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Mr. Larry Snowwhite's Interpretation of Liquids Provision

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I have read Mr. Snowwhite's draft (attached) concerning the Congressional intent of the ban on the disposal of liquid hazardous wastes. Mr. Snowwhite is concerned with the provision regulating bulk hazardous liquids.

Mr. Snowwhite states that the provision intends to both prohibit the direct placement of bulk liquids into a landfill, and the direct placement of bulk liquids into a landfill with subsequent mixing. Mr. Snowwhite further states that the provision is not intended to prohibit the treatment and stabilization of liquid hazardous wastes by mixing with fixation agents prior to placement in a landfill.

I agree with Mr. Snowwhite's interpretation of the intent of this provision, since the Congressional Record of October 6, 1983 supports Mr. Snowwhite's contention. In the Congressional Record, Mr. Forsythe (who worked on the Breaux Amendment) stated in regard to the bulk liquid ban,

I am not opposed - but rather, strongly support - the stabilization of liquid hazardous wastes in a manner which renders them permanently unavailable to the environment, such as some of the chemical stabilization processes which have proven to be effective. However, absorbents, such as kitty litter, may act like sponges when squeezed-as might occur when additional material is placed on top in a landfill - and yield back the liquid."

We have been informed by OGC, however, that we are not to respond to Mr. Snowwhite nor tell Congress that we agree with Mr. Snowwhite's Interpretation. We are focusing on the intent of this provision as explained in the Confirmation of Program Revisions on Liquids in Landfills memo, which you will receive a copy of in the next day or so.

I have spoken to Mr. Snowwhite to let him know that we will be addressing this provision in the near future. He is currently trying to get his concept accepted by Congressional staffers and hopes to be able to get Congress to send use some clarifying language on this provision.

cc: Fred Lindsey  
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Art Day