



DIRECTIVE NUMBER: 9330.1-2

TITLE: Evaluation of Program and Enforcement-lead
RODs for Consistency with RCRA Land
Disposal Restrictions

APPROVAL DATE: November 26, 1986

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ORIGINATING OFFICE: OERR, OWPE


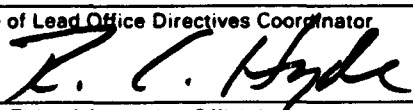
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STATUS:

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		United States Environmental Protection Agency Washington, DC 20460		1. Directive Number 9330.1-2	
OSWER Directive Initiation Request					
2. Originator Information					
Name of Contact Person Ed Barth		Mail Code WH-548E	Office OERR, HSCD		Telephone Number (202) 382-7998
3. Title Evaluation of program and enforcement-lead RODs for consistency with RCRA land disposal restrictions.					
4. Summary of Directive (Include brief statement of purpose) Regional survey to determine impact of RCRA land disposal restrictions on RODs.					
5. Keywords Superfund, CERCLA, RCRA, Land Disposal, Treatment					
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This Request Meets OSWER Directives System Format					
8. Signature of Lead Office Directives Coordinator 				Date 11/26/86	
9. Name and Title of Approving Official Henry L. Longest II, Director Office of Emergency and Remedial Response				Date DEC 3 1986	

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DIRECTIVE DIRECTIVE



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

DEC 3 1986

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE
OSWER Directive - 9330.1-2

MEMORANDUM

SUBJECT: Evaluation of Program and Enforcement-Lead RODs for Consistency with RCRA Land Disposal Restrictions

FROM: Henry L. Longest II, Director
Office of Emergency and Remedial Response
Gene Lucero, Director
Office of Waste Programs Enforcement

TO: Director, Waste Management Division, Regions I and V
Director, Office of Emergency and Remedial Response, Region II
Director, Hazardous Waste Management Division, Region III
Director, Air and Hazardous Waste Management Division, Regions IV, VI, VII, VIII
Director, Toxics and Waste Management Division, Region IX
Director, Air and Waste Division, Region X

The first RCRA land disposal restrictions (land ban) promulgated in November limits the continued land disposal of spent solvent wastes and dioxin wastes listed as hazardous waste under 40 CFR Part 261. Certain classifications of wastes (e.g., soils/debris) have been granted an exemption by statute until November 1988 and all CERCLA and RCRA corrective actions have been granted a two-year capacity variance. A chart summarizing the applicability of the land ban to cleanup actions and discussion points concerning the "placement" of wastes that may trigger applicability are provided in Attachments 1 and 2 respectively. The remaining regulations for other waste types will be promulgated over the next few years with restrictions becoming effective based upon an established time table. We are developing interim implementation guidance and addressing land ban implementation in the NCP. A RCRA regulation addressing banned soils and debris waste is being developed but will not be promulgated until 1988.

The purpose of this memo is to initiate an assessment of the potential impacts of the land ban on previously signed enforcement and program RODs, and to provide initial guidance until a more formalized approach is developed. Specifically, we are 1) initiating a survey of signed RODs to assist Regions in determining whether previously selected remedies may incur difficulties under the new

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restrictions and 2) providing an initial set of requirements/factors that Regions will need to consider when preparing future RODs.

Previously Signed RODs

Because previously signed RODs in which construction is not yet completed by November 8, 1988, will also need to meet applicable or relevant and appropriate land ban requirements as they are promulgated, we are conducting a survey to evaluate whether those remedies will be affected by the land ban restrictions. As part of this evaluation we are requesting that each Region complete a survey form (Attachment 3) for each ROD listed in Attachment 4. The survey has been designed to ascertain whether applicable or relevant and appropriate land ban restrictions will be met and to help Regions identify those remedies that may require modification in order to comply with the disposal restrictions. A separate form should be completed for each portion of a site which is to be managed differently. Please return completed forms to Headquarters by December 19, 1986.

Future RODs

Because all future RODs will potentially be affected by the land ban requirements, we have prepared a list (Attachment 5) of those requirements/factors that need to be considered in the remedy selection process. RODs will need to discuss (preferably in the "consistency with other environmental statutes" section) how the selected remedy is consistent with applicable or relevant and appropriate land ban restrictions.

