

FAXBACK 13202
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DRUM SHREDDER REGULATION

JUN 24 1988

MEMORANDUM

SUBJECT: USPCI Drum Shredder

FROM: Jim Michael, Chief
Disposal and Remediation Section (WH-563)

TO: Lawrence A. Wapensky, Chief
Utah/North Dakota Section

This is in response to your May 12, 1988 memorandum addressing questions regarding a drum shredder at the USPCI, Clive, Utah, site. I would like to address your questions in the same order as discussed in your memorandum.

Is the drum shredding operation, as described in the supplied information, regulated under RCRA?

Yes, the drum shredding unit is processing containers filled with hazardous waste in a manner that constitutes treatment of hazardous waste. Since the drum shredder was not designed to contain an accumulation of hazardous waste, it does not meet the regulatory definition of a tank (40 CFR 260.10); this activity will require a RCRA permit as a miscellaneous unit under 40 CFR 264.600 (Subpart X).

Since the operation of the drum shredder poses risks of hazardous waste releases that are similar to releases from tanks (Subpart J), certain requirements for tanks may be appropriate for inclusion in the Subpart X permit. We also recommend that other requirements be imposed to mitigate potential safety and environmental hazards from this unit. Specific controls are suggested, where possible, to control the potential for the following problems.

* Explosions and fires within the unit from the accumulation of ignitable or reactive gases;

* Generation of hazardous air emissions from the mixing of incompatible hazardous waste during the shredding operation;

* Releases to the air, including contaminated dust or hazardous gases;

* Releases of liquid hazardous waste from an increase in pressure on the hazardous waste being shredded. Hazardous waste liquids absorbed by a material might pass the paint filter test for free liquids under atmospheric pressure, but release the liquid under pressurized conditions inside the unit. This result (liquid/absorbent material separation) is neither intentional nor desirable and, therefore, should be minimized. Measures should be planned and implemented to collect potential releases from the unit; and,

* Releases from precipitation events since the unit is not entirely covered with a roof and hazardous waste will remain in the mechanism after each use. The unit is not designed to trap and control this type of release. Therefore, we suggest channelling releases resulting from precipitation to a sump or other containment device. The water should be analyzed before discharge or disposed of as a hazardous waste.

If it is regulated, does it come under the permitting authority of the State-delegated program, or under Subpart X?

As a Subpart X unit, the Region will be the permitting authority. This authority is provided by 40 CFR 264.1(f)(2). However, since the unit is a miscellaneous unit similar to a tank, the Region may want to check with the State for more stringent requirements under Subpart J that may be appropriate.

If the facility constructed or operated this unit without having it on its Part A application, should EPA or the State proceed with enforcement action?

Given the above determination (i.e., the shredder is a Subpart X treatment unit), the Region was correct to instruct the facility to cease operation of the unit. Operation of a hazardous waste unit without a permit or approval as a change in interim status under 40 CFR 270.72 is not authorized. The

Region should call in the Part B application on this unit. The unit can legally begin operation when the forthcoming permit for the other units at the facility is modified to include the shredder.

Since this is a Subpart X unit, Region VIII will maintain enforcement authority after the RCRA permit modification is issued. We recommend that the Region and State discuss their enforcement priorities in order to make a final determination on any enforcement action against the facility.

If you have any questions regarding this information or would like to discuss the issues further, please contact Nestor Aviles at FTS 382-2218.

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