

A Successful Defense of Customer Reuse vs EPA

THE PROBLEM

An Altiras Chemicals customer was cited by the [TCEQ](#) and the [EPA](#) for utilizing previously used sulfuric acid in its manufacturing process to make a metal sulfate product used in wastewater treatment. The state and Federal agencies claimed the finished products contained high levels of chromium and therefore claimed such use did not constitute proper reuse of spent sulfuric acid products. Since these products represented the vast majority of company production and sales, failure to defend against these claims meant the company would be out of business.



THE ALTIRAS SOLUTION

The Altiras Chemicals team was asked to help in any way possible. Our team has extensive experience in the regulatory environment related to the beneficial reuse of chemical and petroleum products. Based on this experience, we performed the following process:

- Reviewed the details of the claims being made by the TCEQ and EPA. The claims were specifically related to chromium in the finished product.
- Assessed case law relating to beneficial reuse and specifically any cases involving chromium and sulfuric acid. Case law related to the tanning industry and chromium proved useful and clarified the specific concerns should have to do with hexavalent chromium versus trivalent chromium.
- Reviewed the reaction chemistry. From this review, we determined that hexavalent chromium should not exist in the strong reducing environment of sulfuric acid. The same was found in the tanning industry example.
- Prescribed and coordinated analytical testing, and located a suitable testing laboratory, to measure and differentiate between hexavalent chromium and trivalent chromium.

RESULTS

Testing confirmed hexavalent chromium was NOT present above RCRA limits. The Altiras team assisted in providing a detailed write-up summary response to the agencies. Altiras' technical experts further assisted the client's legal counsel in drafting the formal response to the agencies. Both the TCEQ and the EPA dropped all claims against the client. The client was then able to continue and grow its business utilizing the same sulfuric acid products. Best yet, since the client was already an Altiras Chemicals customer, all assistance by Altiras was provided at no cost to the client.



Comprehensive

Altiras' extensive experience in reuse, RCRA regulations, product stewardship, and relevant product markets produce the best results.



Problem Solving

Altiras develops solutions and determines the best markets and uses for coproducts and byproducts.



Low/No Risk

Altiras solutions include evaluation of RCRA, product safety, OSHA HazCom, and product stewardship considerations.



Sustainable

Altiras makes maximum reuse of materials and provides net value back to its suppliers and clients.