

9453.1988(02)

RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JANUARY 88

2. "Lab Packs" at Generator Sites

Is a permit required for a service company (under contractual agreement to manage a generator's hazardous waste) to come onto a generator's site and re-package small containers of hazardous waste into large containers with absorbents?

A generator may accumulate wastes pursuant to Section 262.34, and nothing in Section 262.34 precludes a generator from treating waste when it is in an accumulation tank or container provided that the performance standards under Subparts I and J of Part 265 are met (51 FR 10168), and provided that the treatment is not thermal treatment or incineration which are subject to Part 265 Subpart P and O respectively. Further, the addition of absorbent material to waste in a container or the addition of waste to a container holding absorbent material also is exempt from permitting in accordance with Section 265.1(c)(13). Because a service company may act on behalf of the generator, a permit would not be required for a service company to re-containerize the wastes and/or add absorbent material prior to shipping off-site. The Agency's current policy on treatment at a generator facility is that treatment often renders waste less hazardous or at least easier to transport or more amenable for recovery. For these reasons, EPA considers that such treatment is not only allowable under §262.34, but treatment is consistent with sound waste management (memo, dated 12/15/87, from Marcia Williams to Robert Greaves).

Source: Mike Petruska (202) 475-8551

Resource: Bob Adamson