



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

SEP 20 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Arthur R. "Art" Shilling
President
Lamp Recyclers of Louisiana, Inc.
46257 Morris Road
P.O. Box 2962
Hammond, LA 70404-2962

RECEIVED
SEP 8 2000

LA Dept of Environmental Quality
Office of Waste Services/Executive

Dear Mr. Shilling:

We are in receipt of your letter of July 20, 2000, in which you requested an exemption from the polychlorinated biphenyl (PCB) commercial storage written approval requirement pursuant to 40 CFR 761.65(d) of the Toxic Substance Control Act (TSCA). We have reviewed the information submitted and hereby approve your request for exemption. This rule, codified under 761.65(d)(6), allows the Regional Administrator to grant an exemption from the requirement to obtain a separate approval for commercial storage from the Environmental Protection Agency (EPA) under TSCA provided that the facility is permitted under the Resource Conservation and Recovery Act (RCRA). The facility must also meet certain criteria listed under 761.65(d)(3)(i) through (3)(vii), and have an acceptable financial assurance closure cost mechanism that covers the current year estimated closure cost for the RCRA waste and the proposed PCB waste inventory.

In your letter, you amended your original application dated September 18, 1995, with the responses to the listed criteria for exemption (the original application was submitted before the exemption regulations were codified, and was not approved because of deficiencies in the financial assurance requirements for a commercial storage approval at that time), and your updated financial assurance Letter of Credit for RCRA and PCB closure costs. We have reviewed the Letter of Credit for your facility, and have determined that it covers both the closure costs for RCRA and PCB wastes. Conditions of the Letter of Credit are acceptable to EPA as the financial assurance mechanism subject to final approval by the Louisiana Department of Environmental Quality (LDEQ). Also, we have reviewed the information you submitted regarding the criteria for exemption under (d)(3)(i) through (vii); the responses are acceptable to EPA.

Your facility was inspected by EPA on March 23, 1999, and found to be in non-compliance as an unapproved commercial PCB storage facility. However, since these violations did not constitute an endangerment to human health or the environment from PCBs, and because you were in compliance with your RCRA permit, we have decided to approve your exemption request pursuant to 40 CFR 761.65(d)(6). The PCB wastes handled at the Lamp Recyclers facility in Hammond, Louisiana are subject to other requirements of 40 CFR 761, and EPA will continue to periodically conduct TSCA PCB compliance inspections at this facility. Furthermore, this letter does not prohibit EPA from pursuing an enforcement action for any violations of TSCA as a result of the inspection of March 23, 1999. If you have questions or comments, please contact Mr. William Gallagher, Chief, OK/TX RCRA Permits Section at (214) 665-6775.

Sincerely yours,



Carl Edlund, P.E.
Director
Multimedia Planning and
Permitting Division

cc: Dr. James Brent, LDEQ