

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

The Honorable Saxby Chambliss
United States House of Representatives
1708 Longworth Office Building
Washington, DC 20515

Dear Congressman Chambliss:

Thank you for your December 20, 1996 letter requesting an update on efforts by the Office of Solid Waste to propose an exclusion from the definition of solid waste for recycled wood preserving wastewaters and spent wood preserving solutions.

Under our current schedule, it is my office's intent that EPA propose this exclusion on April 15, 1997, as part of the Land Disposal Restrictions (LDR) Phase IV Second Supplemental Proposal. We estimate that the final rule will be promulgated by April 15, 1998.

In your letter you asked whether the language the Office of Solid Waste expects EPA to propose is the same as that which we agreed upon earlier with your office and the American Wood Preservers Institute. The answer is yes, with two very minor edits. We changed the word "facility" to "plant" and "facilities" to "plants." Since wood preserving plants are not permitted facilities under the Resource Conservation and Recovery Act, we thought it would be less confusing to use another term.

Thank you for your continued interest in this issue.

Sincerely;

Michael Shapiro, Director
Officer of Solid Waste

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