Should you have any questions regarding the survey or general questions concerning the land ban, please contact Ed Barth (FTS 382-2339) or Steve Golian (FTS 475-6703) in the Hazardous Site Control Division, or Howard Beard (FTS 382-2105) in the CERCLA Enforcement Division.

Attachments

APPLICABILITY IMPACT OF
LAND BAN RESTRICTIONS

Wastes covered by
RCRA Regulation Soil/Debris
as of Nov. 86

CERCLA 104/106 Actions	*Applicable. **Meet regulation capacity variance.	Exemption until November 1988. Rule not applicable, relevant or appropriate.
RCRA Corrective Actions	**Meet regulation. Capacity variance	Exemption until November 1988.
Non-CERCLA and Non-corrective action. (e.g., clean closure)	Meet regulation. Capacity variance for certain types of wastes.	Meet regulation. Capacity variance for certain types of wastes.

* Requirements are applicable only if wastes are identified as RCRA wastes banned by the regulation. The ban, however, may be considered relevant and appropriate.

** All CERCLA and RCRA corrective actions that are covered by the regulation have been granted a two year capacity variance until November 1988. Disposal must take place at facilities in compliance with the requirements of Section 3004(o) of RCRA (minimum technology requirements for new, expanding and replacement units) when capacity variance is in effect.

APPLICABILITY OF LAND BAN TO
PLACEMENT/DISPOSAL ACTIONS

Background

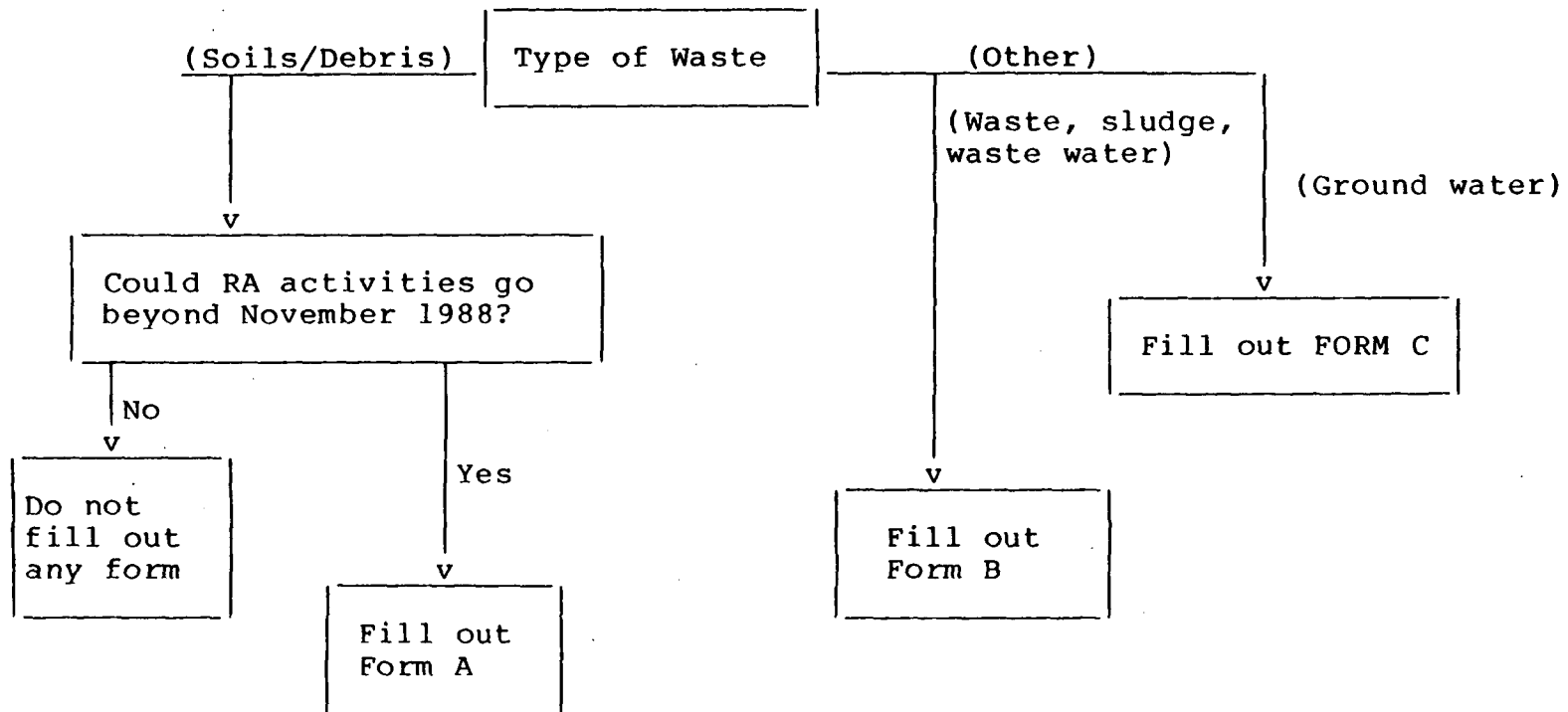
- ° The specific regulations developed under the land ban requirements are applicable when:
 - Waste is disposed of or "placed" on the land.
 - Construction of the remedy involving placement will not be completed before the ban goes into effect.
 - The regulation addresses the kind of waste found at the CERCLA site.

