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REGULATORY REQUIREMENTS APPLICABLE TO TWO WASTE STREAMS
THAT WOULD BE BILAYERED THROUGH PHASE SEPARATION

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

October 4, 1994

Mr. T. L. Nebrich, Jr., CHMM
Technical Director
Waste Technology Services, Inc.
640 Park Place
Niagara Falls, New York 14301

Dear Mr. Nebrich:

I am pleased to respond to your letter, dated September 8, 1994, in which you requested clarification of the regulatory requirements applicable to two wastes. At issue are two wastestreams identified as D001 high TOC subcategory, and DOO1 high TOC subcategory/D002, that would be bilayered through phase separation at a licensed TSDF. You asked whether the two phases can be treated as different EPA hazardous wastes. In particular, you asked whether the D001 high TOC portion could be treated to meet its treatment standard requiring combustion or organics recovery, and the remaining aqueous or acid portion sent to wastewater treatment?

Yes, these wastes can be treated as different hazardous wastes. The phase separation is considered an appropriate pretreatment step for these wastes. Therefore, the D001 high TOC portion can be treated to meet its LDR treatment standards, and the other phase can be sent to wastewater treatment, provided it is not an ignitable waste containing greater than 10% TOC.

If you need further assistance on this matter, please contact Richard Kinch, Chief of the Waste Treatment Branch, on 703-308-8434.

Sincerely,

RO 13704

Michael Shapiro
Director
Office of Solid Waste

cc: Richard Kinch

Attachment

Waste Technology Services, Inc.
640 Park Place
Niagara Falls, New York 14301

September 8, 1994

Mr. Michael Shapiro
Director - OSW
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dear Mr. Shapiro:

We have a client who has two (2) wastestreams identified as D001 (>10 % TOC) and D01 (>10% TOC) and D002 respectively. Each wastestream is bilayered. However, when you take a representative sample for identification purposes, you have D001 (>10% TOC) common to both wastes.

My question has to do with treating the two (2) phases under LDR requirements. Since both wastestreams are bilayered, can each phase be treated differently? That is, can the D001 (>10% TOC) phase be treated via INCIN, RORGS, FSUBS and the remaining aqueous or acid portion be sent for wastewater treatment?

The assumption here is that this phase separation would be performed at a licensed TSDF which is permitted to handle both EPA hazard codes. However, is the D001 (>10% TOC) designation attached to the total wastestream (both phases) or can the LDR requirements be attached to each phase individually after separation?

If you should have any questions, please do not hesitate to call.

Very truly yours,

WASTE TECHNOLOGY SERVICES, INC.
T.L. Nebrich, Jr., CHMM
Technical Director

TLN/kjl

RO 13704