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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

MAY 21 1991

Mr. Steve Nowak, Controller  
Compacting Technologies International  
2417 N.W. Thurman  
P.O. Box 29046  
Portland, Oregon 97210

Dear Mr. Nowak:

I am writing in response to your letter, dated March 14, 1991, in which you request clarification of the definition of treatment. Of particular concern to you is whether treatment includes practices such as compacting hazardous waste inside a steel drum.

As described in your letter, Compacting Technologies International (CTI) sells a machine that compacts hazardous waste inside a steel drum; the benefit to the customer is a reduction in waste volume and thus, a reduction in disposal cost. Your concern seems to be whether such a practice constitutes treatment that is subject to the permitting requirements of 40 CFR 270.

Treatment is defined in 40 CFR 260.10 as "... any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume" (emphasis added). Based on the limited amount of information in your letter, a machine that compacts hazardous waste in a drum will meet the definition of treatment if the reduction in volume results in a change in the physical, chemical, or biological character or composition of the waste. Bear in mind, however, that under many circumstances, RCRA permits are not required for generators who treat their waste on-site in tanks or containers (see enclosed memorandum dated June 17, 1986).

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A final determination on whether a permit is required for such a compaction practice, however, must be made in the EPA region or authorized state where this machine will be operated. The determination will be subject to site-specific conditions and waste types that are best assessed by regional or state personnel.

I hope this information is helpful. Again, if more specific information is needed, please contact the applicable EPA regional office or the authorized state.

Sincerely,

Original Document signed  
"Jeff Denit for"

Sylvia K. Lowrance  
Director  
Office of Solid Waste