



File: 00200-20/BCELTAC

March 27, 2014

To: Canadian Association for Laboratory Accreditation Inc.

Re: **Non regulatory compliance with Method 1311 Toxic Characteristic Leaching Procedure (TCLP).**

It has come to the ministry's attention that some Laboratories carrying out analytical and related work for the characterization of wastes as "leachable toxic" (or not) under the Hazardous Waste Regulation (HWR) are not or have not been following the designated sample extraction procedure (US EPA Method 1311, or the TCLP) as prescribed in that regulation.

Please be advised that it is the Ministry's expectation that all laboratories extracting suspect "leachable toxic waste" for waste characterization under the Hazardous Waste Regulation in British Columbia will carry out the extraction procedure for such waste in strict accordance with the requirements of Method 1311 TCLP as prescribed by the US Environmental Protection Agency (US EPA). The relevant legislation related to the ministry's authority to require strict adherence to Method 1311 is the *Environmental Management Act* 138 (3) (g) and the regulations, including the HWR (part 1 B.C. Reg 63/88), pursuant to the *Act*. With specific reference to the requirements for analysis of leachable toxic waste using US EPA Method 1311, for the classification of such waste as a hazardous waste, the following provisions of the HWR apply:

HWR 1 (1) states:

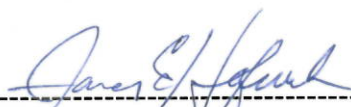
"hazardous waste" means

(g) leachable toxic waste,


and:

"leachable toxic waste" means waste when subject to the extraction procedure described in the US EPA Method 1311 produces an extract with a contaminant concentration greater than those prescribed in Table 1 of Schedule 4.

Please note that no deviation from Method 1311 as prescribed by US EPA (*Toxicity Characteristic Leaching Procedure*, revision 0, July 1992, published in *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*, US EPA Publication SW-846, as updated from time to time <http://www.epa.gov/osw/hazard/testmethods/sw846/pdfs/1311.pdf>) is permissible for samples analyzed to characterize waste as leachable toxic waste under the HWR, unless specifically approved by the Director of Waste Management under Section 49 of that Regulation. The ministry anticipates that your Association will take this information into consideration when accrediting laboratories to perform this method in British Columbia.



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Director of Waste Management



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cc: Dr. Glyn Fox, EELRB
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