



Environmental Fact Sheet

COKE LISTING DETERMINATION MADE FINAL

The Environmental Protection Agency (EPA) is making final a rule that lists as hazardous seven wastes from the coke by-products industry. This does not affect those wastes that are recycled back into the manufacturing process, as is commonly practised in the industry. Process wastewaters are not being listed as hazardous wastes.

Background

The production of coke generates crude coal tars and light oils as by-products, which are refined into many other commercial products, such as creosote for wood preserving. The wastes generated in both the coking and tar refining processes contain toxic constituents, but they may be recycled back into the system without adding toxicity to the final product or altering its quality.

In 1980, EPA identified and listed three wastes generated by the coke by-products industry as "hazardous," subjecting them to regulation under the Resource Conservation and Recovery Act (RCRA). The 1984 Hazardous and Solid Waste Amendments (HSWA) required EPA to make a ruling on whether to list as hazardous additional wastes from the coke by-products industry.

On July 26, 1991, EPA issued a Notice of Proposed Rulemaking to list as hazardous seven additional wastes, and not to list process wastewaters. In order to promote environmentally responsible recycling of hazardous wastes, EPA also proposed to exclude these wastes from the definition of "solid waste" when they are reinserted in coke ovens or mixed with coal tar. Following a review of public comments, EPA made final (June 22, 1992) the exclusion portion of the proposal for coke wastes

exhibiting the Toxicity Characteristic, thus effectively excluding the management of these wastes from regulation under RCRA when they are recycled.

Action

EPA is listing as hazardous seven categories of wastes (K141-145, K147, K148) generated by the coke by-products industry. Five of the wastes are generated at coke plants during the production, recovery, and refining of coke by-products produced from coal. The other two are generated at tar refining facilities. In order to promote industry recycling, the solid waste exclusion is being extended to these wastes when they are reinserted in coke ovens or mixed with coal tar.

Process wastewaters, which are generated in large volumes, are not listed as hazardous wastes. These wastes are sufficiently controlled under other regulations (e.g., the Toxicity Characteristic and the Clean Water Act).

This final rule completes the full intent of the HSWA statute with regard to making a listing determination for the coke by-products industry.

Contact

For further information, or to order a copy of the *Federal Register* notice, please call the RCRA Hotline Monday through Friday, 8:30 a.m. to 7:30 p.m., EST. The national toll-free number is (800) 424-9346; for the hearing impaired, it is (TDD) (800) 553-7672. In Washington, D.C., the number is (703) 920-9810 or TDD (703) 486-3323. Or write to: RCRA Information Center, Office of Solid Waste (OS-305), U.S. EPA, 401 M Street, SW, Washington, D.C. 20460.