

Mr. Gerald Beaumont
Beaumont & Associates
209 Asheton Way
Simpsonville, SC 29681-4903

Dear Mr. Beaumont:

Thank you for your letter dated May 4, 2004, in which you asked whether EPA agreed with a regulatory determination provided to you in a letter from the South Carolina Department of Health and Environmental Control (SC-DHEC).¹ In that letter, Mr. Litton described to you how specific regulations under South Carolina's authorized Resource Conservation and Recovery Act (RCRA) program apply to discarded leather products such as shoes and gloves, in particular when these items fail the Toxicity Characteristic (TC) for chromium.

First, I would note that we have not received any data which demonstrate that discarded leather products (*i.e.*, gloves and shoes) exhibit the TC for chromium as a result of the tanning process. Assuming that these discarded leather products do fail the TC for chromium as a result of the tanning process, I believe that it is most appropriate for your client to obtain the position of the implementing agency (such as was done with the SC-DHEC) which is most familiar with the applicable state regulations. In our view, the SC-DHEC made a reasonable determination.

If your client has facilities throughout the USA, I recommend contacting the implementing agencies of those States in order to obtain their interpretations on this issue. If you have any additional questions, please contact Ross Elliott at 703-308-8748. Thank you for your interest in the safe management of spent leather products.

Sincerely yours,

Matt Hale, Director
Office of Solid Waste

¹Letter to Gerald Beaumont from John T. Litton, Director, Waste Management Division, Bureau of Land and Waste Management, South Carolina Department of Health and Environmental Control, April 26, 2004.