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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUL 15 1986

Mr. Gregory J. Harvey
Industrial Hygenist
Occupational Medical Services
Newark Air Force Station, OH 43057-5000

Dear Mr. Harvey:

This letter is written in response to your request that EPA determine whether certain activated carbon canisters that are saturated with spent solvents should be managed as hazardous wastes under RCRA. More specifically, these canisters are used to collect vapors of the solvents Freon 113, 1,1,1-trichloroethane, and methylene chloride that are generated during their use as degreasing agents in paint spray booths.

As you are aware, the Agency has listed these compounds as hazardous wastes when they are used as solvents and have become contaminated with physical or chemical impurities and are no longer fit for use without being regenerated, reclaimed, or otherwise re-processed. Use as a solvent is defined as being used for their solvent properties, that is, to solubilize (dissolve) or mobilize other constituents; this includes use as a degreasing agent. (See 51 FR 6538, February 25, 1986.)

However, solvent vapor is not a solid waste (see Section 1004(27) of the Solid Waste Disposal Act, as amended, where the term "solid waste" is defined to include, among other things, contained gaseous material). Since these solvent vapors are not contained, they are not defined as a solid or hazardous waste. Furthermore, when the solvent vapor is adsorbed onto activated carbon, it would not be covered by the listing or by the mixture rule. Rather, these wastes would only be hazardous if they exhibit any of the hazardous waste characteristics. At this time, we do not know whether these cannisters would be defined as hazardous. However, you should be aware that on June 13, 186, the Agency proposed a new extraction procedure (TCLP) to be used in the toxicity characteristic and also proposed to expand the toxicity characteristic to include, among other constituents, 1,1,1-trichloroethane and methylene chloride. (See enclosure.) Should this rule become final in its present form, your

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chloride. (See enclosure.) Should this rule become final in its present form, your spent activated carbon may exhibit the characteristic of toxicity, if the canisters are not already hazardous for some other reason.

In summary, the subject waste is not currently a listed hazardous waste under RCRA and would only be hazardous if it exhibits any of the characteristics of hazardous waste; however, this waste may soon be subject to the regulation as hazardous, if it is not already hazardous, due to the toxicity characteristic. Since you recognize that these canisters may pose a substantial present or potential threat to human health or the environment, I urge you to manage them appropriately.

Sincerely,

Matthew Straus, Chief
Waste Characterization Branch

Enclosure