

9443.1988(01)

TOLUENE-CONTAINING PAINT PRODUCTS FROM WOOD PIECES,  
REGULATORY STATUS

January 4, 1988

Ms. Teresa Fort  
Vice President  
Environmental Options, Inc.  
Post Office Box 4132  
Roanoke, Virginia 24015

Dear Ms. Fort:

This letter responds to your inquiry of November 23, 1987, requesting a written statement clarifying the regulatory status of waste generated by skimming off a toluene-containing paint product floating on water which is the overspray trapped by a waterfall when wood pieces are painted. The waste has a flashpoint below 140°F.

The spent solvent listings (i.e., EPA Hazardous Waste No. F001, F002, F003, F004, and F005) cover wastes generated from solvents which were used for their "solvent" properties, namely, to solubilize or mobilize other constituents, and which cannot be reused unless regenerated, reclaimed, or otherwise reprocessed. The listings do not cover manufacturing process wastes contaminated with solvents that were used as reactants or ingredients in the formulation of commercial chemical products. Hence, waste solvent-based paints are not within the scope of the F001-F005 spent solvent listings because the solvents are ingredients in the paints. Therefore, your ignitable hazardous waste, having EPA Hazardous Waste No. D001, is not subject to the requirements of the land disposal restrictions final rule (51 FR 40572), November 7, 1986) which is applicable to the spent solvent listings.

If you have any further questions, you can call me at (202) 382-4770.

Sincerely,

Stephen R. Weil, Chief  
Land Disposal Restrictions Branch

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