping and receiving facility, respectively. Systech's Identification Number should not be used on the manifest. Systech should keep copies of manifests.

- If Systech does not own or operate hazardous waste fuel storage facilities, you are not subject to RCRA hazardous waste facility storage standards. If Systech operates but does not own such facilities (for example, if Systech operates a storage facility under contract to the cement company), Systech, along

with the owner, is subject to RCRA storage facility standards. This is because the standards apply to owners and operators of such facilities. Either the owner or operator may choose to comply with the standards. In the event of noncompliance, however, both the owner and the operator are liable.

I hope this addresses your concerns. If you have further questions, give me a call.

Sincerely,

Robert Holloway
Acting Manager
Waste Combustion Program

cc: (w/incoming)
Steve Silverman
Y. J. Kim, Region V