

PPC 9483.1986(12)

DRAINS AND TRENCHES ASSOCIATED WITH TANK SYSTEMS

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DEC 30 1986

Mr. John Albert Slaughter, Jr.
Morton Thiokol, Inc.
P.O. Box 524
Brigham City, Utah 84302

Dear Mr. Slaughter:

This letter is in response to your letter of September 30, 1986, to William Kline of my staff. You requested clarification on the applicability on the recently revised hazardous waste tank system standards to a series of in-building floor drains and outside-building trenches that are used to transfer wastewater contaminated with propellant ingredients to an inground storage tank at Morton Thiokol's Wasatch Operations.

Based on your description of the processes at the Wasatch Operations, I would consider the floor drains as well as the outside-building trenches that are used to transport the waste materials to an inground tank to comprise an integrated tank system used for the management of a hazardous waste. As is explained below, the entire system must comply with the secondary containment requirements of the regulations.

The system you describe appears to fit within the definition of "tank system." In section 260.10 of the regulations, "tank system" is defined as "a hazardous waste storage or treatment tank and its associated ancillary equipment and containment system." "Ancillary equipment" is defined as:

any device including, but not limited to, such devices as piping, fitting, flanges, valves and pumps, that is used to distribute, meter, or control the flow of waste from its point of generation to a storage or treatment tank....

In the system you describe, the hazardous waste is generated when the cleaning process takes place. The in-building collection drains and outside-building trenches are devices used to transfer the hazardous waste to the tank outside the building. Accordingly, both the collection drains and trenches are ancillary equipment to the tank.

Alternatively, the trenches inside the building may be considered a "sump". Section 260.10 of the regulations defines "sump" as "any pit or reservoir that meets the definition of "tank" and those troughs and trenches connected to it that serve to collect hazardous waste for transport to storage, treatment or disposal facilities." "Tank" is defined by 40 CFR §260.10 as:

a stationary device, designed to contain an accumulation of hazardous waste which is constructed primarily of non-earthen materials... which provide structural support.

The inside trenches clearly fall within that definition.

The hazardous waste tank regulations require that sumps and tank systems meet the requirements for secondary containment unless a variance is obtained or unless a tank or a sump is part of a secondary containment system (see 40 CFR §§264.190(b) and 265.190(b)).

A system in which was water from the periodic cleaning operation is deliberately introduced into the floor drain would need to be provided with secondary containment regardless of whether it is a tank system or a sump system, since the system does not qualify for the exemption for sumps or tanks that are part of secondary containment systems.

EPA's intent to fully regulate sumps that meet the definition of "tank" in the same manner as other tanks was made clear in the preamble of the final rule where EPA stated that ". . . , it is EPA's intention that hazardous waste tank systems, including sumps used to transport hazardous wastes are managed in a manner that would ensure protection of human health and the environment" (51 FR 25441).

Your interpretation that the outside-building trenches and tanks must be managed in accordance with the revised hazardous waste tank system standards, is correct. These "tank systems." However, contrary to your understanding, we believe that the inside-building floor drains, being a integral part of the system, are subject to the same regulations. They are either part of a tank system or are trenches connected to a sump.

-3-

I hope I have adequately addressed your question. If you should have any further questions, please call Bill Kline or me at (202) 382-7917.

Sincerely,

Robert W. Dellinger
Chief, Waste Treatment Branch

cc: RCRA Branch Chief
Region VIII