UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155, OAW-150
Seattle, WA 98101-3123

OFFICE OF
AIR AND WASTE

SEP 2 1 2018

Mr. David Anderson
Oregon Department of Environmental Quality
Eastern Region, Bend Office
475 NE Bellevue Drive, Suite 110
Bend, Oregon 97701

Re: Class 3 Permit Modification Request for Incorporation of the Organic Recovery Unit 2 Tanks into the Chemical Waste Management of the Northwest Hazardous Waste Permit
ORD 089 452 353

Dear Mr. Anderson:

The U.S. Environmental Protection Agency, Region 10, appreciates the opportunity to comment on the Oregon Department of Environmental Quality's tentative decision to approve the Class 3 Permit Modification Request for incorporation of the Organic Recovery Unit 2 Tanks into the Chemical Waste Management of the Northwest Hazardous Waste Permit. As you know, the question of how RCRA regulations apply to hazardous waste recycling operations that utilize Thermal Desorption Units and condensers is a complicated one that depends on a number of site-specific factors.

The EPA is aware that issues of national consistency have been raised by interested parties and has been studying this issue to determine whether national guidance on TDUs is needed. Without national guidance, I want to be sure that you are aware of the attached letter dated May 2, 2016, from the EPA, Region 6, to J. D. Head. Additionally, have you considered whether a 40 C.F.R. Part 264, Subpart X permit would be appropriate in this case? Because Subpart X permits are performance-based, permit conditions can be tailored to provide additional protections as needed while also granting flexibilities when warranted.

If you have any questions please contact me or Heather Valdez of my staff, at 206-553-6220 or valdez.heather@epa.gov.

Sincerely,

Lisa McArthur
Manager, RCRA Corrective Action, Permits and PCB Unit