

9554.1991(02)

RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JANUARY 1991

1. Classification of Leachate Contaminated Ground Water

Hazardous waste migration from an active Subtitle C landfill has resulted in local ground water contamination. As part of a corrective action at the facility, 400-gallons of contaminated ground water are withdrawn from the uppermost aquifer and will be sent off-site for underground injection. During the course of the clean-up, the facility determined that a leachate resulting from the disposal of a variety of listed hazardous wastes is responsible for the contamination. In accordance with the EPA "contained-in" policy, the ground water must be managed as a hazardous waste, namely the leachate from the landfill. For the purposes of compliance with the Land Disposal restrictions in 40 CFR Part 268, what hazardous waste classification and treatment standard would apply to the ground water?

The leachate meets the definition of a multi-source leachate that is derived from the treatment, storage or disposal of more than one listed waste, excluding F020-F023 and F026-FO28. In the Third Third Land Disposal Restrictions rule promulgated on June 1, 1990 (53 FR 22520), EPA announced its decision to eliminate the practice of classifying a multi-source leachate according to the various listed wastes from which it was derived. In this rule, the Agency established a separate treatability group for multi-source leachate contained in the ground water, as F039. (55 FR 22650)

Although the F039 waste classification became effective August 8, 1990, EPA granted a two-year national capacity variance until May 8, 1992, for F039 wastewaters that are destined for underground injection (40 CFR Part 148.16). The extension of the effective date was based upon EPA's assessment that current treatment capacity for underground injected F039 wastewaters was insufficient to require an immediate LDR prohibition effective date. (55 FR 226,46) During the period in which the variance is in effect, the F039 ground water mixture, if disposed in a landfill or surface impoundment, must be managed in a unit that satisfies the minimum technological standards in RCRA Section 3004(o)(1)(A) [see 40 CFR 268.5(h)(2)]. After May 8, 1992, the F039 ground water must meet the F039 treatment standards for all applicable constituents as described in 40 CFR Part 268.43, Table CCW, prior to underground injection. (55 FR 22623-22626)

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