



Oregon

Kate Brown, Governor

Department of Environmental Quality

Northwest Region

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TTY 711

July 22, 2016

Scott Briggs
Oil Re-Refining Co. Inc.
4150 N. Suttle Road
Portland, OR 97217

Re: Response to ORRSCO May 12, 2016 letter and results of DEQ sampling ORRSCO's evaporator
Oil Re-Refining Co. Inc. (ORRSCO)
Multnomah County

Dear Mr. Briggs:

DEQ is responding to your May 12, 2016, letter on the regulatory status of the evaporator unit.

Based on our understanding of ORRSCO's operations, the evaporator is not a wastewater treatment unit that is exempt from RCRA permitting requirements. To qualify for the RCRA permitting exemption for wastewater treatment units, the unit in question must be subject to regulation under the Clean Water Act. The federal register indicates that the wastewater treatment unit exemption may apply to facilities that: 1) discharge treated wastewater effluent into surface waters or into a Publicly-Owned Treatment Works (POTW) sewer system, or 2) produce no treated wastewater effluent as a direct result of such requirements. ORRSCO at times evaporates oily wastewater and also discharges oily wastewater to the sewer.

ORRSCO's pretreatment permit issued by the City of Portland allows discharge of 40 CFR 437 Subpart B oily wastewater, prohibits the discharge of Subpart A and C wastewater, and notes that Subpart A and C wastewater is plumbed to the "scrubber." The City of Portland pretreatment permit does not authorize wastewater to go to the "scrubber"; it only covers discharge of Subpart B oily wastewater to the City's sewer system and prohibits the discharge of Subparts A and C wastewater to the City's sewer system. The "scrubber" in the City's pretreatment permit is the unit that DEQ considers to be ORRSCO's evaporator. The pretreatment permit does not provide standards for or limitations on the operation of the evaporator, or otherwise control the evaporator in any way. The pretreatment permit does not contemplate that Subpart B oily wastewater would be sent to the evaporator.

DEQ collected samples of wastewater entering the evaporator on two separate occasions, April 21, 2016 and June 6, 2016. Samples taken each time indicated that the wastewater had a flashpoint of less than 140 degrees Fahrenheit. In addition to indicating that the wastewater may at times be ignitable, the preliminary results for DEQ's June 6, 2016 sampling also indicate that benzene levels in the wastewater samples going to the evaporator are above hazardous waste limits. The hazardous waste limit for benzene is 0.5 mg/L. Concentrations of benzene in wastewater sampled at ORRSCO's facility ranged from 0.7 mg/L to 2.830 mg/L with the exception of the wastewater sample from the evaporator

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unit which contained 0.012 mg/L benzene. Based on the samples collected by DEQ, the wastewater currently going to the evaporator is hazardous waste.

ORRICO is not permitted to treat hazardous waste or solid waste in the evaporator. DEQ requests that ORRICO discontinue the use of the evaporator for treating wastewater because this is unpermitted — treatment of hazardous waste. If ORRICO wishes to use the evaporator to evaporate wastewater, then ORRICO must either obtain a RCRA hazardous waste permit that covers the activity, or document that no hazardous waste is sent to the evaporator and obtain a DEQ solid waste permit that covers this activity. ORRICO must also ensure all activities meet any other state and federal regulations.

If you have any questions please contact me at 503-229-5072 or email: obrien.audrey@deq.state.or.us, or Laurey at 503-229-5015 or email: cook.laurey@deq.state.or.us.

Sincerely,



Audrey O'Brien

Cc: Laurey Cook, DEQ
Kate McClintock, US EPA
Michael Orman, DEQ
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Heather Kuoppamaki, DEQ
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