

11/1/92



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200  
DALLAS, TEXAS 75202



0239 off-site

Mr. David R. Brentzel  
Environmental Engineer  
Chemical Waste Management, Inc.  
1090 Northchase Parkway, Suite 290  
Marietta, Georgia 30067

Dear Mr. Brentzel:

This is in response to your letter of October 28, 1992, requesting an update, if any, of our position regarding your intention to purchase existing compressed gas cylinders from Los Alamos National Laboratory (LANL) and process the hazardous residues removed from these cylinders at your Pennsylvania facility.

Our earlier positions, from letters generated on October 5, 1990, and July 1, 1991, are current and consistent with the situations presented. The October 5 letter to LANL responded to a situation under which cylinders partially filled with compressed gaseous materials listed or exhibiting characteristic properties of a hazardous substance where LANL intended to take a disposal action requiring management under 40 CFR Parts 261 and 262. The July 1 letter to MG Industries of Malvern, Pennsylvania, responded to their intent to purchase these LANL cylinders for reuse through a process permitted by a Pennsylvania authorized activity. This purchase for reuse action may or may not be subject to RCRA authority.

However, any LANL owned cylinder containing RCRA hazardous constituents would be regulated under RCRA if the intent were to discard, recycle or treat its contents. In this case, it would be the responsibility of the current cylinder owner, as generator, to classify and characterize the contents of their cylinders and further coordinate the purchaser's program to process potential RCRA discard and/or treatment action with EPA Region 3, for a regulatory review of MG Industries' process.

Should you have any further questions regarding this issue, please contact Mr. Joseph Schultes, of my staff at (214) 655-2192.

Sincerely yours,

Allyn M. Davis, Director  
Hazardous Waste Management Division (6H)

cc: EPA Region 3 (Mary Letzkus) (3HW-62)  
NMED  
LANL



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