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TREATMENT OF AN INHERENTLY HAZARDOUS DEBRIS THAT EXHIBITS THE TOXICITY CHARACTERISTIC FOR LEAD AND CADMIUM

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

November 18, 1993

Mr. Keith D. Colamarino  
Manager, Regulatory Affairs  
REMCOR, Inc.  
701 Alpha Drive  
P.O. Box 38310  
Pittsburgh, Pennsylvania 15238-8310

Dear Mr. Colamarino:

Thank you for your letter dated October 22, 1993 concerning treatment of an inherently hazardous debris that exhibits the Toxicity Characteristic (TC) for lead and cadmium.

As is stated in §268.45 (a) of the regulatory language of the August 18, 1992 rule (57 FR 37277), hazardous debris may be treated by using the alternative treatment standards found in that section, or it may be treated to the waste-specific treatment standards provided in Part 268, subpart D for the waste contaminating the debris.

The preamble language you cite in your letter, which states that debris treated to the existing waste-specific treatment standards must continue to be managed under subtitle C, is referring to debris contaminated with listed wastes. Debris contaminated with characteristic waste can be treated by one of the technologies described in Table 1 of §268.45, or it can be treated to the existing standard. When debris is hazardous only because it exhibits a characteristic (including inherently hazardous debris), and is treated in compliance with the debris or waste-specific standards so that it no longer displays the characteristic, it can be disposed of in a subtitle D unit.

If you have any further questions, please feel free to call

Richard Kinch of my staff at (703) 308-8434.

Sincerely,  
Bruce R. Weddle  
Acting Director  
Office of Solid Waste

cc: Richard Kinch