



Cal/EPA

Department of  
Toxic Substances  
Control

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P.O. Box 806  
Sacramento, CA  
95812-0806

Ms. Erika Kaufman  
AFG Industries, Inc.  
17300 Silica Drive  
Victorville, California 92392

November 24, 1997



Pete Wilson  
Governor

Peter M. Rooney  
Secretary for  
Environmental  
Protection

## RECYCLING OF SALT CAKE AND SODA ASH SLUDGE

Dear Ms. Kaufman:

This is in response to your letter of October 22, 1997, regarding a recycling exemption for air pollution control sludge recycled back into AFG Industries' glass manufacturing process, after being pelletized. Generally, under California's hazardous waste control law, recyclable materials (i.e., hazardous wastes capable of being recycled) that are used as an ingredient to produce a product, without being reclaimed, or that are returned to the original process from which they were generated, without first being reclaimed, are eligible for an exclusion from classification as a waste. We do not consider pelletizing the sludge before recycling it into your manufacturing process to be reclamation, and thus do not see the pelletization as an impediment to qualifying for a recycling exclusion or exemption. Exclusions and exemptions for recyclable materials are set forth in section 25143.2 of the Health and Safety Code (HSC).<sup>1</sup>

In your letter, you stated that the air pollution control sludge, which is a mixture of salt cake and soda ash and is Resource Conservation and Recovery Act hazardous for selenium (1-4 ppm), can be used as feedstock in your flat glass manufacturing process. In a subsequent telephone conversation with myself, you stated that the sludge is 60 to 70 percent salt cake (sodium sulphate) and 30 percent soda ash (sodium carbonate), that there are no organic constituents in the sludge, and that the sludge is only hazardous because of the selenium concentrations. Furthermore, you stated that approximately 2,000 pounds of the sludge will be used daily as part of the approximately 600 tons of feedstock. Thus, the daily contribution of the sludge would be just under 0.2 percent of the total daily feedstock.

<sup>1</sup> See specifically HSC sections 25143.2(b)(1) and (b)(3).

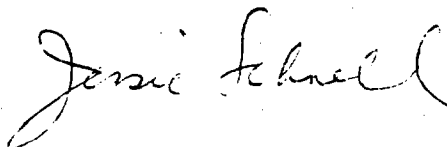


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Based on the information you provided us, we have determined that the air pollution control sludge generated by AFG, pelletized offsite at Recycling Earth Products, Apple Valley, and returned to AFG for use as an ingredient in the production of glass, is excluded from classification as a waste pursuant to HSC section 25143.2(b)(1), if all applicable conditions of this section are met. These conditions include the restrictions set forth in HSC section 25143.2(e), the documentation requirements contained in HSC section 25143.2(f), and the management requirements described in HSC section 25143.9. Furthermore, recyclers processing recyclable materials under a claim to an exclusion or exemption pursuant to HSC section 25143.2, are subject to reporting requirements set forth in HSC section 25143.10. We are including copies of these sections, in our "Excerpts from California's Hazardous Waste Recycling Laws", for your review.

If you have any questions, please contact me at (916) 322-1003 or the letterhead address.

Sincerely,



Jessie Schnell  
Resource Recovery Section

Enclosure

cc: Mr. Douglas Snyder  
San Bernardino County Environmental Health  
385 North Arrowhead Avenue  
San Bernardino, California 92415

Mr. Larry Matz, Chief  
Statewide Compliance Division  
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cc: Mr. Donald Johnson, Chief  
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Mr. Norman Riley, Chief  
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