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METALS DIVISION

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To (Name) Mr. E. W. Shortridge
Division UCC - Metals
Location King City, CA

Date March 20, 1979 APR 11 1979

Originating Dept. "Calidria" Asbestos

Answering letter date

Copy to Messrs.
C. R. Allenbach
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Subject Tailings Disposal at King City Plant

The document "California Characterization and Assessment System for Hazardous and Extremely Hazardous Wastes" which was received at our recent meeting with Dr. Collins has been reviewed. The comments contained herein are offered for your consideration as possible ways to reduce the fees payable to the State for the disposal of the King City mill tailings.

Asbestos itself is listed as a hazardous waste in Appendix E, Item 75, page 111. Table B, page 47, however, gives a Total Threshhold Limit Concentration (wet weight) of 1000 mg/kg (ppm) for "free asbestos fibers in friable solid, slurry, or sludge." Concentrations equal to or below the TLC are generally considered to be non-hazardous. Friable is defined (page 54) in the usual manner but "free fiber" is not defined.

The "System" requires that any waste containing any amount of component listed in Appendix E be considered as a hazardous waste and be treated as such unless a designation as non-hazardous has been applied for and granted. Provisions are also made to provide a variance for a waste that the "System" designates as hazardous and for declaring a waste hazardous even if the application of the "System" yields a non-hazardous designation.

The TLC of 1000 ppm, i.e. 0.1% that is already in the guidelines provides the most obvious point of attack. It is suggested that a test for "free fiber" be developed. Such a test could possibly involve several washings at low shear so that free fiber is not generated by the test itself. The amount of "free fiber" presently contained or readily achievable in the several components in our tailings can then be determined. If this does not prove to be viable, application for a variance may be desirable. It has already been accepted by the State that asbestos does not present a hazard to ground water so that potential airborne fiber is the main remaining consideration that must be covered in such an application.

Finally, attention is directed to two points of strategy that bear consideration. It was established at the meeting that, through a drafting oversight, we are not presently required to obtain a hazardous waste permit. It is an elaborate, costly procedure to obtain such a permit and to operate under its provisions. If we could adjust our processing so that no hazardous waste is produced, we would have a very strong case that no permit is required. The advantages of this are obvious.

Secondly, it is very clear that the State is committed to finance their waste management activities from fees paid by those who are managed. We represent a substantial contributor. They have considerable regulatory discretion and it could be very difficult politically to get all of the tailings classified as non-hazardous at one time. It may be better strategically to get a part of the waste so classified to establish a precedent. Additional waste can be treated to meet this criteria in the future if it becomes appropriate.

H. B. Rhodes/rmm

Harrison B. Rhodes

/rmm