

US EPA ARCHIVE DOCUMENT

PROPOSED DECISION TO MODIFY AN EXEMPTION FROM  
THE LAND DISPOSAL RESTRICTIONS OF  
THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984  
ISSUED TO WARNER-LAMBERT COMPANY  
FOR THE INJECTION OF HAZARDOUS WASTE

**Action:** Notice of intent to modify an exemption from the land disposal restrictions of the Hazardous and Solid Waste Amendments of 1984.

**Summary:** The U.S. Environmental Protection Agency is proposing to modify the Warner-Lambert Company's exemption from the land disposal restrictions under the Hazardous and Solid Waste Amendments of 1984 (HSWA) to the Resource Conservation and Recovery Act (RCRA). EPA issued that exemption in 1998. That exemption applied to three hazardous waste injection wells that existed at that time and applied to wastes bearing 53 specific RCRA waste codes. If this modification is granted, Warner-Lambert Company may inject hazardous wastes bearing four additional RCRA waste codes at the three wells. The modification would not change any other condition in the 1998 exemption.

## **I. Background**

### **A. Authority**

HSWA expanded the scope and requirements of RCRA. Under RCRA Sections 3004 (d), (e), (f), and (g), 42 U.S.C. 6924(d), (e), (f), and (g), HSWA prohibits the land disposal of untreated hazardous waste beyond specified dates, unless EPA determines that the prohibition is not required in order to protect human health and the environment. Under RCRA Section 3004(k), 42 U.S.C. 6924(k), land disposal includes any placement of hazardous waste into an injection well. After the effective date of prohibition, hazardous waste may be disposed of in a Class I hazardous waste injection well when the owner or operator of such a well has demonstrated that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous.

Warner-Lambert Company, a wholly-owned subsidiary of Pfizer, Inc., is conducting a groundwater cleanup at the site of its former pharmaceutical manufacturing facility in Holland, Michigan. The facility disposes of contaminated groundwater from this cleanup through three Class I hazardous waste injection wells at the facility. These wells are currently permitted and operated according to Underground Injection Control (UIC) regulations administered by EPA.

### **B. Previous Actions**

On April 30, 1998, EPA published its approval of Warner-Lambert's land ban petition to dispose of hazardous waste in three existing wells. The facility was owned by Parke-Davis Division of Warner-Lambert Company at the time. This approval was restricted to wastes bearing 53 specific RCRA waste codes. In 2003, EPA reissued permits to Warner-Lambert Company to operate the three wells.

### C. Submission

Warner-Lambert has demonstrated that injection of wastes bearing four additional codes does not affect the demonstration of no-migration, because the wastes identified by these codes behave hydraulically and chemically like the wastes for which Warner-Lambert was granted its original exemption. Warner-Lambert has provided documentation related to the movement of wastes bearing these additional waste codes in the injection interval in support of its request. The additional waste codes are:

D023 o-Cresol  
D024 m-Cresol  
D025 p-Cresol  
D037 Pentachlorophenol

### II. Basis for Determination

The aspects of the no-migration demonstration were described in the **Federal Register** granting the exemption published April 30, 1998. Warner-Lambert's request documents that the behavior of the wastes bearing the proposed waste codes is within the range that was used in the original demonstration. The chemical components of the wastes bearing these waste codes are also included in the previously-approved waste codes. Therefore, no change other than adding these waste codes to the exemption is necessary.

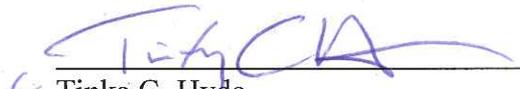
**Address:** Submit written comments and hearing requests by mail to:

**Stephen Roy**  
**United States Environmental Protection Agency, Region 5,**  
**Underground Injection Control Branch (WU-16J)**  
**77 West Jackson Boulevard**  
**Chicago, Illinois 60604-3590**

Comments may also be submitted by email to [roy.stephen@epa.gov](mailto:roy.stephen@epa.gov).

**For Further Information:** Contact Stephen Roy, Lead Petition Reviewer, at the address above, by telephone at (800) 621-8431 or (312) 886-6556, or by email to [roy.stephen@epa.gov](mailto:roy.stephen@epa.gov).

Signed and Dated: 7 May 2014

  
Tinka G. Hyde  
Director, Water Division