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October 8, 1993

Colonel William M. Guth, Commander
Cannon Air Force Base
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Cannon AFB, NM 88103-5214



RE: **Reply to request for regulatory clarification for scrap metal collected from Melrose Air Force Range**

In reply to your request for regulatory clarification about scrap metal collections at the Melrose Air Force Range during range clearance operations and detonation of "dud" bombs, the following information is presented.

Scrap metal containing hazardous waste is a Resource Conservation and Recovery Act, hazardous waste; however scrap metal, when recycled, is exempted from regulations by the State of New Mexico under HWMR-7, Part II, §261.6(a)(3)(iv).

The definition of scrap metal does not include separate components, exhibiting hazardous characteristics, that are not an alloy of the metal itself. More specifically, if the scrap metal collected from the Melrose Air Force Range holds reactive waste, the reactive waste is regulated; not the metal intended to be recycled.

If you require further clarification, please contact Tom Tatkin at 827-4308.

Sincerely,

Barbara Hoditschek
Barbara Hoditschek, Manager

RCRA Permits Program
Hazardous & Radioactive Materials Bureau

cc: Bruce Oshita, CAFB
Captain Greg Walters, CAFB
File Red '93