



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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I. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

November 1, 2007

Dan Koons
C.I.Agent Solutions
11760 Commonwealth Dr
Louisville, Ky 40299

Re: Disposal of Solidified Oils in a Landfill

Dear Mr. Koons:

Thank you for your letter to Hassan Vakili concerning the clarification of the disposal of solidified hydrocarbons (gasoline, diesel fuel, refined motor oils) that are collected from minor spills from the bilges of boats and from underground vaults and manholes containing electrical equipment operated by the electric utilities.

In the example you provided, I have inferred that the absorbed materials were in a pure product form and not contaminated. Based on the TCLP analysis you provided, no contaminant in these particular analyses exceeded the established regulatory level and thus would not be considered hazardous waste due to the toxicity characteristics. If this waste does not meet any of the other characteristics of hazardous waste, such as ignitability, corrosivity or reactivity and was not mixed with or derived from a listed hazardous waste, it would be regulated as a solid waste and must be managed in accordance with all applicable requirements of the Virginia solid Waste Management Regulations.

In general, proper waste characterization/evaluation would be necessary on a case by case basis. The Virginia Hazardous Waste Management Regulations specify that a hazardous waste determination is required for anyone generating solid waste and may be accomplished by testing or generator knowledge as specified in 40 CFR 262.11. If the spilled material was a hazardous waste before solidification, land disposal restriction requirements for any underlying hazardous constituents prior to disposal in any land based facility would apply.

With respect to disposal of solid waste in a particular landfill, please contact the appropriate DEQ regional office noted on the list Hassan provided for facility specific permit requirements. If you have any further questions, please contact me at (276)676-4847 or via email at wpkeene@deq.virginia.gov.

Dan Koons
C.I.Agent Solutions
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Willard Keene, Jr.

A handwritten signature in black ink, reading "Willard Keene, Jr." in a cursive style.

Hazardous Waste Compliance Coordinator
Office of Hazardous Waste

cc: Hassan Vakili, DEQ