

9441.1989(34)

SPENT CYANIDE PLATING BATH SOLUTIONS FROM SILVER RECOVERY

JUL 6 1989

Mr. Kenneth A. Rubin
Morgan, Lewis, and Bocklious
1800 M Street, Northwest
Washington, D.C. 20036

Dear Mr. Rubin:

This is in response to your letter dated May 22, 1989, regarding Tri-State Mint, Inc. and whether the spent cyanide solution they disposed of onto C Avenue in an industrial park area of Sioux Falls, South Dakota is EPA Hazardous Waste No. F007 (Spent cyanide plating bath solutions from electroplating operations). In making this determination, it is first necessary to determine whether the process used by Tri-State Mint in generating this waste is an electroplating operation.

In a previous memorandum to the Denver Regional Office, it was indicated that the process used by Tri-State Mint was an electroplating process. However, upon further evaluation, we believe that the process is not an electroplating operation within the scope of the F007 listing, but a metal recovery operation. While the operation appears similar and the residues contain similar constituents, it is materially quite different. In particular, electroplating includes those operations where the metal is plated or coated with a thin surface onto a base material by electrode decomposition to provide protection against corrosion, to increase wear or erosion resistance, or for decorative purposes. The solutions that are used generally contain low concentrations of the metal ions. At Tri-State Mint, the operation is not designed to coat or plate a base material per se, but to recover silver ions selectively from other impurities in the cyanide bath. These solutions are usually more concentrated with metal ions than those used in an electroplating process. In your letter, you compare the process used at Tri-State Mint to electrowinning which is a metal refining process defined as the recovery of rather pure forms of metal from a solution by means of electrolysis. To the extent that Tri-State in fact uses a

process for recovering silver, we agree that the operation used by Tri-State Mint that generated the waste in question is not electroplating within the scope of the F007 listing. As a result, the waste that was disposed of by Tri-State Mint would not be EPA Hazardous Waste No. F007.

In making this determination, it should be noted that the waste in question may still be hazardous if it exhibits any of the hazardous waste characteristics; if this is the case, the disposal of the cyanide solution onto C Avenue would have to comply with the interim status or permit requirements of Subtitle C of the Resource Conservation and Recovery Act (RCRA). It should also be noted that the determination made today is solely an interpretation of an existing listing regulation; EPA is not providing Tri-State with an exemption from any liability under RCRA, the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), or the Emergency Planning and Community Right to Know Act. Finally, you should also be aware that States may impose regulations that are more stringent than the Federal regulations. Thus, the State of South Dakota may consider Tri-State Mint Inc's cyanide solution to be listed hazardous waste.

If you have any questions on this matter, please feel free to call Mr. Matthew A. Straus at (202) 382-4637.

Sincerely,

Original Document signed

Jeffery Denit, Deputy Director
Office of Solid Waste