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RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

SEPTEMBER 85

EP Toxicity for Oily Wastes

1. With regard to the EP toxicity test specified in §261.24, there was a method 1330 for oily wastes proposed to be added to SW-846, "Test Methods for Evaluating Solid Wastes," which appeared in the October 1, 1984 Federal Register (49 FR 38804). At what oil concentration should one use this modified EP toxicity test for oily wastes?

Method 1330 "Oily Waste Extraction Procedure" was developed for wastes containing oil or grease in concentrations of 1% or greater. This method has been used by EPA for generators petitioning EPA to exclude their oily hazardous wastes from the hazardous waste listings (i.e., "delisting").

Currently, when determining if a non-listed waste is hazardous with respect to EP toxicity, a generator must follow the procedure specified in 40 CFR 261 Appendix II, not method 1330. Method 1330 should be used only when requested by EPA for the purpose of delisting a hazardous waste.

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