

9483.1988(01)

HAZARDOUS WASTE TANK SYSTEM STANDARDS TO ANCILLARY
EQUIPMENT AND EXEMPTED ELEMENTARY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JAN 27 1988

Mr. Peter S. Puglionesi, P.E.
Unit Manager
Roy F. Weston, Inc.
Weston Way
West Chester, Pennsylvania 19380

Dear Mr. Puglionesi:

This letter is in response to your letter of December 22, 1987, in which you requested confirmation on the applicability of the July 14, 1986, revised hazardous waste tank system standards to ancillary equipment and to exempted elementary neutralization systems.

You are correct that these revised standards do not apply to ancillary equipment that is associated with non-regulated units, e.g., surface impoundments or exempted tanks. It was indeed EPA's intent not to regulate ancillary equipment itself. In the three examples you gave in your letter, I question only the wording that seemingly differentiates the level of regulation between the Federal and State governments. For States to receive authorization from EPA to implement their own programs, they must show that their programs are as stringent as the EPA program. As such, I would expect that both the existing enterable underground tank and the aboveground tank, described in your third example, would be subject to the hazardous waste tank system standards.

A second issue raised in your letter is related to the RCRA exemption for wastewater treatment/elementary neutralization units. In your particular case, elementary neutralization is used as a pretreatment of acidic wastewater prior to discharge to a POTW. You question whether equipment used in association with a RCRA exempted pretreatment system is likewise exempted. As stated previously in our conversation, such equipment would

RO 13126

likewise be exempt so long as it is used exclusively for the purpose of handling the hazardous wastewater in conjunction with the exempted unit. However, if this equipment is used, even

intermittently, for storage/treatment of a hazardous waste or wastewater prior to shipment offsite as a hazardous waste, the exemption is not applicable. The revised hazardous waste tank system standards of July 14, 1986, would then apply.

Please call me at (202) 382-7917 if you have any further questions.

Sincerely,

William J. Kline
Environmental Scientist
Waste Treatment Branch, WMD

cc: Bob April
Bob Dellinger
Chet Oszman
Sherry Gallagher, Region 3
Carrie Wehling