

RCRA, SUPERFUND & EPCRA HOTLINE MONTHLY REPORT  
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### **3. LDR Treatment Options for Spent Incinerator Refractory Brick**

*In order to properly clean and decontaminate a RCRA permitted hazardous waste incinerator at closure, a facility must dismantle the incinerator's inner liner, which is typically composed of refractory brick. Refractory brick that has come into contact with listed hazardous waste during the incinerator's lifetime carries a hazardous waste listing via the contained-in policy. A facility would like to dispose of listed hazardous refractory brick in a landfill. How should the facility comply with the land disposal restrictions (LDR) in Part 268 for the spent refractory brick?*

The facility may employ one of four options in handling the refractory brick in order to comply with Part 268. First, the facility can treat the brick to the numerical treatment levels in Section 268.40 for the listed waste contaminating the brick. The facility can, instead, treat the brick as hazardous debris (if the brick meets the definition of debris in Section 268.2(g)), and employ the alternative LDR debris standards in Section 268.45. Another option is for the owner or operator to ask EPA or the approved state agency to issue a determination that the brick no longer contains a listed hazardous waste and is thus exempt from all Subtitle C requirements (Section 261.3(f)(2)). Under this option, the debris need not meet an LDR treatment standard before land disposal (Section 268.45(a)). Finally, the facility can obtain either an equivalent treatment method variance according to Section 268.42(b), or a variance from the available treatment standards according to Section 268.44 for the brick. In general, the facility closure plan will detail closure requirements for the incinerator and may specify one of the four treatment options described above for the refractory brick (Section 264.112(b)(4)).