Placement/Disposal†

- ° A variety of circumstances have been identified that may trigger the land ban as applicable. These include:
 - Consolidation of waste from different areas of contamination* into one area of contamination.
 - Pickup of waste in an area of contamination, treat and replace back inside the same area.
 - Cleanup of spills; disposal into an area of contamination outside of the spill area.
 - Consolidate spilled material from outside an area of contamination back into that area of contamination or unit.
- ° Placement does not occur, and the land ban is not an applicable requirement, when:
 - Waste is consolidated within an area of contamination.
 - Waste is capped in place, including grading prior to capping.
 - Waste is treated in situ.

† "Placement" has not been formally defined and present interpretations are tentative.

* In many cases there are no defined "units" at CERCLA sites. There are instead areas of contamination with differing levels of concentration.

ROD EVALUATION

FORM A (SOILS/DEBRIS)†

Site Name _____

1) What are the major constituents of the waste? _____

2) Have distinct and different areas of contamination been identified (Explain)? _____

3) Are wastes to be treated? _____

What is technology/method to be utilized? _____

Is a treatment or operating level specified? _____

4) How will treatment residuals (or untreated wastes) be managed? _____

*5) Does the remedy involve placement (explain)? _____

† "Soil and debris" include but is not limited to soils, dirt and rock as well as natural and non-natural materials such as contaminated wood, stumps, clothing, equipment, building materials, storage containers, and liners.

* see Attachment 2 for help in definition of placement. A final definition of placement has not been resolved.

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FORM B (LIQUIDS AND OTHER WASTES)

1) What are the major constituents of the waste? _____

2) Are wastes to be treated? _____

What is technology/method to be utilized? _____

Is a treatment or operating level specified? _____

3) How will treatment residuals (or untreated wastes) be managed? _____

*4) Does the remedy involve placement (explain)? _____

5) Will disposal occur in a unit meeting all D & O requirements (e.g., double liners)?

* See Attachment 2

FORM C GROUND WATER ACTIVITIES

1) Describe remedial action selected for ground water? _____

2) How is ground water to be disposed or discharged?

surface water _____
land application _____
POTW _____
Re-injection (for disposal) _____
Re-injection (in situ treatment) _____
Water supply _____
other _____

*Do these activities involve placement? _____

3) Are treatment levels specified for ground water treatment process? _____

if so, how were these targets levels determined (information sources)?

