



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 28 1998

OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

Mr Glenn Pritchard  
Director, Environmental Occupational Safety  
and Health Division  
U. S. Department of Justice  
Immigration and Naturalization Service  
425 I Street NW  
Washington DC 20536

Dear Mr. Pritchard:

Thank you for your letter of July 14, 1998 requesting that the Environmental Protection Agency review data describing Soft Body Armor (SBA) made of Kevlar, to determine whether this material would be a hazardous waste under the Resource Conservation and Recovery Act (RCRA) when it is discarded and being disposed.

My staff have reviewed the Material Safety Data Sheet (MSDS) prepared by the manufacturer of Kevlar, DuPont Advanced Fibers Systems. Based on the information provided by DuPont in the MSDS, they believe that SBA made of Kevlar is not a hazardous waste under federal regulations when disposed. This SBA may be disposed consistent with applicable state laws and regulations. You should be aware that waste is usually also regulated by state laws and regulations that may be more stringent than the federal hazardous waste regulations, so you may want to consult relevant state requirements.

Specifically, in reviewing the data provided in light of the federal hazardous waste regulations, my staff found that the material and chemicals used to produce Kevlar are not listed as hazardous waste under 40 CFR 261.31, .32, or .33, nor does it appear to contain any toxicity characteristic chemicals listed at 40 CFR 261.24. It does not appear to be a liquid, and does not appear to sustain combustion, although it will burn with a flame applied. It is, therefore, not an ignitable hazardous waste under 40 CFR 261.21. It is not an aqueous or liquid waste, so it cannot be a corrosive hazardous waste under 40 CFR 261.22. Finally, it does not appear to be

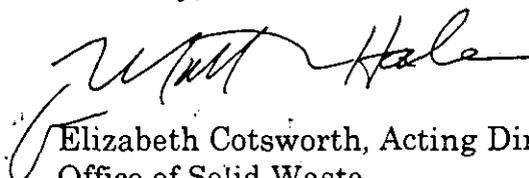
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normally unstable, nor reactive with water, nor an explosive or capable of detonation, nor to contain cyanides or sulfides (40 CFR 261.23 (a)). It is, therefore, not a reactive hazardous waste.

The finish materials typically applied to the Kevlar are not well described in the MSDS. However, conversation with DuPont staff indicate that typical finishes are fluoropolymers that bind quite tightly to the Kevlar fibers. This class of compounds is not regulated under RCRA, and there is no indication that these finishes would pose any hazard.

Therefore, I believe that discarded SBA made from Kevlar is not a hazardous waste under the federal regulations, presuming, of course, that the information contained in the DuPont MSDS is both complete and accurate. Please contact my office or call Gregory Helms of my staff at 703-308-8845 if you have additional questions.

Sincerely,



Elizabeth Cotsworth, Acting Director  
Office of Solid Waste



U.S. Department of Justice  
Immigration and Naturalization Service

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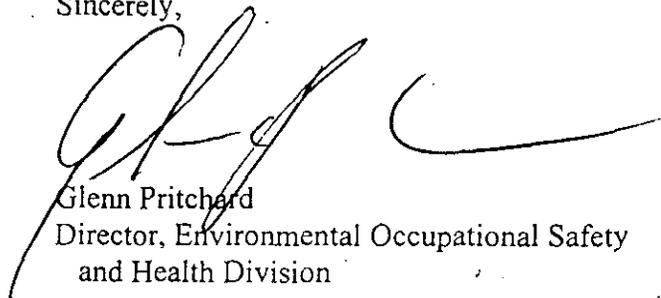
Ms. Elizabeth Cotworth  
Acting Director  
Office of Solid Waste  
U.S. Environmental Protection Agency  
401 M. Street, SW  
Washington, DC 20460

Dear Ms. Cotworth:

The Immigration and Naturalization Service (INS) is currently developing a policy and procedures document for Soft Body Armor (SBA). The disposal of this product is one of the items in this document. The INS procures hundreds or thousands of SBA vests annually. To avoid any improper acts of disposal, we would like your agency's confirmation that SBA is a non hazardous solid waste that can be placed in a landfill or incinerated. Enclosed are Material Safety Data Sheets from the manufacturers we use.

Your timely response is appreciated. Questions regarding this request can be directed to Steve Tzikas, EOSH Division at (202) 305-2451.

Sincerely,



Glenn Pritchard  
Director, Environmental Occupational Safety  
and Health Division

Enclosure

received  
7/17/98 cm

OSW - 9856  
DUE - 7/31/98