

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
P.O. BOX 942732
SACRAMENTO, CA 94234-7320



(916) 322-3670

August 30, 1990

Mr. Michael P. Helbling
Program Manager-Environmental Services
Beazer East, Inc.
436 Seventh Avenue
Pittsburgh, PA 15219

Dear Mr. Helbling:

REQUEST FOR WASTE CLASSIFICATION - REICHOLD CHEMICALS, INC.

The Department of Health Services (Department) recently received your request for classification of two waste streams. On behalf of Reichold Chemicals, Inc. you requested Department concurrence with your nonhazardous classification for two wastes: (1) the water of reaction generated from a polyester resin manufacturing process, and (2) gases which are exhausted from the resin manufacturing process.

In support of your classification request, you also enclosed a check in the amount of \$15,000 payable to the state Board of Equalization in accordance with California Health and Safety Section (HSC) 25205.8.


The Department's jurisdiction in the regulation of uncontained gaseous waste is unclear at this time. This issue is expected to be resolved, however, within 60 days. Accordingly, I am returning your check to you. When the Department's regulatory authority with regard to gaseous wastes is clarified, I will notify you.

If you would like the Department to proceed with the classification of the waste reaction water, please notify Ms. Caryn Woodhouse, of the Waste Evaluation Unit at (916) 322-4233. You should be aware that Department concurrence is not required for proper classification of wastes. California Code of Regulations Section 66305 allows the generator to classify wastes with or without Department concurrence. If Department concurrence is pursued, please note that the fees assessed by the state Board of Equalization for this service increased on July 1 to \$7897 per waste.

Mr. Michael P. Helbling
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If you have any questions about this issue, please contact Ms. Woodhouse at the phone number shown above.

Sincerely,

for 

James T. Allen, Ph.D., Chief
Alternative Technology Division
Toxic Substances Control Program

cc: John Hinton
Region 3/Burbank
Toxic Substances Control Program
Department of Health Services
1405 No. San Fernando Blvd., Suite 300
Burbank, CA 91504

Michael Masoud Eshaghian
Region 3/Burbank
Toxic Substances Control Program
Department of Health Services
1405 No. San Fernando Blvd., Suite 300
Burbank, CA 91504

JA:CW:tg

CERTIFIED MAIL #P676968240

Beazer East, Inc.
Environmental Services
436 Seventh Avenue
Pittsburgh, PA 15219
Phone: 412-227-2500
Fax: 412-227-2950

Beazer

August 2, 1990

FEDERAL EXPRESS

Ms. Karen Woodhouse
Department of Health Services Toxic
Substance Control Program
Alternative Technologies Division
Waste Evaluation Unit
400 P. Street
Sacramento, CA 95814

Dear Ms. Woodhouse,

Reichhold Chemicals, Inc. (Reichhold), owns and operates a polyester resin manufacturing facility in Oxnard, California. This plant was purchased by Reichhold from Beazer East, Inc. (Beazer). Recently, both companies have been working with Mr. Michael Masoud Eshaghian of the California Department of Health Services (DHS) to determine the status of a waste stream which is generated during the production of polyester resin.

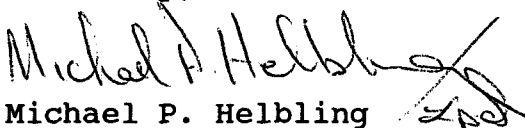
In order to receive a waste classification/certification, Mr. Eshaghian has requested that we submit the following materials to your office:

- . A check payable to the California State Board of Equalization in the amount of \$15,000,
- . A recent letter from Reichhold and Beazer to the DHS addressing the waste stream classification, and
- . A complete copy of the characterization under Article 9 and 11 of Title 22, California Code of Regulations.

After you have had the opportunity to conduct a preliminary review of this information, both Reichhold and Beazer would like to come to California and meet with yourself and Mr. Eshaghian of DHS to completely review this matter.

Should you have any question regarding this information, please feel free to telephone me at 412-227-2690.

Sincerely,



Michael P. Helbling
Program Manager-Environmental Services

/lpd

cc: Pat Cafferty - Tuttle & Taylor

Beazer East, Inc.
Environmental Services
436 Seventh Avenue
Pittsburgh, PA 15219
Phone: 412-227-2500
Fax: 412-227-2950

Beazer

May 29, 1990

John A. Hinton, P.E.
Chief, Facility Permitting Unit
Department of Health Services
Toxic Substances Control Program
Region 3
1405 N. San Fernando Blvd.
Burbank, CA 91504

Attention: Mr. Michael Masoud Eshaghian

Re: Hazardous Waste Classification for
Reichhold Chemicals, Inc.
Oxnard Facility

Dear Mr. Hinton:

This letter is in response to your correspondence dated February 21, 1990 to Mr. Norman Fahnoe, plant manager for the former Koppers Company Inc., now Reichhold Chemicals, polyester resin manufacturing facility in Oxnard, CA. In that letter you requested a complete characterization under Articles 9 and 11 of Title 22, California Code of Regulations for the two waste streams feeding the thermal oxidizer at the facility including (1) the water of reaction generated from the polyester resin manufacturing process and (2) the gases exhausted through the vent line to the thermal oxidizer.

