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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

MAY 9 1991

MEMORANDUM

SUBJECT: Application of TC Compliance Date Extension to Shell
Oil Company's Wood River, Illinois Facility

FROM: Sylvia K. Lowrance, Dire
Office of Solid Waste

TO: David A. Ullrich, Director
Waste Management Division

We have carefully reviewed your March 19 memorandum and attachments regarding Shell oil Company's Wood River facility in light of our recent action to extend the Toxicity Characteristic compliance date for hydrocarbon recovery operations at petroleum refineries. While we understand that someone may view the operations at Wood River as somewhat similar to the operations addressed in the proposed (and now final) action--see 56 FR 13406, April 2, 1991--the subject wastestream and waste management unit are, in fact, significantly different and cannot reasonably be interpreted to fall within the scope of the extended compliance date.

First, in our discussions with the petroleum industry regarding application of the TC rule to hydrocarbon recovery operations with reinjection components, we were made aware that treatment of the extracted petroleum-bearing groundwaters (e.g., removal of naturally occurring minerals) prior to reinjection can result in the production of additional wastestreams, some of which exhibit the Toxicity Characteristic. Issues associated with the management of these additional wastestreams were given consideration, but these wastestreams were never considered to be within the scope of the "groundwaters" for which the compliance date was extended. More specifically, we concluded that these treatment wastestreams could and should be managed under RCRA interim status provisions. This is different in the case of reinjection of extracted groundwater, given the statutory requirements of RCRA Section 3020. Because of Section 3020 and the impossibility of receiving the required UIC permit, the reinjection wells could no longer be operated. It is these reinjection wells, and not treatment wastestreams, that are the subject of the extended compliance date. These treatment waste materials are considered as separate from the groundwater stream,

as they are more appropriately defined as treatment sludges per 40 CFR 260.10.

As to the Wood River Solid Waste Disposal Basin (SWDB) as an infiltration gallery, note that the final compliance date extension applies only to injection wells. Infiltration galleries are not included and have been provided with six months to comply with Subtitle C requirements. However, this six-month compliance date would not apply to the SWDB since the leaking of a disposal impoundment, which is designed to contain materials, is substantially different from the intended design and operation of an infiltration gallery. Thus, the SWDB would not be considered as an infiltration gallery for purposes of TC compliance dates.

Should you have any further questions regarding the background or scope of the TC compliance date extension for certain hydrocarbon recovery operations, feel free to contact Dave Topping of my staff at FTS 382-7737.