

PPC 9489.1992(02)

RCRA REGULATORY INTERPRETATION ON BENZENE STRIPPERS AT WRC  
REFINERY

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

August 27, 1992

MEMORANDUM

SUBJECT: RCRA Regulatory Interpretation on Benzene  
Strippers at WRC Refinery

FROM: Sylvia K. Lowrance, Director  
Office of Solid Waste

TO: Robert L. Duprey, Director  
Hazardous Waste Management Division, Region VIII

The purpose of this memorandum is to respond to your request dated June 26, 1992 for a RCRA regulatory interpretation concerning the benzene strippers at the Wyoming Refining Company (WRC) refinery in Region VIII.

U.S. EPA Headquarters encourages the implementation of hazardous waste treatment such as benzene stripping in pursuit of the Agency's overall waste minimization and pollution prevention goals. Nonetheless, we have reviewed the attached information, and based upon that information we agree that the WRC refinery benzene stripper units are hazardous waste treatment units, rather than "ancillary equipment." As hazardous waste treatment units, they are potentially subject to Subtitle C requirements, including those for notification.

As treatment units, the benzene strippers might be regulated in several ways. For example, they might be determined to require a RCRA permit, in which case they would be required to comply with the applicable provisions of Part 264/265, including Subparts AA and BB.

However, in the past, U.S. EPA Headquarters has considered

similar air and steam strippers to be exempt from permitting requirements. There are two possible exemptions from RCRA permitting that may apply if the units meet the definition of a "tank": 1) The benzene strippers are part of the wastewater treatment system in connection with a FWPCA Section 402 NPDES permit; and 2) The benzene strippers would be required to comply with the applicable portions of the 40 CFR 265 Subpart J standards, as provided in §262.34(a)(1)(ii).

Based on the information we have received, EPA Headquarters therefore would advise EPA Region VIII to use a case-by-case approach in determining how these RCRA regulated treatment units are addressed. Because Region VIII personnel are more thoroughly familiar with particular aspects of the WRC refinery, we leave the final determination to you.

If you have any further questions on this issue, please contact Jim Michael, Acting Chief, OSW Assistance Branch at (202) 260-1206.