

9444.1985(15a)

RCRA/Superfund/OUST Hotline Monthly Report Question

July 1985

The Solvent Mixture Rule

4. EPA published a proposed rule on April 30, 1985, (50 FR 18378) which would regulate certain spent solvent mixtures. The proposed rule amends §261.31 so that spent solvent listings having EPA hazardous waste numbers F001 through F005 would be combined under the F001 listing. More importantly, the proposed rule would regulate certain spent solvent mixtures that are not currently regulated due to the "sole active ingredient" interpretation (see footnote 1). The proposed hazardous waste description for F001 includes "spent solvents and spent solvent mixtures/blends containing, in total, ten percent (or more) by volume" of the listed spent solvents. How will EPA interpret "ten percent (or more) by volume"? For example: (a) Does a solvent blend containing trichloroethylene and methylene chloride (both listed as spent solvents under F001), each present at five percent by volume, meet the listing description? (b) Does one of the spent solvents listed under F001 have to be present at ten percent by volume?

EPA interprets the phrase "ten percent (or more) by volume" to mean the total percentage by volume calculated by summing the percentages of all F001 listed spent solvents included in a mixture/blend. "Ten percent (or more) by volume" does not mean that a particular spent solvent under the F001 listing must be present in the mixture at ten percent by volume.

(a) A solvent mixture/blend containing two F001 listed spent solvents at five percent by volume each would be considered a F001 listed hazardous waste.

(b) In order for a mixture to meet the spent solvent listing, a single solvent need not be present at a concentration of ten percent. Rather, the ten percent threshold refers to the total of all listed solvents in

the mixture.

- 1 Currently the F001-F005 listings only apply to the spent form of the listed solvents where only one solvent (i.e., sole active ingredient) solvent was used in a process. The F001-F005 listings do not apply to the spent form of solvent blends or mixtures with more than one active ingredient (i.e., two or more solvents listed in §261.31).