

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Mr. Brian Monson
Chief, Bureau of Permits and Enforcement
Idaho Department of Environmental Quality
1410 N Hilton Street
Boise, ID 83706

Dear Mr. Monson:

This is to inform you that we have completed the review of the "Equivalency Determination Request for the Idaho National Engineering Laboratory HEPA Filter Leach System." We have determined that a Determination of Equivalent Treatment (DET) is not necessary or applicable in this case.

We wish to clarify that the debris treatment technologies presented in 40 CFR 268.45 Table 1, "Alternative Treatment Standards for Hazardous Debris", are not specifically required for particular wastes. This table is a presentation of the technologies available to meet the general treatment requirement for debris presented in §268.45(1) "Hazardous debris must be treated for each "contaminant subject to treatment".

The applicant apparently believed that a DET was necessary in this case due to the "Contaminant restrictions" specified in Table 1 of §268.45 for technology 2a, Chemical extraction: Water Washing and Spraying, which stated that "Contaminant must be soluble to at least 5% by weight in water solution or 5% by weight in emulsion; if debris is contaminated with a dioxin-listed waste, an "Equivalent Technology "approval under §268.42(b) must be obtained".

This waste is not contaminated with a dioxin-listed waste; therefore, a DET under §268.42 is not required. Although there are some insoluble organic waste codes that may be associated with these filters due to waste code carry through, waste characterization data submitted as part of the DET petition indicate that these compounds are not present in the waste at levels of regulatory concern. The contaminants subject to treatment in this case are metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver). TCLP data presented for the treated filter media samples (table 1 from petition) indicate that the toxic metals present are effectively treated by the filter leach system. Thus, it appears that the HEPA filter leach system already complies with the treatment standards for hazardous debris, and that a DET is not necessary or applicable.

If you require further information or assistance, please contact Shaun McGarvey of my staff at (703) 308-8603.

Sincerely,

Michael Petruska, Chief
Waste Treatment Branch