

9522.1988(02)

SLUDGE DEHYDRATION EQUIPMENT THAT IS PART OF A WASTEWATER  
TREATMENT FACILITY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAR 7 1988

Mr. Dic Olsen  
General Operations Manager  
Fenton Company, Inc.  
1608 North Beckley  
Lancaster, Texas 75134

Dear Mr. Olsen:

Thank you for your letter of February 5, 1988, in which you requested information on the regulatory status of direct-fired sludge dehydration equipment that is part of a wastewater treatment facility.

Your understanding of the requirement in 40 CFR 270.1(c)(2)(v) is correct. Sludge dehydration equipment is excluded from the Environmental Protection Agency's (EPA's) hazardous waste regulations provided the equipment meets the definition of wastewater treatment unit as defined in 40 CFR 260.10 and actually is used to evaporate water from the sludge. The definition of wastewater treatment unit includes the requirement that the device meets the definition of a tank. We believe that most sludge dryers do meet the definition of tank. One such example would be a sludge dryer integrally equipped with a feed hopper that contains and accumulates waste. It is, however, important to note that the exclusion provided by §270.1(c)(2)(v) does not apply to conventional incinerators. Such devices are subject to Subpart O of Parts 264 or 265 even when part of a wastewater treatment system.

As we have discussed in recent telephone conversations, there is some confusion regarding the regulatory status of direct-fired dryers. While direct-fired dryers may meet, the current definition of incinerator, EPA did not intend to regulate dryers as incinerators. As we have discussed, EPA is developing a Federal Register notice that will clarify the regulatory status of sludge dryers and propose to revise the definition of incinerator to exclude sludge

RO 13147

dryers specifically. We are also proposing a new definition for sludge dryers that would cover both direct and indirect-fired units.

This proposal, soon to be published in the Federal Register, will clarify that all sludge dryers meeting the criteria in 40 CFR 270.1(c)(2)(v) are eligible for the wastewater treatment exclusion provided the equipment meets the definition of wastewater treatment unit in 40 CFR 260.10. Sludge dryers not eligible for the wastewater treatment exclusion, including direct and indirect-fired units, would have to comply with the interim status standards of Subpart P or Part 265 or the permit standards of Subpart X or Part 264 (52 FR 46946, December 10, 1987).

If I can be of further assistance, please don't hesitate to contact me at (202) 382-7935.

Sincerely,

Mary Cunningham  
Chemical Engineer  
Waste Treatment Branch

cc: Joe Carra  
Dave Bussard  
Bob Dellinger  
Bob Holloway  
Sonya Stelmack  
Steve Silverman  
RCRA Hotline  
Incinerator Permit Writers' Workgroup