4) Will treatment residuals be produced? _____

identify residuals: activated carbon _____
sludge _____
other _____

5) How are treatment residuals to be managed? _____

*Does the management of residuals involve placement (Explain)? _____

* See Attachment 2

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RECORDS OF DECISION
AND
ENFORCEMENT DECISION DOCUMENTS
(excludes ROD's or EDD's if construction is completed)

Site Name, State -----	Stat -----
** REGION 1	
Wintthrop, MA	EDD
Auburn, NH	EDD
Industriplex, MA	EDD
Re-Solve, MA	ROD
Nashua, NH (GROUND WATER TREATMENT)	ROD
Keefe, NH	ROD
Western Sand & Gravel, RI	ROD
Charles George, MA	ROD
McKin, MA	ROD
Nyanza Chemical, MA	ROD
Beacon Heights, CT	ROD
Cannon Engr./Plymouth, MA	ROD
Hocomonco Pond, MA	ROD
Picillo Farm, RI	ROD
Kellogg-Deering, CT	ROD
Baird & McGuire, MA	ROD
Tinkham, MA	ROD
** REGION 2	
Hooker, NY	EDD
Chemical Control, NJ	ROD
Price Landfill, NJ	ROD
Burnt Fly Bog, NJ	ROD
PAS/Oswego, NY	ROD
Hudson River PCB, NY	ROD
Lone Pine Landfill, NJ	ROD
Bridgeport Rental, NJ	ROD
D'Imperio Property, NJ	ROD
Love Canal, NY	ROD
Clear Wellfield, NY	ROD
GEMS Landfill, NJ	ROD
Goose Farm, NJ	ROD
Helen Kramer, NJ	ROD
Swope Oil, NJ	ROD
Bog Creek Farm, NJ	ROD
Libani Landfill, NJ	ROD
Sinclair Refinery, NY	ROD
Wide Beach, NY	ROD
Florence Landfill, NJ	ROD
Vestal Wells, NY	ROD
Metaltec/Aerocsystems, NJ	ROD

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RECORDS OF DECISION
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(excludes ROD's or EDD's if construction is complete.)

Site Name, State -----	Status -----
Brewster Wellfield, NY	ROD
Calowell Trucking, NJ	ROD
Combe Landfill North, NJ	ROD
Combe Landfill South, NJ	ROD
Kentucky Avenue, NY	ROD
Marathon Battery, NY	ROD
Sharkey Landfill, NJ	ROD
Syncon Resins, NJ	ROD
Lang Property, NJ	ROD
Rockaway Borough, NJ	ROD
** REGION 3	
Nitro Dump, WV	EDD
Fort A.P. Hill, VA	EDD
Monsanto Plant, WV	EDD
Army Creek, DE	EDD
Delaware PVC, DE	EDD
Industrial Lane, PA	EDD
Biosenski LF, PA	EDD
Bruin Lagoon, PA	ROD
Matthews Electroplating, VA	ROD
Drake Chemical, PA (PHASE I)	ROD
Tyson's Disposal, PA	ROD
Heleva Landfill, PA	ROD
Lackawanna Refuse, PA	ROD
McAcob Associates, PA	ROD
Taylor Borough, PA	ROD
Lansdowne Radiation, PA	ROD
Douglassville, PA	ROD
Harvey-Knott, DE	ROD
Moyer Landfill, PA	ROD
Sand, Gravel & Stone, MD	ROD
Taylor Borough, PA	ROD
Tybouts Corner, DE	ROD
Leetown Pesticide, WV	ROD
Mill Creek Dump, PA	ROD
westline Site, PA	ROD
Chisman Creek, VA	ROD
Limestone Road, MD	ROD
Industrial Lane, PA	ROD

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RECORDS OF DECISION
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Site Name. State	Code
** REGION 4	
Pepper Steel (ENF), FL	EDD
Lee's Lane (ENF), KY	EDD
Miami Drum Services, FL	ROD
Whitewouse Waste Oil, FL	ROD
Biscayne Aquifer, FL	ROD
American Creosote Works, FL	ROD
Davie Landfill, FL	ROD
Hollingsworth Solderless, FL	ROD
A.L. Taylor Site, KY	ROD
Distler Brickyard, KY	ROD
Distler Farm Site, KY	ROD
Ripps Road Landfill, FL	ROD
Coleman-Evans, FL	ROD
Galloway Pits, TN	ROD
Pioneer Sand, FL	ROD
Saps Battery, FL	ROD
SCORDI Dixiana, SC	ROD
Mowbray, AL	ROD
** REGION 5	
A&F Materials (GREENUP), IL	EDD
Oakdale Dump Sites, IL	EDD
A&F Materials (Diney), IL	EDD
Burlington North, MN	EDD
A&F Materials (PRP), IL	EDD
Seymour (ENF), IN	EDD
Berlin & Farro, MI	ROD
Forest Waste Products, MI	ROD
Outboard Marine Corp., IL	ROD
Reilly Tar, MN	ROD
Charlevoix, MI (IRM)	ROD
Byron Salvage Yard, IL	ROD
Kummer Landfill, MN	ROD
Main Street Well Field, IN	ROD
Old Mill, OH	ROD
Verona Wellfield, IL	ROD
Schmalz Dump, WI	ROD
Cemetery Dumps, MI	ROD
Northernnaire, MI	ROD
Acme Solvent, IL	ROD
Lehillier, MN	ROD

