

<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
1504. Treated Hazardous Wastes Used as Dust Suppressant	ENCORE	SEP 15, 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: TREATED HAZARDOUS WASTES USED AS DUST SUPPRESSANT

DATE: SEPTEMBER 15, 2022

<u>CPCCo Projects</u>	<u>CPCCo Functionals</u>	<u>HMIS</u>	<u>Hanford Laboratories</u>	<u>Other Hanford Contractors</u>	<u>Other Hanford Contractors</u>
Tania Bates Theresa Boles Justin Bolles James Brack Rene Catlow Richard Clinton Patty Drago Paul Fernandez Ryan Fisher Andrew Getz Cory Grabeel Lawanda Grow Char Hall Stuart Hildreth Aprill Jivelekas Sasa Kosjerina William Krueger Richard Lipinski Stuart Mortensen Edward Myers Trey Reppe Melissa Sahn-dame Seth Slater Phil Sheely Kat Thompson Jeff Westcott Richard Willson Nick Wood Jon Wright	Sara Austin Jeff Bramson Bob Bullock Frank Carleo Bob Cathel Stacy Cutter Jeanne Elkins Jonathan Fullmer Randal Fox Sarah Horn John Hultman Julie Johanson Mitch Marrott Morgan Matson Stewart McMahand Carlie Michaelis Brian Mitcheltree Anthony Nagel Chris Plager Linda Petersen Brent Porter Sean Sexton Dave Shea Deborah Singleton Dale Snyder Britt Wilkins Jennifer Williams	Brett Barnes Curt Clement Mike Demiter Jerry Cammann Kelly Elsethagen Garin Erickson Katie Hall Dashia Vander Sys Mark Kamberg Jon McKibben Saul Martinez Matt Mills Carly Nelson Eric Pennala Jon Perry Dave Richards Deanna Rohlfing Christian Seavoy David Shaw John Skoglie Greg Sullivan	Dean Baker Linda Conlin Bailey Hardy Garrett Knutson Eric Van Mason Melanie Myers <u>DOE RL, ORP, WIPP</u> Duane Carter Ingrid Colton Tony McKarns Adolfo Perez Bryan Trimberger Robin Varljen Allison Wright	Bill Bachmann Scott Baker Michael Carlson Peter Ceton Danielle Collins Paul Crane Tina Crane Ron Del Mar John Dorian Mark Ellefson Darrin Faulk Kip George James Hamilton Leah Hare Andy Hobbs Stephanie Johansen Ryan Johnson Mike Lowery Michael Madison Terri Mars Steve Metzger Tony Miskho Tom Moon Chuck Mulkey Michelle Oates Kirk Peterson Jeremy Rishel	Dan Saueressig Lana Strickling Joelle Moss Greg Varljen Julie Waddoups Jay Warwick Ted Wooley

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TWO MINUTE TRAINING

SUBJECT: Treated Hazardous Wastes Used as Dust Suppressant

Q: A customer has two 1,000-gallon tanks of wastewater. One tank contains landfill leachate that meets the hazardous waste listing description for F039. The other tank contains wastewater that exhibits the hazardous waste characteristic of corrosivity, D002, and has no underlying hazardous constituents ([UHCs](#)). The customer then treats the D002 and F039 wastewaters to meet their respective land disposal restriction (LDR) treatment standards and proposes using the treated wastewaters for dust suppression on the facility's dirt roads. Can the customer apply these treated wastewaters to dirt roads for use as a dust suppressant?

A: Concerning the F039 treated wastewater, the customer cannot use this wastewater for dust suppression since the wastewater is still an F039 hazardous waste. Even though the wastewater has met the LDR treatment standards, the customer must still dispose of the wastewater in a RCRA approved unit, e.g., solidified and disposed in a RCRA landfill, or thermally disposed in a RCRA incinerator, etc.

Concerning the D002 treated wastewater, the customer can use this wastewater for dust suppression since the wastewater is no longer a hazardous waste and has met the applicable LDR treatment standards. As clarified in an EPA RCRA Hotline Report ([Faxback 14315](#)) dated October 1, 1998:

"A characteristic hazardous waste that has been decharacterized and meets LDR treatment standards may be used as a dust suppressant. The Section [266.23\(b\)](#) prohibition applies to materials that are hazardous wastes or that are mixed with a hazardous waste. A characteristic hazardous waste that has been decharacterized is not subject to the prohibition because it is no longer hazardous. Use of the decharacterized waste as a dust suppressant would be allowable assuming the resulting product is being legitimately recycled. Before placement on the land, however, the product must fully meet applicable LDR requirements. D002 wastes must be treated to remove the characteristic of corrosivity, as well as meet universal treatment standards for underlying hazardous constituents (Section [268.40](#)). Treatment must be achieved in a manner that does not constitute impermissible dilution (Section [268.3](#)).

While decharacterized wastes may be used for dust suppression, listed hazardous wastes remain prohibited from such use even after treatment to meet LDR standards, because these wastes continue to carry a listing. The use of used oil as a dust suppressant is also prohibited (Section [279.82](#))."

Therefore, the customer could use the treated, former D002 wastewater for dust suppression but could not use the treated, currently still F039 wastewater. The only option for using the F039 wastewater for dust suppression would be to delist the F039. Once delisted and a nonhazardous waste, the delisted F039 treated wastewater could be used for dust suppression.

SUMMARY:

- Hazardous or dangerous wastes are prohibited from use as a dust suppressant.
- Treated listed wastewaters cannot be used for dust suppression since the waste is still a hazardous waste.
- Treated characteristic wastewaters can be used for dust suppression since the waste is a nonhazardous waste.

The October 1, 1998, RCRA Hotline Report is attached to the e-mail. If you have any questions, please contact me at [Paul W Martin@rl.gov](mailto:Paul_W_Martin@rl.gov) or at (509) 376-6620.

FROM: Paul W. Martin

DATE: 9/15/2022

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TWO MINUTE TRAINING - ATTACHMENT

SUBJECT: Treated Hazardous Wastes Used as Dust Suppressant

EPA530-R-98-005j
SUB-9224-98-010

2. Prohibition on the Use of Hazardous Waste as Dust Suppressant

RCRA prohibits the use of materials contaminated with dioxins or any other hazardous waste (other than wastes which are hazardous solely for exhibiting the characteristic of ignitability) for dust suppression or road treatment (40 CFR Section 266.23(b)). If a person treats a corrosive waste (D002) to remove the characteristic of corrosivity and to meet land disposal restrictions (LDR), can this waste be used as a dust suppressant?

A characteristic hazardous waste that has been decharacterized and meets LDR treatment standards may be used as a dust suppressant. The Section 266.23(b) prohibition applies to materials that are hazardous wastes or that are mixed with a hazardous waste. A characteristic hazardous waste that has been decharacterized is not subject to the prohibition because it is no longer hazardous. Use of the decharacterized waste as a dust suppressant would be allowable assuming the resulting product is being legitimately recycled. Before placement on the land, however, the product must fully meet applicable LDR requirements. D002 wastes must be treated to remove the characteristic of corrosivity, as well as meet universal treatment standards for underlying hazardous constituents (Section 268.40). Treatment must be achieved in a manner that does not constitute impermissible dilution (Section 268.3).

While decharacterized wastes may be used for dust suppression, listed hazardous wastes remain prohibited from such use even after treatment to meet LDR standards, because these wastes continue to carry a listing. The use of used oil as a dust suppressant is also prohibited (Section 279.82).

Faxback 14315

FROM: Paul W. Martin

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FILE: 2MT\2022\091522.rtf

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