



Environmental Fact Sheet

COKE OVENS TEMPORARILY EXEMPTED FROM BIF RULE PROVISIONS

The Environmental Protection Agency (EPA) has issued an administrative stay of the permitting standards for boilers and industrial furnaces (BIFs) as they apply to the 34 coke ovens recycling hazardous wastes. The primary effect of the stay is to allow the coke and coke by-products industries to continue recycling certain production wastes without having to comply with the BIF regulations, until EPA can evaluate comments on a pending regulatory proposal concerning this practice.

Background

On February 21, 1991, EPA promulgated a final rule that established permitting standards for boilers and industrial furnaces burning hazardous waste. Coke ovens were included on the list of devices considered to be industrial furnaces in the BIF rule, yet the rule excluded one of the several wastes generated by, and typically inserted back into, the coking process.

On July 26, 1991, EPA published a proposed rule that would exclude from the definition of "solid waste" additional coke by-product wastes (K141-145, K147, K148) when they are recycled into the coke oven or mixed with coal tar. Once excluded from the definition of "solid waste," the coke ovens recycling them would in turn no longer be subject to the BIF permitting standards. EPA will soon evaluate comments received on the proposed rule and will make a final determination for the recycling of these wastes by October 1991.

Action

On August 21, 1991 (also the effective date of the BIF rule), EPA issued an administrative stay of the BIF permitting standards as they apply to coke ovens in order to ensure that current recycling practices

are not disrupted, pending completion of the rulemaking process concerning such practices.

Given the complex nature of industrial production, waste recycling, and various regulations affecting this industry, EPA believes an administrative stay is warranted until all the issues are sorted out under the different regulatory schemes. EPA further believes that this stay will prevent disruption of environmentally beneficial practices and that the absence of a stay will cause unnecessary harm to the coke, coke by-products, and steel industries.

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, S.W., Washington, D.C. 20460.