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United States Environmental Protection Agency
Washington, D.C. 20460
Office of Solid Waste and Emergency Response

September 14, 1993

Iraj Yazdanpanah
Environmental Manager
Price Pfister Inc.,
13500 Paxton Street
P.O. Box 4518
Pacoima, California 91333-4518

Dear Mr. Yazdanpanah,

This letter is written in response to your August 27, 1993 letter to Mitch Kidwell requesting a regulatory determination regarding brass particles generated in the belting and buffing of brass castings.

Your assessment of the Federal regulations under the Resource Conservation and Recovery Act (RCRA) is correct. A scrap metal exhibiting a characteristic of toxicity (e.g., lead) is subject to regulation as a hazardous waste. However, if the scrap metal is to be reclaimed it is exempt from RCRA regulation.

As to whether the waste stream containing the brass particles generated at your company's Mexicali, Mexico facility meets the definition of scrap metal, EPA Headquarters is unable to make such a determination. Such determinations are case-specific and are more appropriately made by the EPA Regional office (or State regulatory agency).

Therefore, I am forwarding your letter to Mr. Jeffrey Zelikson, Director of the Hazardous Waste Management Division in the EPA Region 9 office. You may write to him at US EPA Region 9, 75 Hawthorne Street, San Francisco, California 94105. Also, I encourage you to contact the appropriate State regulatory agency.

Sincerely,
Michael J. Petruska

RO 11769

Chief
Regulatory Development Branch