



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 10009, Richmond, Virginia 23240
Fax (804) 698-4300 TDD (804) 698-4021
www.deq.state.va.us

W. Taylor Murphy, Jr.
Secretary of Natural Resources

Robert G. Burnley
Director
(804) 698-4000
1-800-592-5482

January 16, 2003

Mr. Ronald Potter, President
MXI Environmental Services LLC
26319 Old Trail Road
Abingdon, VA 24210

**SUBJECT: MXI Environmental Services LLC
Washington County, Virginia**

Dear Mr. Potter:

The Department is in receipt of a letter from Terri C. Phillips of Joyce Engineering Inc. and dated October 21, 2002 concerning industrial ethyl alcohol.

In accordance with the letter from Ms. Phillips, industrial ethyl alcohol is exempt from the Hazardous Waste Regulations if it is a recyclable material. According to § 261.6 (i) "Industrial ethyl alcohol that is reclaimed except that, unless provided otherwise in an international agreement as specified in § 262.58."; and the distillation process is permitted by the Bureau of Alcohol, Tobacco and Firearms (BATF), then the process is exempt. Additionally, the distillation process would be exempt under the Solid Waste Management Regulations, 9 VAC 20-80-150 and 480.D. In accordance with 9 VAC 20-80-150, "Use or reuse or temporary storage incidental to use or reuse whereby material which would otherwise be a solid waste is used or reused, or prepared for use or reuse, as an ingredient in an industrial process to make a product, or as effective substitute for a commercial product."

If you have any questions regarding this matter, please contact me at 804-698-4214 or Joseph R. Levine, PE, Environmental Engineer Senior, at (276) 676-4876.

Sincerely,

Paul Farrell
Solid Waste Permit Coordinator