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Waste characterization forms for both waste streams along with supporting data including pH, flash point, EPA 624/625 analyses for volatile organics, and base neutral/acid extractable priority pollutant analyses have been included. In addition, applicable acute toxicity calculations have been performed for both the water of reaction and the gas phase. Sample results obtained to characterize the two waste streams are enclosed in the notebooks which accompanies this letter. Also enclosed in those notebooks are completed waste classification forms for each waste stream which have been certified by Robert Hamilton, Vice President, a responsible corporate officer of Beazer East, Inc., and Norm Fahnoe, of Reichhold Chemicals.

In this letter, we have briefly summarized the data and analyses. Since the data and analyses supporting each waste stream are different, they are summarized separately.

1. Water of Reaction

The water of reaction was sampled and analyzed for waste classification purposes on two separate occasions in November 1989 and May 1990. The November results contain flash point and fish bioassay analyses, while the May results contain flash point, reactivity, pH, volatile organics and base neutral/acid extractable results.

In accordance with Section 22 CCR Articles 9 and 11, the samples were tested with the following results:

- (a) Toxicity (22 CCR 66696) -- Acute oral, dermal, and inhalation studies are not available for this material. However, based on the calculation procedures set forth in Section 66696 (c) and the constituents determined to be present in the water of reaction through sampling, the acute oral LD₅₀ and acute dermal LD₅₀ has been determined to be greater than 5000 mg/kg, and greater than 4300 mg/kg respectively. The sample results also demonstrate that none of the substances identified in Section 66696 are present at levels greater than 0.001 percent by weight. Fish toxicity results and calculated oral/dermal levels also indicate the water of reaction is not toxic. Finally, the water of reaction is not a RCRA-listed waste and has not been shown through testing or experience to pose a hazard to human health or the environment because of carcinogenicity, acute toxicity, chronic toxicity, bioaccumulative properties or persistence in the environment.

- (b) Persistent and Bioaccumulative Toxic Substances (22 CCR 66699) -- Based on knowledge of the process, the water of reaction contains none of the listed substances in concentrations exceeding the soluble threshold concentration limits (STCL) or the total threshold limit concentration (TTLC).
- (c) Ignitability (22 CCR 66702) -- The November flash point test results show a flash point greater than 140°F. However, sampling results from May of this year were less than 140°F.
- (d) Reactivity Criteria (22 CCR 66705) -- Reactive sulfite and reactive cyanide data from the May 1990 sample are provided. The water of reaction does not meet the criteria for classification as a reactive waste.
- (e) Corrosivity Criteria (22 CCR 66708) -- The water of reaction is neutralized prior to thermal oxidation. This result is confirmed by the May 1990 sample results as well as by routine pH monitoring of the neutralization system.

Based on the results in the enclosed notebook and evaluations performed by our consultant, Keystone Environmental Resources, we do not believe that the water of reaction is a hazardous waste under California or Federal law. We are continuing to examine the Ignitability question and are hopeful by process evaluation to reconcile the conflicting results.

2. Gas Phase

The gas phase was sampled in January 1989 pursuant to a protocol approved by DHS which required collection of the gas phase and liquid condensate samples. These samples were both analyzed for volatile organics and base neutral/acid extractable priority pollutants, utilizing EPA method 624/625. The results of those samples coupled with evaluations by Keystone demonstrate that the gas phase does not have toxicity or ignitability characteristics as defined in 22 CCR Articles 9 and 11. The reactivity, corrosivity, and persistent and bioaccumulative toxic substance characteristics under 22 CCR Articles 9 and 11 do not appear to apply to gases.

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- (a) Toxicity (22 CCR 6696) -- Calculated LC₅₀ levels indicate the gas phase is not toxic.
- (b) Ignitability (22 CCR 66702) -- The gas phases are not a flammable compressed gas as defined in 49 CFR 173.300(b) and are not an oxidizer as defined in 49 CFR 173.151.

Therefore, based on these results and analyses, we do not believe that the gas phases are a hazardous waste under Title 22, Articles 9 and 11.

We trust that the enclosed information satisfies your request to fully characterize the water of reaction and gas phase for purposes of hazardous waste classification under 22 CCR Articles 9 and 11. We are currently evaluating the production process with respect to the depressed flash point. We will supplement this submittal shortly with the findings of that evaluation. We would like to meet with you in early June to discuss this submittal and ascertain whether any additional information is necessary to complete the waste classification.

Thank you for your assistance and the assistance of your staff in obtaining classification of the water of reaction and gas phase waste streams.

Sincerely,



Michael P. Helbling
Program Manager-Environmental Services

/lpd