

Foundry Sand Update:

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After six years, the EPA has finally approved and released a Foundry Sand Risk Assessment report on reuse of spent foundry sands. MCM has followed the progress and worked on this issue for many years along with the Minnesota Pollution Control Agency (MPCA) and other various agencies and organizations. Unfortunately very few actual foundry sand reuse projects have been conducted in Minnesota. The State of Minnesota has set up the solid waste rules such that it hinders the ease of doing this. The most recent main issues are:

1. Case-by-case approvals by the MPCA of a project for reuse (not a streamlined approval process);
2. Identifying a project;
3. Identifying and defining testing constituents and limits;
4. The MPCA waiting for the final approval of the EPA Risk Assessment document to be finalized (since 2009);
5. Periodic testing--before, possibly during and after the project completion;
6. Annual reporting on each project.

It is important to explain the history of our attempts over the past 15-20 years in moving this forward in Minnesota. As you all know, MCM has had many meetings with MNDOT, MPCA and other local organizations and companies in the past to discuss the possibilities. In the early days (1990s-early 2000s) it was a liability point the finger game with neither agency wanting to take it on. Eventually in the early 2000's, the MPCA had proposed to make changes to the Solid Waste Utilization Regulations and MCM stayed involved in making comment and suggestions as to the direction these rules were going. Unfortunately, the MPCA chose to use a model that made reuse of any byproduct a laborious task. MCM kept trying to work with the new Solid Waste rules and managed to gain authorization for two types of beneficial reuse—Flowable Fill (Authorization UT0051) and Manufactured Soil (Authorization UT0078). However, these authorizations were not utilized since identification of a particular project for each were not determined and the authorizations were for MCM organization and not the individual foundry that would be conducting the reuse. This would shift the liability to MCM for the testing, recordkeeping and reporting. It was the hope of MCM to create a more streamlined door opening for member foundries to be able to move forward in conducting reuse activities that were available to them. In the end it only created potential recordkeeping and liability for MCM as an organization. Therefore, it was recommended that MCM close out those two authorizations. Only two additional foundry sand reuse projects have been approved by the MPCA since the beginning of this process.

The Minnesota Rules are currently written such that each individual foundry needs to apply for their own foundry sand reuse project and conduct the testing as required (see item 5 above) per the type of reuse method. It needs to be written to fully encompass the length of time that this use will be expected to take place. If you intend for this to be a continuous reuse, then make sure to state this in the application and any change in receiving location of the foundry sands would need to be identified and disclosed to the

MPCA. The testing should be referenced with the EPA Risk Assessment document, since results of the final document was one of the items that the MPCA was waiting for (since 2009) in order to be more confident of lack of liability. The finalization of the EPA Risk Assessment document will be and should be a big help with being able to use it as a reference for all potential foundry sand reuse projects.

This is the direct link to the EPA Risk Assessment documents:

<http://epa.gov/epawaste/conservation/imr/foundry/index.htm>

It is rumored that the MPCA may be working on revising and reworking the Solid Waste Rules. If this becomes reality, it would be worth our time as MCM to press the issue once again to request the rules to allow authorization of reuse based on classification of test results, rather than by individual case-by-case project approval, more similar to Wisconsin and some other states. Foundry sand reuse is not out of reach for Minnesota foundries, however, the ease of doing this is far from ideal. MCM will continue to push for a more streamlined approach to further our ability to continue to be largest recycling industry.