

9444.1988(06)

MAR 31 1988

Mr. Michael J. Fox, Manager
Chemical Engineering Services
Aptech
Post Office Box 3440
Sunnyvale, CA 94088-3440

Dear Mr. Fox:

This is in response to your letter of March 9, 1988, in which you seek written confirmation of an opinion given you by the RCRA/Superfund Hotline concerning solvent/mixture blends.

The information you were given is correct. A spent solvent mixture/blend that contains, before use, a total of less than ten percent of the solvents listed in the F001, F002, F004, or F005 categories would not be considered a listed hazardous waste. (See 40 CFR 261.31 and 50 FR 53315-20.) The situation which you describe in your letter falls within the realm of the above regulation, so the clarification you were given by the Hotline is correct. However, if the waste exhibits the characteristics of corrosivity, ignitability, reactivity, or extraction procedure (EP) toxicity (40 CFR 261.20-261.24) the spent solvent/mixture blend would be considered a characteristic hazardous waste.

It should be noted that state regulations may be more stringent. Therefore, please contact your state environmental authorities to find out what their regulatory requirements are.

Thank you for your inquiry. If you have any further questions, please call the RCRA/Superfund Hotline at (800)424-9346 or (202)382-3000.

Sincerely,

Matthew A. Straus
Acting Director
Characterization and
Assessment Division

RO 11337