

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT _____
Bekaert Corporation
Amended Petition for Variance
DOCKET NO. 97-001-R

MINUTE ORDER NO. 97- 09

PAGE 1 OF 3

Whereas Bekaert has filed a petition for variance from the F006 hazardous waste listing definition in Reg 23, Section 261.31; and

Whereas the United States Environmental Protection Agency (EPA) has approved an identical request by formally delisting the wastewater treatment sludge generated in Bekaert's manufacturing process from the F006 hazardous waste listing definition; and

Whereas further delay in approving the variance would cause undue and unreasonable hardship to Bekaert; and

Whereas approval of the variance would not cause substantially adverse environmental effects;

NOW THEREFORE, PURSUANT TO THE AUTHORITY GRANTED UNDER ARK CODE ANN SECTION 8-7-211, THE COMMISSION HEREBY APPROVES THE FOLLOWING VARIANCE TO REGULATION NO. 23, THE ARKANSAS HAZARDOUS WASTE MANAGEMENT CODE:

Regulation 23, Section 261, Appendix IX--Wastes Excluded Under Sections 260.20 and 260. 22; Table 1--Wastes Excluded from Non-Specific Sources is amended to add the following:

Bekaert Corporation
Rogers, Arkansas
Wastewater Treatment

Sludge (EPA Hazardous Waste No. F006) generated from eletroplating operations (at a maximum annual rate of 1250 cubic yards to be measured on a calendar year basis) after September 19, 1996. In order to confirm that the characteristics of the waste do not change significantly, the facility must, on an annual basis, before July 1 of each year, analyze a representative composite sample for the constituents listed in Sec. 261.24 as well

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PAGE 2 OF 3

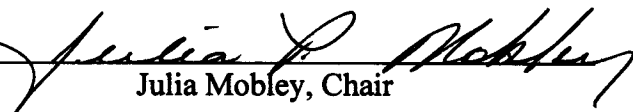
as antimony, copper, nickel, and zinc using the method specified therein. The annual analytical results, including quality control information, must be compiled, certified according to Sec. 260.22(i)(12) of this chapter, maintained on site for a minimum of five years, and made available for inspection upon request of any employee or representative of EPA or the State of Arkansas. Failure to maintain these required documents on site will be considered by ADPC&E, at its discretion, sufficient basis to revoke the exclusion to the extent directed by ADPC&E.

This variance shall expire one year from the date hereof, or upon adoption of an amendment to Regulation No. 23 which adopts the above provisions, whichever occurs first.

PROMULGATED THIS 28th DAY OF FEBRUARY, 1997 BY

ORDER OF THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION.

BY:


Julia Mobley, Chair

ATTEST: Not Applicable
Randall Mathis, Director

APPROVED: Not Applicable
Michael Huckabee, Governor

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PAGE 3 OF 3

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RY R. Young

J.P. Mobley SUBMITTED BY: Charles R. Nestrud PASSED: 02/28/97
Chair