

9441.1987(29)

LABORATORY SAMPLE EXCLUSION APPLICABILITY TO SAMPLES AND
WASTES FROM LABORATORY ANALYSIS - DIOXIN

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

APR 30 1987

Mr. Gordon Davidson
Project Manager for Environmental
Affairs
IT Corporation
600 Maryland Avenue, S.W.
Washington, D.C. 20024

Dear Mr. Davidson:

This is in response to your April 9, 1987, letter in which you request authorization to transport laboratory samples and associated laboratory wastes contaminated with 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin from your Knoxville laboratory back to the Diamond Shamrock Lister Avenue site. You state that the samples originated from the clean-up associated with this site.

It is my understanding, from a telephone conversation between you and Doreen Sterling of my staff, that you are unsure if the waste in question is actually covered by the Dioxin Listings. You are, however, therefore, assumes that the waste in question is a "hazardous waste".

According to 40 CFR 261.4(d), a laboratory may transport a sample, which is collected for the sole purpose of testing to determine its characteristics or composition, back to the sample collector. No approval from the Environmental Protection Agency (EPA) is required for this action. However, once the sample is received at the Lister Avenue site, it must be managed as a hazardous waste.

You also stated in your telephone conversation with Doreen Sterling that the associated wastes in question include lab solvents, protective gear, etc. which were used during

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analysis. These wastes are not covered by the provisions of Section 261.4(d). Rather, these materials either are listed hazardous waste (i.e., spent solvent) or contain a listed hazardous waste (i.e., protective gear) and must be managed as if it were an acute hazardous waste. However, if the material that contain listed hazardous waste are decontaminated such that they no longer contain the listed waste, they are no longer subject to Subtitle C regulations. Any rinsate, generated during cleaning would, however, be an acute hazardous waste via application of the mixture rule (CFR 261.3(a)(2)).

If you have any further questions, please contact Doreen Sterling of my staff at (202) 475-6775.

Sincerely,

Original Document signed

Marcia E. Williams
Office of Solid Waste