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Mr. Jeffrey A. Leed
Director - Waste Management
Exide Corporation
P. O. Box 14205
Reading, PA 19612-4205

Dear Mr. Leed:

In response to your recent letter, while your understanding is correct with respect to 40 CFR 261.22 defining the characteristic of corrosivity, your letter appears to indicate that there is still some confusion over the RCRA definition of a liquid.

The term liquid has three different definitions in the RCRA program depending on the specific regulatory application. In addition to the general definition used in the characteristics, the other types of liquids include "free liquid" and "releasable liquid". These other definitions of "liquid" find application in the waste management standards dealing with land disposal. Specifically, the regulations prohibit the landfilling of containerized wastes containing "free liquids". Similarly, the amendments to RCRA passed in 1984, banned the use of absorbant materials that would release liquids under the overburden pressure present in a landfill (i.e., "releasable liquids").

The specific test procedures used in identifying the different types of liquids are:

Liquid:

A "liquid" is the material (liquid phase) that is expressed from the waste in step 2 of Method 1310 (the Extraction Procedure).

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Free Liquid:

A "free liquid" is the material that drips from the waste using Method 9095 (the Paint Filter Test).

Releasable Liquid:

While we have not yet promulgated a specific test procedure for defining when a waste contains "releasable liquid", a draft procedure has been developed and proposed - The Liquid Release Test - method 9096.

Therefore, the first question to answer when characterizing a waste to determine if it exhibits the 40 CFR 261.22 (a)(2) definition of a corrosive waste, is whether the waste is a liquid. For this purpose the first definition, using step 2 of Method 1310, is to be used.

I hope that this helps to clear up any misunderstanding with respect to the hazardous waste identification characteristics. If you have any additional questions relative to waste testing, please contact my office at (202) 382-4761. For general questions on the hazardous waste identification characteristics, please call the Characteristics Section at (202) 382-4798.

Sincerely yours,

David Friedman
Chief
Methods Section (OS-331)

cc: Devereaux Barnes
Reva Rubenstein