

SOLVENT LISTINGS FOR PAINT WASTES/REMOVER AND SPILL RESIDUE

APR 14 1987

Mr. Kurt E. Whitman
Project Coordinator
GW Inc.
Post Office Box A
Saukville, Wisconsin 53080

Dear Mr. Whitman:

This letter responds to your request for clarification on the applicability of the F001 through F005 hazardous waste listing to four specific waste streams generated from the use of virgin chemical formulations and whether these wastes are subject to the November 7, 1986, land disposal restrictions final rule. I apologize for the long delay in responding to your correspondence.

Each of the scenarios presented in your letter is restated below and followed by an appropriate response which provides clarification on whether these wastes are covered by the spent solvent listings (i.e., EPA Hazardous Waste Nos. F001, F002, F003, F004, and F005).

Example #1 - "A paint remover consisting of 55% Methylene Chloride, 15% Phenol and 30% Sodium Chromate. This material is an outdated, virgin product. GW, Inc. assigned a EPA hazardous waste of D002 only."

-- According to the above description, the waste stream is an outdated, virgin product and has not been utilized as a paint remover. As such, the solvent was not used for its solvent properties, and therefore, is not covered by the F001-F005 spent solvent listings. If this waste stream exhibits the characteristic of corrosivity, it would be appropriately classified under EPA Hazardous Waste Number D002.

The spent solvent listings include only those wastes generated as a result of a solvent being used for its solvent properties,

that is, its ability to solubilize (dissolve) or mobilize other constituents (e.g., solvents used in degreasing, cleaning, fabric -2-

scouring; as diluents, extractants, reaction and synthesis media). Furthermore, the listing only applies to solvents that are considered spent (i.e., solvents that have been used and are no longer fit for use without being regenerated, reclaimed, or otherwise reprocessed).

Example #2 - "A paint stripper consisting of 15% Toluene, 35% Methylene Chloride, 10% Phenols, 20% Kerosene and 20% Paint Sludge. Analytical results show that this is an ignitable waste (D001)."

-- It appears, based on the information provided in your letter, that the virgin paint stripper was used for its solvent properties (i.e., to solubilize paint). The resultant waste stream probably constitutes a spent solvent mixture covered under the F001-F005 hazardous waste listings, however, this determination depends on the concentration of the F001-F005 constituents in the paint stripper before use (see the enclosed FEDERAL REGISTER notice for the solvent mixture rule). Since the waste stream contains greater than 10% of the solvents listed in F001, F002, F004 or F005, the virgin paint stripper also probably contained a total of 10% or more of these solvents. If so, this waste stream meets the criteria for an F001-F005 spent solvent mixture/blend and would be subject to the land disposal restrictions.

Example #3 - "Spent paint waste formulation of 30% Alkyd Enamel Resin, 15% Chromium and Lead Pigments, 20% Toluene, 5% Xylene and 30% unknown solids. The EPA hazardous waste codes for this sludge are D007, D008 and D001."

-- The spent solvent listings do not cover manufacturing process wastes contaminated with solvents when the solvents were used as reactants or ingredients in the formulation of commercial chemical products. Therefore, the waste solvent-based paint formulation described in your letter is not within the scope of the F001-F005 spent solvent listings.

Example #4 - "Spill Residue consisting of 85% Clay (Oil Zorb) and Dirt, and 15% 1,1,1 Trichloroethane. The EPA waste

code is F002 for this waste stream."

-- Proper classification of this waste stream requires knowledge of the regulatory status of the 1,1,1-trichloroethane prior to its being spilled. If the 1,1,1-trichloroethane was a discarded

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commercial chemical product, manufacturing chemical intermediate, of off-specification commercial chemical product, the spill residue should be classified as U226. As such, this waste is not subject to the November 7, 1986 final rule.

If however, the 1,1,1-trichloroethane was a spent solvent prior to its being spilled, the entire waste stream would be classified as a listed spent solvent (EPA Hazardous Waste No. F002). In this case, the spill residue would be considered a hazardous waste because it contains an F002 solvent. This waste stream would be subject to the prohibitions on land disposal of spent solvent wastes.

I hope this information adequately addresses your concerns. Please feel free to contact William Fortune, of my staff at (202) 475-6715, if you have any further questions.

Sincerely,

Jacqueline W. Sales, Chief
Regulation Development Section

Enclosure

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