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DISPOSAL OF NONHAZARDOUS LIQUID WASTEWATERS AND SLUDGES
IN SANITARY LANDFILLS UNDER RCRA AND HSWA

Mr. Kevin Bromberg
Small Business Administration
17 25 I Street, S.W.
Washington, D.C. 20416

Dear Mr. Bromberg:

I am responding to the December 31, 1984, letter that received from Mr. Chuck Marshall (JACA Corporation) requesting information on the disposal of nonhazardous liquid wastewaters and sludges in sanitary landfills under the "old RCRA law" and "new RCRA law."

The Federal Government has no specific regulations on the disposal of bulk or containerized nonhazardous liquids in sanitary (nonhazardous waste) landfills. The EPA "Criteria" or guidelines regarding sanitary landfills were issued under Subtitle D of RCRA on September 13, 1979, in 40 CFR Part 257. These Criteria, in general, establish performance standards for sanitary landfills. Specific design and operating practices needed to meet the performance standards must be determined by the facility owner or operator and may be specified by the state through State regulations or State-issued permits. Restrictions on liquids or certain liquids in landfills may be needed at specific sites, depending on the facility design and location, in order to meet the Criteria performance standards. To get current information on State requirements, you should check with the State agencies (list of State agencies is enclosed.)

Under the recent RCRA amendments, EPA is to review the adequacy of the Criteria in protecting human health and the environment and to make revisions as necessary. The RCRA amendments do not specifically address the issue of liquids at sanitary landfills.

Regulations regarding the disposal of nonhazardous liquid

wastes at hazardous waste landfills were issued under the Subtitle C of RCRA in 40 CFR 264.314 and 265.314. EPA's current requirement is that nonhazardous liquids, in bulk form, cannot be placed into a hazardous waste landfill unless:

- 1) The landfill has a synthetic liner and a functioning leachate collection and removal system, as per §264.301(a), or
- 2) Before disposal, the bulk liquids or free liquids are treated or stabilized so that free liquids are no longer present.

In regard to the disposal of containerized nonhazardous liquids in hazardous waste landfills, EPA's current requirement is that all free-standing liquids must be removed from the container before the waste is placed in the landfill.

The RCRA amendments will change the rules regarding the disposal of nonhazardous liquids in hazardous waste landfills. The amendments require that 12 months after enactment (November 9, 1985), the placement of any liquid that is not a hazardous waste in a landfill for which a permit is required under §3005(c) or which is operating pursuant to interim status granted under §3005(e) is prohibited, unless the owner or operator demonstrates specific items to the Administrator (see enclosure).

If you have any further questions concerning this letter, you may contact Mr. Paul Cassidy of my staff at 382.4682.

Sincerely,

John H. Skinner
Director
Office of Solid Waste

Enclosure

cc: Chuck Marshall