

9444.1986(26)

NOV 7 1986

Mr. Gary Winslow  
Sandoz Crop Protection Corp.  
Chemical Manufacturing  
1990 Bay Road  
East Palo Alto, CA 94303

Dear Mr. Winslow:

This letter is in response to your October 8, 1986, letter requesting guidance regarding the interpretation of the scope or the spent solvent listings (i.e., EPA Hazardous Waste Nos. F001, F002, F003, F004, and F005). In your letter, you discuss your understanding of these hazardous waste listings and request that we determine whether three specific wastes are listed spent solvents.

In general, your understanding of the regulations related to the identification and classification of spent solvent waste is correct. However, below are the criteria that we use to determine whether a particular waste is a hazardous spent solvent:

- 1) the waste must be a solid waste as defined in 40 CFR 261.2,
- 2) the waste must be generated as a result of the solvents being used for their solvent properties: that is, to solubilize (dissolve) or mobilize other constituents. (The listings do not cover manufacturing process wastes that are contaminated with solvents when the solvents are used as reactants or ingredients in the formulation of commercial chemical products.), and
- 3) in the case of solvent mixtures, the mixture must contain, before use, a total of ten percent or more (by volume) or one or more of the solvents listed in F001, F002, F004, or F005 (see 50 FR 53315).

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In regard to the three specific examples that you discuss in your letter, each example involves the generation of a solvent-contaminated process wastewater. You are correct in your conclusion that the spent solvent listings are not applicable because these wastewaters are manufacturing process waste streams, and not the spent solvents.<sup>1/</sup> Thus, these wastes would only be considered hazardous wastes if they exhibit one or more hazardous waste characteristics defined in 40 CFR 261.21 - 261.24.

Please contact Mr. Matt Straus at (202) 475-8551 if you have additional questions regarding the regulatory status of these wastes.

1/ It should be noted that if the waste streams discussed in your letter were a mixture of wastewater and spent solvent (i.e., it is not a waste which contains a solvent as a result of an actual manufacturing process), the wastewater mixture would not be regulated if the mixture met the conditions in 40 CFR 261.3(a)(2)(IV)(A) or (B).

Sincerely,

Marcia Williams  
Director  
Office of Solid Waste

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