

Certain cooling towers sold by SPX Cooling Technologies contain wood components that have been treated with acid copper chromate or chromated copper arsenate to minimize the damage caused by the wet cooling tower environment. Because the arsenic and chrome used in these wood preserving solutions are listed as hazardous substances under federal environmental laws, the disposal of waste wood from new tower construction, tower reconstruction or demolition may be a regulated activity, depending on the nature of the wood involved and the circumstances of disposal.

Some Treated Wood May Be "TCLP" Hazardous When Disposed. The United States Environmental Protection Agency (EPA) uses the Toxicity Characteristic Leaching Procedure (TCLP) test to determine whether discarded materials which contain hazardous constituents are "hazardous wastes". The TCLP, commonly performed by testing laboratories, subjects waste material to an analysis that simulates the effect of landfill environment on the test material over time. If the test leaches out any hazardous constituents at levels which exceed certain limits, then the material is a characteristic hazardous waste, and is subject to specific handling and disposal requirements. The TCLP analysis has been performed on a number of treated wood samples representing a variety of wood species and ages. Based on these tests, the following guidelines apply:

1. Wood of any kind less than two years old may be "TCLP hazardous", particularly if it has not yet been exposed to cooling tower circulating water.
2. Wood of any kind more than two years old is very unlikely to be TCLP hazardous, especially if it has been exposed to cooling tower circulating water.

Note: These tests are representative in nature. The customer should not rely on these test results as a guarantee of any analysis of the waste wood.

Exemption for End Users of Treated Wood. EPA has exempted from hazardous waste regulation any arsenically-treated wood wastes provided that the wastes are being disposed of by the end user who used the wood for its intended purpose. [40 CFR 261.4(b)(9)] EPA has informally interpreted this exemption to include wood treated with any inorganic (e.g. chromium) based treating solutions. The wood components supplied in Marley cooling towers are covered by this exemption. The "end user" would include any customer who used the tower for its intended purpose. Under the exemption, the customer can dispose of treated wood as a non-hazardous waste material. Of course, the disposal is still subject to any restrictions of the customer's waste disposal facility, and possibly to local or state disposal restraints.

Waste Wood From Used Towers. Based on the results of tests of used treated wood performed by SPX, it is very unlikely that wood more than two years old will be hazardous. Customers may want to perform a representative analysis of their own to confirm the non-hazardous nature of their waste.

Waste Wood From New Tower Construction and Reconstruction. New wood scrap generated during the construction of new cooling towers or reconstruction of used cooling towers may not fall within the end user exemption described above. To avoid any issue in this regard, the customer may want to manage the new wood scrap as hazardous. Alternatively, the customer may want to analyze the waste wood to confirm its hazardous character prior to its disposition.

Summary. While it is unlikely that the cooling tower user will be required to conform to hazardous waste regulations when disposing of scrap wood, the precautions discussed above should be considered. Customers should consult their environmental or legal counsels concerning the applicability of hazardous waste laws to their specific activities.

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