

9443.1986(09)

APR 30 1986

Mr. Ritchey Vaughn
Quicksilver Products, Inc.
200 Valley Drive, Suite 1
Brisbane, California 94005

Dear Mr. Vaughn:

I am writing in response to your request for a definitive opinion on whether discarded fluorescent and mercury vapor lamps would be classified as a hazardous waste under Section 261.24 of the Resource Conservation and Recovery Act (RCRA) regulations.

With only data you submitted, it is not possible for me to give you a definitive answer to your question. For example, using the data presented on the GE MVR1000/VBU lamp as a worst case, the amount of mercury that is potentially available is 223 mg/kg of waste. If all the mercury was extracted into the Extraction Procedure (EP) extract during the test, this would yield an extract concentration of 11.3 mg/l. However, mercury is a relatively inert metal, with respect to reactivity toward nonoxidizing acids such as the acetic acid used as the extraction medium in the EP. In addition, while mercury has a relatively high solubility in water (compared to most metals), its solubility is only .02 mg/l which is substantially below the regulatory threshold of .02 mg/l.

While I do not believe that either fluorescent or mercury vapor lamps would be hazardous waste under the RCRA regulations, actual EP testing would have to be conducted before any definite conclusion could be drawn. You should keep in mind, however, that RCRA is a State administered program in those States that have applied for and received authorization. In such States it is the State program which must be adhered to. Some States have more stringent regulations than those of the Federal Program. Thus, it is possible that a State may elect to regulate a waste as a hazardous waste based on its total mercury content and not on leachable mercury. California may be one such State. I recommend you contact the California Department of Health Services for State-specified regulations.

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If you have any further questions, please feel free to call me at (202) 382-4770 or you may call the RCRA/Superfund Hotline at (800) 424-9346.

Sincerely yours,

David Friedman
Manager
Methods Program

bcc: E. Claussen
A. Corson
S. Weil
M. Strauss
K. Conners
Hotline