RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

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2. Drainage from an active coal mine is collected in a large pond to be treated. The drainage is quite acidic due to the high concentration of iron sulfides (pyrite) in the coal. Both bacterial action and rain oxidize the pyrite material to form sulfuric acid. The coal mine owner has developed a sodium hydroxide (caustic) feeder system to neutralize the acid mine drainage prior to discharge. At one point, however, the feeder system added too much caustic to the pond. This caused a caustic sludge layer to form on the bottom of the pond. The pH of the sludge is generally above 12.5. The facility wants to remove the sludge and dispose of it. Would such removal be considered generation of a RCRA hazardous waste?

   The sludge meets the characteristic of corrosivity (D002) due to its pH being above 12.5 (§261.22) and its aqueous, semi-sludge state. A corrosive solid is not a hazardous waste unless it exhibits another characteristic or contains a listed waste (see 45 FR 33109, May 19, 1980). Section 261.4(b)(7) excludes wastes from the "...extraction, beneficiation and processing of ores and minerals (including coal)..." Pollution control residues from the treatment of mining wastes are also exempted. Since the caustic sludge is a pollution control residue from the treatment of a mining waste, its generation and management is exempt from RCRA. Even though the waste is excluded from regulation, however, it should still be managed properly.

   Source: Meg Silver (202) 382-7709