

9441.1981(06)

MIXING RULE DEFINITION

OFFICE OF SOLID WASTE

JUN 1981

Mr. George Boyd  
Pennsylvania Foundrymens Assn.  
Suite 512  
One Plymouth Meeting  
Plymouth Meeting, PA 19462

Dear George:

Your understanding of the operation of the mixing rule in §261.3(a) (2) (ii) is correct. If one mixes a listed hazardous waste with a non-hazardous waste the total waste automatically becomes a hazardous waste. For such a mixture to cease to be a regulated hazardous waste the generator must petition the Agency to delist the mixture. For non-listed hazardous wastes the situation is different.

If a waste becomes a hazardous waste only because it exhibits one or more characteristics (i.e., it is not a listed waste), then if such a waste is mixed with another waste and the mixture does not exhibit any of the characteristics of a hazardous waste, the mixture automatically ceases to be a hazardous waste. Such an action does not require any delisting action by EPA.

I hope this note is sufficient for your needs.

Sincerely,

David Friedman  
Manager  
Waste Analysis Program  
Hazardous and Industrial Waste Division (WH-565)

WH-565/DFriedman:na:x59187:6/3/81 Disk NA-01-30