R00307861
RCRA RECORDS CENTER

ATES ENVIRONMENTAL PROTECTION AGENCY
RECORD OF COMMUNICATION

TO: Lynn Sluganitz
DATE: 11/16/88
FROM: Richard Erickson
TIME: AM
SUBJECT: Eagle Signal
PHONE CALL -or- MEETING

Mr. Erickson called to discuss our Nov 10, 1988 letter of Warning to Eagle Signal. First, he said he was unaware of any notice which they were supposed to be sending with the shipments. I explained that from Nov 1986 to Nov 1988 they had an exemption from the land disposal restrictions. However, they were still required to send a notice that they were exempt. I also told him that starting Nov 8, 1988, they were no longer exempt and so were required to send the notice found at 40 CFR 268.7. He said they had been sending their paint was to LWD in Kentucky but hadn't been told anything about a notice. However, starting today, Safety Kleen will be picking up the waste. I told him he still would have to send the notice and also keep a copy of it and the manifest. I told Mr. Erickson that I would send him copies of the Nov '86 and Aug '88 Federal Registers.

Next Mr. Erickson wanted to know what the difference was between items 4 & 5 in our letter. I explained that 4 was asking for a hw determination on any wastes generated during clean outs. Item 5 asked for a hw determination on any other waste streams generated during the months when clean outs occurred. I explained that if the clean outs ~~occurred~~ generated >1000 kilograms then any other haz wastes generated that month are also subject to the 90 day limit. He said he

~~also~~ had a problem w/ getting those wastes off-site during the 90 day limit because analyses had to be sent off, and then additional analyses were requested, then one disposal facility rejected them and they had to search for another one. I told him that 40 CFR 262.34(b) provided for a 30 day extension for temporary, unforeseen and uncontrollable circumstances. He was surprised to hear that and said he would remember that in the future.

One other item that was discussed was that up until the July '88 inspection they had put an accumulation date on the drum when they first started filling it instead of waiting until it was full. He said he understands now.

cc: Herstowski, Flannery, File