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RECORDS OF DECISION
AND
ENFORCEMENT DECISION DOCUMENT
(excludes ROD's or EDD's if construction is completed)

Site Name, State -----	Stat ----
New Lyme Landfill, OH	ROD
Charlevoix, MI	ROD
Wauconda Sand, IL	ROD
Novaco, MI	ROD
New Brighton, MN	ROD
LaSalle Electric, IL	ROD
Arcaunum Iron, OH	ROD
Arrowhead Refinery, MN	ROD
Burrows Sanitation, MI	ROD
Fields Brook, CT	REL
Lake Sandy Jo, IA	ROD
Metamora Landfill, MI	ROD
Spiegelburg Landfill, MI	ROD
** REGION 6	
Harris-Farley Street, TX	EDD
Vertac, AR	EDD
Frit Industries, AP	EDD
Bio-Ecology, TX	ROD
Highlands Acid Pits, TX	ROD
Old Inger, LA	ROD
MOTCO, TX	ROD
Bayou Bonfouca, LA	ROD
Cecil Lindsey, AR	ROD
Odessa Chromium I, TX	ROD
Odessa Chromium II, TX	ROD
Geneva Industries, TX	ROD
Sikes Disposal Pit, TX	ROD
United Dyeing, TX	ROD
** REGION 7	
Shenandoah Stables, MO	EDD
Des Moines TCE (ENF), IA	EDD
Ellisville, MO	REL
** REGION 8	
Smuggler (PRP), CO	ROD
Marshall, CO	EDD
Libby (ENF), MT	EDD
Union Pacific (PRP),	EDD
Woodbury Chemical, CO	ROD
Milltown Reservoir, MT (SUPPLEMENTAL)	ROD

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RECORDS OF DECISION

as of

ENFORCEMENT DECISION DOCUMENTS

(excludes ROD's or EDD's if construction is completed)

Site Name, State

Type

Denver Radium, CO
Arsenic Trioxide, ND

ROD
ROD

** REGION 9

Springfellow Acid Pits, CA
Linton Chemical works, CA
McColl, CA
Springfellow Acid Pits, CA
Del Norte Pesticides, CA
Iron Mountain Mine, CA

ROD
ROD
ROD
ROD
EDD
EDD

** REGION 10

Queen City Farms (PRP), WA
Comm Bay/S. Tacoma Channel, WA (WELL 12-A)
Western Processing, WA
Ponders Conner, WA
United Chrome, OR
Toftcabi Drums, OR

EDD
ROD
ROD
ROD
ROD
ROD

CONSIDERATION OF BDAT REQUIREMENTS FOR
MAKING SITE-SPECIFIC REMEDY SELECTION

BDAT Factors

- Is technology demonstrated?
 - Has full scale system been operated?
 - Does Best Engineering Judgment determine that technology could be used?
- Is technology available?
 - Assess total risk and compare to land disposal.
 - Is technology proprietary?
 - Are emissions controlled?
- Is waste substantially treated?
- Does treatment rely on dilution?
- Is capacity available to treat waste?
- Is waste a complex matrix?
- Does waste have very high concentration that may result in higher performance levels?
- Comparison of extraction data for reduction of mobility and toxicity?

Several Additional Considerations

- Will treatment reliably meet performance levels?
- Is treatment feasible to implement at the site?
- Separately assess short-term operational risks to workers, community and environment as well as long-term risk related to residual management.
- Time required for implementation.
- Community concerns.
- Optimization of treatment trains.
- Determination of cleanup levels within risk range.