

## DEPARTMENT OF HEALTH SERVICES

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April 24, 1991

Mr. Philip Disney, P.E.  
Hugo Neu-Proler Company  
P.O. Box 3100  
Terminal Island, CA 90731

Dear Mr. Disney:

REGULATION OF COARSE PORTION OF AUTOSHREDDER WASTE

Thank you for your recent letter to Ms. Caryn Woodhouse of the Alternative Technology Division, Toxic Substances Control Program, Department of Health Services (Department). Ms. Woodhouse no longer works for the Department, so your letter was referred to me for response. In your letter, you asked whether the Department has any objections to Hugo Neu-Proler Company sending the coarse portion of its autoshredder waste (those pieces of autoshredder waste with a particle size greater than 5/8 of an inch) to a municipal solid waste incinerator to be burned as fuel, rather than mixing it with the treated finer material and then disposing it in a landfill.

On February 21, 1986, the Department classified Hugo Neu-Proler's treated autoshredder waste as nonhazardous because it possesses mitigating physical and/or chemical characteristics which render it an insignificant hazard to human health and safety and the environment. This classification was made pursuant to the provisions of Section 66305(e), Title 22, California Code of Regulations [§66305(e), 22 CCR]. Prior to treatment, the autoshredder waste contains soluble and total concentrations of several heavy metals which exceed their Soluble Threshold Limit Concentrations (STLCs) and Total Threshold Limit Concentrations (TTLCs) found in §66699(b), 22 CCR. However, after treatment using "K-20" (a process which performs a metals fixation using a polysilicate solution), the solubility of the metals contaminants decreases.

Prior to the K-20 treatment, the fine particles of autoshredder waste (those pieces less than 5/8 inch) and the larger particles are segregated. Only the fine particles are treated with the K-20. After the treated fine particles are allowed to cure, they are then remixed with the larger particle autoshredder waste and the mixture is sent for disposal.

The Department's February 21, 1986 classification makes no mention as to whether the waste being classified was strictly the treated

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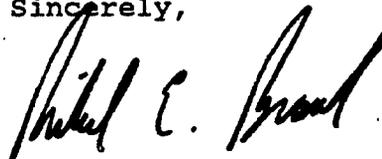
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finer particles or the combined mixture. However, the data which the Department received from Hugo Neu-Proler in support of the nonhazardous classification was derived solely from the treated finer autoshredder waste.

According to §66305(b), 22 CCR, it is the waste generator's responsibility to determine whether a waste is classified as hazardous based on the criteria in Article 11, 22 CCR, or based on the definition of hazardous waste found in §25117, California Health and Safety Code. If, under the provisions of §66305(b), 22 CCR, Hugo Neu-Proler determines that the larger autoshredder waste particles are not hazardous waste, then their handling and management would not be subject to any of the hazardous waste management provisions in Chapter 30, 22 CCR. If, however, Hugo Neu-Proler finds, based on the results of its classification, that the larger particles exhibit one or more of the hazardous waste characteristics, then the larger particles would be required to be managed as hazardous waste.

If you have any further questions, please contact me at the letterhead address or phone number.

Sincerely,



Richard E. Brausch  
Alternative Technology Division  
Toxic Substances Control Program

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