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RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JULY 1991

RCRA

1. Truck Transport of Wastewater for Purposes of Section
261.3(a)(2)(iv)(A)

A treatment, storage and disposal facility manages a wastewater which is a mixture of a solid waste and trichloroethylene in de millimis quantities as defined in Section 261.3(a)(2)(iv)(A). If the facility transports the wastewater in trucks from an on-site sump to its on-site NPDES-permitted wastewater treatment unit, does the waste still qualify for the exemption from the definition of hazardous waste under Section 261.3(a)(2)(iv)?

Yes, the waste still qualifies for the exemption. Section 261.3(a)(2)(iv) does not limit the means by which the wastewater may reach the wastewater treatment unit in order to be eligible for the exemption from the definition of a hazardous waste. The exemption requires only that the wastewater be treated in a wastewater treatment unit at a facility subject to regulation under either section 402 or section 307(b) of the Clean Water Act and the wastewater must meet the de millimis levels established in paragraphs (A) through (E)

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