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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

October 19, 1995

James A. Lively
The TDJ Group, Inc.
760-K Industrial Drive
Cary, Illinois 60013

Dear Mr. Lively:

This letter is written to clarify a point regarding the applicability of RCRA to a foundry manufacturing duct system, as discussed in your August 4, 1995 letter summarizing our July 26, 1995 phone conversation. As stated in your letter and in our conversation, site-specific determinations of RCRA applicability are made by the appropriate state regulatory agency.

As you state in your letter, it is correct that, in general, a material is not considered a solid waste until it is collected in a baghouse or electrostatic precipitator. However, for point of clarification, I should note that this assumes that the material in question (e.g., baghouse dust) results from a production unit, i.e., that the baghouse dust is derived from materials that are not themselves wastes. In such a situation, determining the applicability of RCRA would generally be made when the material is removed from the baghouse. However, should the material in the baghouse result from the treatment or other management of a material already determined to be a solid waste, the question of RCRA applicability to the particulate matter will have already been determined because the particulate matter is derived from a solid/hazardous waste and the duct system is, in effect, a part of a waste management process.

Therefore, to correctly ascertain the applicability of RCRA to the process of injecting a chemical additive in a foundry duct system, it is important to know the regulatory status of the materials going into the duct system. While such a distinction has little impact in manufacturing duct systems in general, it may be an important distinction in specific cases. Again, I strongly encourage you to seek a site-specific determination from the state

regulatory agency or appropriate EPA Regional office.

Thank you for your interest in making the appropriate regulatory determinations under RCRA. Should you have any questions concerning this response, please feel free to contact me at (202) 260-8551.

Sincerely,

Mitch Kidwell
Environmental Protection
Specialist
Generator and Recycling Branch

Attachment

The TDJ Group, Inc.
760-K Industrial Drive
Cary, Illinois 60013

August 4, 1995

Mitch Kidwell
US EPA OSW, Regulatory Development Division (5304)
401 M Street Southwest
Washington, DC 20460

Dear Mr. Kidwell:

I am writing this letter in response to our phone conversation on the morning of July 26, 1995. First I would like to thank you for your cooperation in discussing the sometimes confusing issue involving the point of generation of a waste in a foundry manufacturing duct system; your input is greatly appreciated. Secondly, I would like to take this opportunity to confirm some of the information that we discussed so that we are clear that the information was not misinterpreted and will not be misrepresented in our future discussions with state agencies. Up front, you were quite clear that appropriate state regulatory bodies should be making their own decisions but that you would be willing to assist them in this capacity if they so desired.

In our discussion, I asked where is the point of generation of a waste in a foundry duct system. Your response was that appropriate state authorities generally do not classify a material as a waste until it is collected in a baghouse or electrostatic precipitator. Further, I inquired about the process of injecting a chemical additive downstream from a gas conditioning tower (cooling tower), but upstream from a baghouse collector. Your opinion was that state authorities might consider the addition of chemical reagents immediately proceeding cooling tower as an action that would not constitute treatment subject to RCRA permit requirements as long as no vents or exit holes were present in the system downstream from the cooling tower.

If we do not receive a response, we will assume that the

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information herein is correct. If you feel any of the above was incorrectly interpreted during our conversation, please contact us for clarification. Thank you.

Sincerely,

James A. Lively