



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

OCT 23 2002



CERTIFIED MAIL- RETURN RECEIPT REQUESTED

Mr. Ken Anderson
Environmental, Health & Safety Manager
Chemical Waste Management - Lake Charles
7170 John Brannon Road
Sulphur, LA 70665

Dear Mr. Anderson:

We are in receipt of a letter dated August 1, 2002, from Mr. W. V. (Bill) Walls, P.E., on behalf of Chemical Waste Management, Lake Charles (CWM-LCH) requesting an exemption from the requirement for a separate approval for the commercial storage of polychlorinated biphenyls (PCBs) pursuant to 40 CFR § 761.65(d)(6). Storage areas at Resource Conservation and Recovery Act (RCRA) permitted facilities may be granted an exemption from separate PCB approval provided that the facility's existing RCRA closure plan, closure cost estimates, and financial assurance are substantially equivalent to the PCB requirements, and that the RCRA storage area meets the technical standards for PCB storage.


We have reviewed the amended Resource Conservation and Recovery Act (RCRA) permit of July 12, 2002, issued by the Louisiana Department of Environmental Quality (LDEQ), and determined that the closure plan, the closure cost estimate, and the financial assurance for RCRA closure are substantially equivalent to those requirements for a PCB commercial storage facility in § 761.65. The proposed RCRA storage area was inspected by EPA staff in March 2002, and found to be in compliance with PCB technical standards.

We hereby grant your request for exemption from the requirement to obtain a separate EPA approval for a PCB commercial storage facility at CWM-LCH. This letter serves as a termination of the CWM-LCH PCB commercial storage approval issued on June 20, 1997, with an expiration date of December 20, 2002, and begins the 180 days closure period for the "Area 1" PCB storage area. Closure must be completed in accordance with the closure plan approved on February 12, 2001. If additional time is needed to complete closure, please submit your request in accordance with 40 CFR § 761.65(e)(6)(iv). A certification of final closure must be submitted to the EPA OK/TX RCRA Permits Section within 60 days of final closure in accordance with § 761.65(e)(8).

Please be advised that if for any reason the LDEQ RCRA permit is terminated, suspended, or expires, any PCBs stored in the RCRA-permitted facility will be in violation of the Toxic Substances Control Act (TSCA), and may result in enforcement action. If you have questions or comments, please contact Mr. James Sales of my staff at (214) 665-6796.

Sincerely yours,



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

cc: Dr. James Brent, LDEQ
Ms. Karla Vidrine, LDEQ
Mr. W.V. (Bill) Walls, WEC, Inc.