

OFFICE OF SOLID WASTE

MAY 7, 1981

Al Buschel  
Executive Vice President  
Cloropen Chemical Corporation  
201-997-1700  
Belleville Turnpike  
Kearny, N.J. 07032

Dear Mr. Buschel:

In your letter dated April 30, 1981, you expressed concern that the local authorities have repeatedly misinterpreted the listing of orthodichlorobenzene under Section 261.33(f) of the RCRA hazardous waste regulations, as it pertains to sewer and cesspool additives containing the listed chemical. I trust that the information provided in this letter will clarify this misinterpretation of the regulations.

Pursuant to the May 19th hazardous waste regulations, orthodichlorobenzene (EPA Hazardous Waste No. U070) was listed under Section 261.33 (f) as a toxic waste. Accordingly, this commercial chemical product or manufacturing chemical intermediate, or off-specification variants of orthodichlorobenzene, or contaminated soil or debris resulting from cleanup of a spill are subject to regulation under Subtitle C of the hazardous waste regulations only when they are discarded or intended to be discarded.

Cesspool and sewer additives containing orthodichlorobenzene or other solvents are often used by consumers to remove accumulation of grease which may clog sewer pipes and septic tank tile fields. Therefore, the normal use of these products requires that they be poured into toilets or drains. This action does not constitute disposal, as defined in Subpart B of the hazardous waste regulations, nor is the product considered a solid waste because it has served its original intended use. Therefore, these products are not subject to regulation under RCRA until they are actually discarded. At such time, the disposal of these products is then subject to the 1000 kg. small quantity exclusion.

The Agency is aware that cesspool additives containing organic solvents have been implicated in incidents of groundwater contamination in several sandy, coastal areas of the United States. Apparently, solvents used in the process of unclogging sewer lines may leach from cesspools or septic tanks into the surrounding soils where they migrate unaltered to groundwater used as drinking water sources. At the present time, the Agency is investigating this problem. Should the Agency determine that cesspool degreasers containing organic solvents contribute to groundwater contamination, these products may then be subject to regulation.

I hope that the information provided above clarifies the ambiguities concerning RCRA regulation of commercial chemical products. Should further information be needed, please contact Matthew Straus or Jacqui Sales, of my staff (202/755-9187).

Sincerely,

Alan Corson  
Chief, Waste Characterization Branch  
Hazardous and Industrial Waste Division  
WH-565

