

<u>SUBJECT</u>		<u>DATE</u>
1501. RCRA Empty Containers and The Debris Rule	ENCORE	AUG 25, 2022
1502. Exceptions to Free Liquids in Landfills Prohibition	ENCORE	SEP 1, 2022
1503. Dust Suppression in Landfills using Nonhazardous Liquids	ENCORE	SEP 8, 2022

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TWO MINUTE TRAINING

TO: CENTRAL PLATEAU CLEANUP COMPANY

FROM: PAUL W. MARTIN, RCRA Subject Matter Expert
CPCCo Environmental Protection, Hanford, WA

SUBJECT: DUST SUPPRESSION IN LANDFILLS USING NONHAZARDOUS LIQUIDS

DATE: SEPTEMBER 8, 2022

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TWO MINUTE TRAINING

SUBJECT: Dust Suppression in Landfills using Nonhazardous Liquids

Q: In last week's "Two Minute Training", we learned which free liquids are excepted from the free liquids prohibition in landfills. A customer, however, has witnessed a commercial disposal facility using nonhazardous water for dust suppression in a RCRA permitted dangerous/ hazardous waste landfill. Considering that the free liquids prohibition has been described as an absolute ban, how can the landfill use nonhazardous waste for dust suppression?

A: Per an EPA memorandum dated April 21, 1986 ([RO 12623](#)), it states:

"We believe that the use of nonhazardous liquids for wind dispersal control at hazardous waste landfills should not be subject to the restrictions under Section 3004(c)(3) of HSWA. This use must, of course, be limited to amounts necessary to comply with wind dispersal control requirements."

Also, the [January 22, 2002, Federal Register](#) on page 2977, Footnote 17, states:

"...the April 30, 1986 guidance, 'Restrictions on Placement on Nonhazardous Liquids in Hazardous Waste Landfills' OSWER Directive 9487.01-1A(85), in which EPA states, 'uses of nonhazardous liquids that are necessary to meet other regulatory or safety requirements, including EPA-approved corrective actions are not considered to be subject to the restrictions under RCRA section 3004(c)(3). . . For this reason, uses such as the following should not be subject to the restrictions under section 3004(c)(3): dust suppression, firefighting, intermittent watering of vegetative cover, moistening of a clay cap to prevent cracking or off-gassing, washing of landfill equipment, and herbicide or pesticide treatment to control certain organisms that could break a cap or liner.'"

Therefore, it is clear that the use of nondangerous/nonhazardous liquids for dust suppression in a RCRA landfill has relief from the free liquids prohibition in landfills.

SUMMARY:

- Free liquids are generally prohibited from placement in landfills.
- There are limited exceptions to the free liquids in landfills prohibition.
- Use of nonhazardous liquids for dust suppression in a RCRA landfill is not prohibited.

The April 26, 1986, EPA memo attached to the e-mail. If you have any questions, contact me at Paul_W_Martin@rl.gov or at (509) 376-6620.

TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Dust Suppression in Landfills using Nonhazardous Liquids

FAXBACK 12623

PPC 9487.00-1A

OSWER POLICY DIRECTIVE #9487.00-1A

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

APR 21 1986

MEMORANDUM

SUBJECT: Use of Liquids for Wind Dispersal Control at Hazardous Waste Landfills

FROM: Marcia Williams, Director
Office of Solid Waste (WH-562)

TO: Robert L. Duprey, Director
EPA Region VIII
Waste Management Division (8-HWM)

This is in response to your request received in November 1985 for guidance concerning the question of under what conditions, if any, it is acceptable to use water or other liquid chemical stabilizers to control wind dispersal of waste in a landfill cell. We believe that the use of nonhazardous liquids for wind dispersal control at hazardous waste landfills should not be subject to the restrictions under Section 3004(c)(3) of HSWA. This use must, of course, be limited to amounts necessary to comply with wind dispersal control requirements. Such amounts should be determined by regulatory authorities on a case-by-case basis.

As stated in your memorandum, Sections 264.301(f) and 265.302(d) require the owner or operator of a landfill containing hazardous waste that is subject to wind dispersal to cover or otherwise manage the landfill to control such dispersal. Since the liquids that are used to control such dispersal are usually nonhazardous (e.g., water), a response to your question is contained in a guidance we have drafted concerning Section 3004(c)(3) (which addresses the placement of nonhazardous liquids in hazardous waste landfills) of the 1984 Hazardous and Solid Waste Amendments (HSWA) to RCRA. This draft guidance will be sent to the regional offices in the near future.