USFilter

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June 12, 2000

Bob Egan
US EPA, Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

REASON: XL Project Comments
US Filter Recovery Services Inc.
EPA ID# MND981098478
2430 Rose Place
Roseville, MN 55113

Dear Mr. Egan:

Thank you for the time you and your counterparts spent with the USFilter Recovery Services/Minnesota team on Tuesday, May 30, 2000. The following will serve to summarize USFRS/MN's initial comments to US EPA's draft Final Project Agreement and draft Federal Register Notice of the Site-Specific Rule in connection with our XL Project. Detailed comments will be forwarded in the near future along with concerns/issues identified by our legal counsel.

USFRS is concerned that the conditions added to the project (i.e. 30 day storage, 3-day transport, secondary containment, etc.) and the degree of generator information requested will discourage industry participation. We are also concerned that these additions will make it prohibitively difficult to evaluate the effect that relaxing selected portions of the rules may have on encouraging pollution prevention and pursuing higher forms of waste management (effectively, the rules in certain instances have been tightened rather than relaxed). We are heartened that the Agency is sensitive to these concerns and is willing to reconsider these changes.

We are very disappointed about the revelation that the project will not readily be extended beyond Minnesota and adopted on a national basis. We always operated under the understanding that this project would be national in scope. Limiting the project to Minnesota will significantly reduce the degree of success originally contemplated and will potentially expose USFRS to the prospect of financial loss for participating in the XL Program. Ultimately this scenario will discourage future industry involvement with these types of government initiatives.

USFRS/MN has agreed to provide the Agency with information in the following areas:

Information/data collection capabilities - meetings with several key customers will be held to determine what information can be released without compromising proprietary information.

Waste Analysis Profile form – a copy of the form will be provided to the Agency.
Storage and safety issues – a segment of our customers will be surveyed to determine the types of areas in which XL wastes will be stored. This will assist in evaluating the impact of secondary containment requirements as proposed by the Agency. Alternate storage standards, including safety considerations, will be offered to the Agency as appropriate.
Drafting changes - suggested wording will be provided to the Agency on specific points that were discussed during our 5/30/00 conference calls.

The foregoing effectively restates the issues and concerns identified during our conference calls with US EPA team at the end of May. As previously noted, a more detailed review of concerns will be forwarded under separate cover. In the meantime, please contact me if you have any questions regarding the comments included in this letter. My phone number is (651) 638-1300.

U.S. Filter Recovery Services Inc.

George Anderson, CHMM
Director of Environmental Compliance & Safety

CC Joe Carruth – MPCA, Southern