

9443.1988(02)

JAN 13 1988

Dr. Stephen W. Wunderly
Senior Chemist
Beckman Instruments, Inc
Fullerton, CA 92634-3100

Dear Dr. Wunderly:

This letter is in response to your letter of December 4, 1987, requesting an interpretation of the regulatory status of your liquid scintillation cocktail solution product, Ready Safe, under the hazardous waste regulations.

Under EPA's hazardous waste regulations, a waste is considered to be hazardous if it is listed specifically under 40 CFR Part 261, Subpart D, or if it exhibits a hazardous waste characteristic under Part 261, Subpart C. The four hazardous waste characteristics are ignitability, corrosivity, reactivity, and extraction procedure (EP) toxicity for certain metals and pesticides. Section 261.33 contains a list of products that become hazardous wastes when discarded.

Based on the information you provided, the product you describe does not meet any of the listings under Part 261 Subpart D or to exhibit any of the hazardous waste characteristics under Part 261 Subpart C. Radioactivity is not presently included under the RCRA hazardous waste characteristics or listing criteria. Therefore, your liquid scintillation cocktail product when discarded (or intended for discard) does not appear to meet the definition of a RCRA hazardous waste.

Some state and local authorities, however, do regulate radioactive materials as hazardous wastes. Therefore, your customers should contact their State and local authorities for further information on proper disposal of radioactive materials.