

DEPARTMENT OF HEALTH SERVICES

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July 27, 1990

Mr. Bradd Statley
Environmental Engineer
RMC Lonestar
6601 Koll Center Parkway
P.O. Box 5252
Pleasanton, CA 94566



Dear Mr. Statley:

This is in response to your April 17 and May 7, 1990 letters requesting information concerning the regulation of absorbent materials used to absorb minor accidental spills of materials used in maintenance operations at RMC Lonestar's facilities. You had stated that the Department's June 6, 1988 letter regarding absorbent materials provided some guidance but you would like clarification regarding some additional issues.

Your letter asked several questions, each of which is listed below followed by our response.

1) Is this limited to clay based absorbent or does this include any inert absorbent material used in absorbing minor spills?

The policy would include the use of any inert absorbent material.

2) Under the definitions in Section 25250.1 HSC, contaminated fuel oils with a flash point equal to or greater than 100 degrees Fahrenheit are included, does this mean that diesel fuel oils with a flash point within these limits are included in this definition?

Yes.

3) Are there any other considerations which one must examine before placing absorbent material used to absorb minor accidental spills of used or unused petroleum products into a refuse container which will be picked up and taken to a Class III landfill?

The Department has the authority to set management standards and classify wastes as hazardous or nonhazardous. Since the absorbent is used to absorb small quantities of accidentally spilled minimally hazardous materials and wastes, it is generally assumed that the spent absorbent will not exhibit any hazardous characteristics (as specified in Article 11, Chapter 30,

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Division 4, Title 22, California Code of Regulations (CCR). The generator has ultimate responsibility regarding the characterization of the spent absorbent.

In addition, the Regional Water Quality Control Board (RWQCB) has the authority to specify requirements for landfills. You should contact the RWQCB in your facility's region and ask how they would view the disposal of this type of waste in the local landfill.

4) You also asked if a five gallon pail of absorbent which has absorbed a spill of one gallon of antifreeze could be disposed of to a Class III landfill. You had added that the material is in a dry or semi-dry state.

As stated in our previous letter, the Department allows absorbent material used to absorb minimally hazardous materials or wastes that are generated incidental to minor spills during motor vehicle maintenance operations to be disposed of as nonhazardous waste providing it is in a dry state, does not exhibit a hazardous characteristic as specified in Article 11 CCR and the Regional Water Quality Control Board does not restrict such disposal at the specific landfill.

You may also find that some sanitation districts will allow the disposal of antifreeze to the sewer if certain conditions are met. You should consult the appropriate sanitation district on this issue to find out their specific limitations.

If you have any questions concerning this letter please contact Leif Peterson at (916) 322-1005 or write the letterhead address.

Sincerely,



Robert McCormick
Alternative Technology Division
Toxic Substances Control Program

RMC:LP:lp/ba

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bcc: Kim Wilhelm (ATD)