



**DIRECTIVE NUMBER:** 9441.05(81)

**TITLE:** Treatment of Listed Waste

**APPROVAL DATE:** 4-14-81

**EFFECTIVE DATE:** 4-14-81

**ORIGINATING OFFICE:** OSW

☒ **FINAL**

☐ **DRAFT**

**LEVEL OF DRAFT**

☐ **A — Signed by AA or DAA**

☐ **B — Signed by Office Director**

☐ **C — Review & Comment**

**REFERENCE (other documents):**

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Key Words: Delisting, Treatment

Regulations: 40 CFR 261.3(c)(2)

Subject: Treatment of Listed Waste

Addressee: James Wood, Resource Recycling, 2003 Gallatin Rd., Madison,  
Tennessee

Originator: Myles E. Morse, Hazardous & Industrial Waste Division

Source Doc: #9441.05(81)

Date: 4-14-81

Summary:

In accordance with §261.3(c)(2) a treated hazardous waste remains hazardous for the same constituents and/or characteristics for which it was originally listed. (Under a recently published FR notice [February 8, 1984 at 49 FR 4802] EPA announced its intention to consider additional constituents in its delisting investigation.)

## OFFICE OF SOLID WASTE

APR 14 1981

Dr. James Wood  
Resource Recycling  
2003 Gallatin Rd.  
Madison, TN.

APR 14 1981

Dear Dr. Wood:

As you requested, I have enclosed an outline of the necessary information to be included in petitions for exclusion of hazardous waste treatment residues. I have also enclosed copies of several petitions, previously submitted to the Agency, which may provide guidance in preparing your petition. These items, along with 45 CFR 33076 §260.22, indicate the areas of concern which should be addressed in a petition for exclusion.

Under 45 CFR 33120 §261.3(c)(2), a treated hazardous waste remains hazardous for the same constituents and/or characteristics for which it was originally listed. Therefore, petitions for "delisting" the residue from the treatment of listed wastes must address the treated residue in terms of the hazardous constituents and/or characteristics for which the initial wastes were originally listed.

If you have any questions concerning these information requirements please give me a call. (703-755-9187).

Sincerely yours,

*Myles E. Morse*  
Myles E. Morse  
Hazardous and Industrial Waste Division

Enclosures

## CONCURRENCES

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SURNAME	<i>M. Morse</i>						
DATE	4/14/81						