

9433.1985(03)

RCRA/SUPERFUND HOTLINE MONTHLY SUMMARY

SEPTEMBER 85

Solid Waste Variance

5. A solvent product is sent off-site for use. The solvent material becomes spent and is sent back to the production facility as a hazardous waste. The production facility reclaims the waste and then uses it as a raw material in the production process. Does this waste management scenario qualify for a variance from the definition of solid waste for a material that is reclaimed and then reused within the original primary production process in which it was generated (§260.30(5))?

No. The variance applied to a waste which is reclaimed and then reused within the original primary production process in which the waste, not the product, was generated. In contrast, the waste here is not used ultimately in the process from which it was generated. The following scenario may qualify for a variance under §260.30(b): Raw material A is put into primary production process B. In this process, raw material a becomes spent and is generated as hazardous waste A. This waste A is reclaimed and then reused in the original primary production process in which it was generated.

Source: Matt Strauss (202) 475-8551