

April 18, 1994

Mr. Tony Orlitzky
A.T.S. Electro-Lube International, Inc.
#21-7228 Progress Way
Delta, British Columbia, Canada

Re: Spent Electro-Lube Disposal
RUST Environment & Infrastructure project No. 42980.100

Dear Mr. Orlitzky:

You have asked RUST Environment & Infrastructure (RUST E&I) to evaluate how the United States' federal hazardous waste regulations would affect the disposal of spent Electro-Lube units. After receiving a Material Safety Data Sheet (MSDS) for the product, I evaluated whether the small amount of liquid remaining in the spent Electro-Lube units would qualify as a hazardous waste under federal Hazardous Waste Rules, 40 CFR Part 261.

There are two ways a waste can be classified as a hazardous waste. First, it can exhibit a characteristic of a hazardous waste. In examining the MSDS for the product, it was apparent that the liquid remaining in the spent units was not ignitable, corrosive, or toxic. However, the liquid could exhibit the characteristic of reactivity due to the presence of potassium thiocyanate and/or dimethyl sulfoxide.

RUST E&I therefore had PACE, Inc. analyze samples of liquid collected from spent Electro-Lube units. The samples were analyzed for reactive cyanide and reactive sulfide. Sample results reveal that the liquid does not exhibit the characteristic of reactivity. Therefore, the spent unit does not exhibit a hazardous characteristic.

The second way that a waste can be classified as a hazardous waste is that it can be specifically listed in the hazardous waste rules. Of all the hazardous constituents in the Electro-Lube, only sodium Azide (listed as P 105) is found on the lists of hazardous wastes. 40 CFR 261.33 defines P-listed wastes to include commercial chemical products, manufacturing chemical intermediates, off-specification commercial chemical products, or residue remaining in a container or inner liner removed from a container which held a P-listed waste.

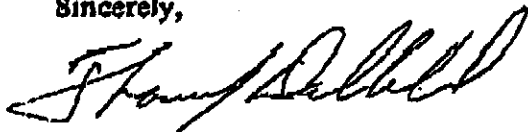
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A.T.S. Electro-Lube International, Inc.
April 18, 1994
Page 2

The liquid remaining in a spent Electro-Lube unit does not meet this definition, and therefore is not a P-listed waste. While the liquid does contain some sodium azide, the liquid itself is not a commercial chemical product sodium azide, and so the liquid is not a listed hazardous waste. I contacted the RCRA Superfund Hotline to confirm this, and the Hotline agreed with this assessment.

It is possible that some states may add to the federal definition of hazardous waste outlined above. If this is the case, the disposal of spent units would need to be evaluated in the light of such an expanded hazardous waste definition.

Should you have any questions, please feel free to contact me at (612) 551-2483.

Sincerely,



Thomas J. Dallenbach
Senior Environmental Scientist

WATLPLH627D