CCA Conversion Guidelines Update

On September 24, 2003, EPA published a memo entitled "Options for CCA Wood Treatment Plants Converting to Preservatives that do not Generate Hazardous Waste." The EPA memo describes three options: **(1) complete closure before converting; (2) continued operation under 40 CFR Part 265 Subpart W; and (3) phased closure.**

The EPA guidance specifically does not address tanks and ancillary piping and equipment, or particulars of process equipment cleaning and/or replacement. The attached document addresses these issues; provides additional details concerning closure of hazardous waste drip pads under Subpart W; and includes guidance on demonstrating that waste managed on a drip pad is not F035 by virtue of the mixture rule [40 CFR 261.3(a)(2)(iv)].

Facilities that choose EPA's "closure" or "phased closure" option at conversion from use of CCA to other wood treating chemicals must show that they have completed applicable activities outlined in the attached and/or cited guidance documents.

Compliance with these guidelines by a wood treating facility shall not affect remedial action requirements or obligations at any facility where environmental contamination is currently known or subsequently discovered, and shall not preclude the Department from commencing or continuing enforcement action based on environmental contamination or regulatory violations.

North Carolina Guidelines for Converting a Wood Treatment Facility from Use of CCA to a Non-CCA Process Which Does Not Produce Hazardous Waste

1. Remove all waste residues from the tanks, treatment cylinder, leak detection and collection system and ancillary equipment, including bottom sludge from the tanks.
2. Rinse the above items and flush the piping. The tanks may need to be scrubbed to remove any scaling prior to rinsing.
3. Collect samples from the final rinse of the equipment, pad, etc. and additional samples from the final flush of the piping and analyze for total chromium, copper and arsenic. For complete closure before converting, if the analytical results of the rinsate must meet the current 15A NCAC 2L (2L) standard * for those constituents. For phased closure before converting, the drip pad and other containment system components must be cleaned sufficiently such that any liquids that come in contact with the pad would not be viewed as having been "mixed" with F035 waste. The Department has determined that a CCA treatment system would not be viewed as having been "mixed" with F035 waste under the mixture rule [40 CFR 261.3(a)(2)(iv)] if untreated wood treatment waste (i.e. waste "as generated") meets the Universal Treatment Standards (UTS) for F035 constituents set forth in 40 CFR 268.40 and 268.48:

	Wastewaters (mg/L)	Non-wastewaters (mg/L TCLP)
Arsenic	1.4	5.0
Chromium Total	2.77	0.60

This determination also applies to wastes which are generated by use of non-CCA chemicals or makeup water that may contain arsenic or chromium as impurities. In other words, as-generated (i.e. untreated) wastes that do not exceed UTS for As and Cr do not meet the F035 listing description in North Carolina.

4. Decontamination of drip pad: The drip pad should be pressure washed. The facility must analyze the rinsate from the drip pad for chromium, copper and arsenic. Once the concentration of chromium, copper and arsenic in rinsate is below the 2L standards, the drip pad will be considered clean. Bead blasting of surfaces may be required if rinsate continues to be above the 2L standard if completing closure before converting is the option selected. If phased closure is the option, rinsate must not exceed UTS for As and Cr.
5. The facility must collect, characterize, manage and dispose of all rinsate and residues in accordance with hazardous waste regulations if determined to be hazardous waste. Non-hazardous rinsate must be managed and disposed of in accordance with state and local requirements. The demonstration that the wood treatment waste meets UTS must be based on a sampling program, with a minimum of one sample per 55 gallon drum of waste generated, for a sufficient period of time to generate data ensuring that concentrations of As and Cr in the waste are regularly and consistently at or below UTS. The sampling program should continue until the Department agrees that the demonstration has been made. During and after the demonstration sampling period, all nonwastewaters that meet these criteria if disposed in North Carolina, must be sent to a lined Subtitle D Municipal Solid Waste Landfill with a leak detection system. Wastewaters that meet these criteria must be managed in accordance with applicable Federal, State, and Local wastewater treatment facility permitting, pretreatment, reuse, and/or discharge requirements.
6. Evidence of hazardous waste releases (cracks, discolored soil, etc.) must be assessed in accordance with the Generator Closure Guidance**. An assessment plan, along with a schedule for completion, must be submitted.
7. Required remediation in accordance with the Generator Closure Guidance and 40 CFR 265.445, will be completed within a time period agreed upon by the facility and the Division of Waste Management or when the drip pad ceases to be used for wood treatment purposes.
8. If remediation is delayed, compliance with 40 CFR Subpart W must be maintained.
9. If the facility intends to use groundwater from the site as makeup water for the treatment process, the groundwater must not contain any hazardous constituents above 2L standards.
10. When the facility ceases to use a drip pad for wood treatment purposes, the drip pad must be closed in accordance with the requirements of 40 CFR 265.445.
11. Compliance with these guidelines by a wood treating facility shall not affect remedial action requirements or obligations at any facility where environmental contamination is currently known or subsequently discovered, and shall not preclude the Department from commencing or continuing enforcement action based on environmental contamination or regulatory violations.
12. Continued use of the facility after conversion to a non-CCA process, especially use of a drip pad, must be in accordance with applicable environmental requirements, including, but not limited to, the Department’s industrial wastewater discharge and disposal regulations. Under the phased closure option, the drip pad would still be subject to certain subpart W regulations of 40 CFR part 265, such as those pertaining to inspections and the operation and maintenance of the drip pad, even though the drip pad would not be managing

hazardous waste. When all wood treating operations end, the drip pad would then be closed in accordance with subpart W requirements, and the applicable requirements of subpart G of 40 CFR part 265.

* Current 2L – Groundwater Standards can be found using the following web link: http://portal.ncdenr.org/web/wq/ps/csu/gwstandards.
** The Generator Closure Guidelines can be accessed on the Division's Web site at: http://portal.ncdenr.org/web/wm/hw/technical/guidance.

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