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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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July 18, 2002

Ms. Tita LaGrimas
Director of Regulatory Affairs
Pollution Control Industries
4343 Kennedy Avenue,
East Chicago, IN 46312

Dear Ms. LaGrimas:

Re: Indirect Thermal Desorbtion Unit

This is in response to your letter of June 11, 2002 regarding the regulatory status of an indirect thermal desorbtion unit you are proposing to utilize to reclaim hydrocarbons from non-liquid hazardous waste. These hydrocarbons will then be sold for utilization in the manufacture of lubricants. As we understand it, you are seeking concurrence that the unit is exempt from the need for a permit under the hazardous waste rules pursuant to the recycling process exclusion at 40 CFR 261.6 (c) (1).

Provided that the unit is used only for the reclamation of components of hazardous waste that will be legitimately utilized either directly or as ingredients in manufacturing other products you are correct in your understanding that the unit would not require a hazardous waste permit. Other uses to which this unit could be utilized; for example, to meet treatment standards for subsequent disposal, or for production of hazardous waste fuels would negate this exclusion.

If you have any questions please contact me at 317-308-3341.

Sincerely,

Dave Berrey

Dave Berrey
Senior Environmental Manager I
Technical Compliance Section
Office of Land Quality