

9445.1985(01)

APR 5 1985

SOIL CONTAMINATED WITH TOLUENE

Dr. Paul Jonmaire  
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Buffalo, New York 14225

Dear Dr. Jonmaire:

In response to your recent request for information regarding the basis for inclusion on Appendix VIII of several substances, enclosed please find copies of relevant listing background documents.

In answer to your other question, soil contaminated with toluene is not automatically considered to be a hazardous waste solely because toluene is listed in Appendix VIII. Only if a spill containing one of the wastes listed in §261.31, .32, or .33 were the cause of such contamination would such a situation arise. If such a spill were indeed responsible for the contamination, formal delisting is required before the residue can be considered not to be hazardous. Supposing that the spill did not account for the contamination, the soil would only be regarded as a hazardous waste if it exhibits one of the hazardous waste characteristics. The inclusion of toluene on Appendix VIII is not considered to be germane.

Hoping this answers your questions.

Sincerely,

David Friedman  
Manager  
Methods Program

Enclosures:

§261.33 Background Document  
Listing Background Documents:  
Chlorobenzenes  
Toluene  
Cyanide