



A Division of The Society of The Plastics Industry, Inc.

January 8, 1990

(201) 890-9299

EPA RCRA Docket (OS-305)
Attn: Docket No. F-89-LD12-FFFFF
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Re: Proposed Rule Governing Land Disposal
Restrictions for Third Third Schedule Wastes

Dear Sir:

The Vinyl Institute, a division of the Society of the Plastics Industry (SPI)^{1/} is pleased to submit comments pursuant to the Environmental Protection Agency's (EPA) proposed rule

restricting the land disposal of the Third Third scheduled wastes, in which EPA requests information concerning the

^{1/} SPI is a 2,000 member not-for-profit trade organization representing all segments of the plastics industry in the United States. The Society's members include processors and manufacturers of plastics and plastic products, suppliers of raw materials, processors and converters of plastic resins and manufacturers of accessory equipment for the plastics industry. Founded in 1937, SPI is the major national trade association of the plastics industry.

Members of the Vinyl Institute include Air Products & Chemicals, the BF Goodrich Company, Borden Chemicals and Plastics Industries, CertainTeed Corporation, The Dow Chemical Company, Georgia Gulf Corporation, Occidental Chemical Corporation, PPG Industries, Inc., Shintech, Inc., and Vista Chemical. Members of the Vinyl Institute account for approximately 82% of the domestic production of vinyl chloride and 63% of the domestic production of polyvinyl chloride.

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reluctance of waste disposal firms to accept F024 wastes. 54 Fed. Reg. 48372 (Nov. 22, 1989).

On June 8, 1989 the Land Disposal Restrictions for Second Third Scheduled Wastes became effective. 54 Fed. Reg. 26594 (June 23, 1989). These regulations set treatment standards for Waste Code F024, a waste produced by several members of the Vinyl Institute. 54 Fed. Reg. at 26615-26617.

On November 22, 1989 the proposed land disposal restrictions for Third Third scheduled wastes were published in the Federal Register. 54 Fed. Reg. 48372 (Nov. 22, 1989). Section III.A.6.b. of the supplementary information for the proposed regulations indicates that EPA has received information that disposal firms are refusing to accept F024 wastes and requests information concerning this matter. 54 Fed. Reg. at 48450. The Vinyl Institute wishes to confirm that since June 8, 1989, at least three member companies have been unable to locate disposal firms willing to take their F024 waste. Prior to the effective date of the Second Third restrictions, these companies had their F024 waste incinerated by disposal firms, but now, these disposal firms refuse to take the F024 waste. Presumably, this is because the F024 treatment standards require testing of incinerator ash for chlorinated dibenzo dioxins and furans.

The present situation has forced some Vinyl Institute member companies to containerize and store their F024 waste onsite. As these companies are not permitted to store this waste in containers for more than 90 days, exemptions must be requested on a regular basis from EPA or state agencies authorized to implement the Resource Conservation and Recovery Act. Clearly, these stopgap measures to handle F024 waste cannot continue. EPA is obligated to ensure that alternative waste disposal techniques and facilities exist before banning the land disposal of specific wastes such as F024.

The Vinyl Institute appreciates the EPA's attention to this matter. If you have any question, please contact me at the phone number listed above.

Sincerely,

Roy T. Gottesman /PLD
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