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RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

JULY 88

2. Wastewater Treatment Unit/Generator Accumulation Tank

A manufacturing facility generates a wastewater which is a listed hazardous waste. The wastewater is pumped to a tank for treatment where a wastewater treatment sludge is generated and subsequently sent off-site for disposal as a hazardous waste. The treatment effluent is discharged to a lake under a NPDES permit. When the facility operates in this manner, the tank meets the definition of a wastewater treatment unit in 40 CFR 260.10. However, regularly occurring batch processes produce a wastewater which cannot be treated to the standards specified in the facility's NPDES permit. When this occurs, the wastewater is removed from the tank and sent off-site for disposal. Is this tank classified as a wastewater treatment unit or a generator accumulation tank subject to the requirements of 40 CFR 262.34 and 40 CFR Part 265 Subpart J?

The tank would not be classified as a wastewater treatment unit under 40 CFR 260.10. The exemption for RCRA TSD Standards in 40 CFR Parts 264 and 265 for wastewater treatment units applies to any tank system that manages hazardous wastewater and is dedicated for use with an on-site wastewater treatment facility. However, if a tank, in addition to being used in conjunction with an on-site wastewater treatment facility, is used on a routine or occasional basis to store or treat a hazardous wastewater prior to shipment off-site for treatment, storage, or disposal, it is not covered by the exemption. If the facility stores the hazardous wastewater in the tank prior to off-site treatment or disposal for 90 days or less, it will be subject to the requirements of 40 CFR 262.34.

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