

9441.1986(52)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUL 2 1986

Mr. Richard T. Boulware
Vipont Botanical Laboratories
2403 E. Kivett Drive
High Point, North Carolina 27260

Dear Mr. Boulware:

This is in response to your May 27, 1986 letter, requesting an interpretation of the Federal hazardous waste rules as they apply to the wastes to be generated in your extraction process. As you state in your letter, this process uses the solvent methylene chloride to recover alkaloids from plant matter. The two wastes for which you request specific information on are: (1) the solid cake remaining in the basket centrifuge, and (2) the wastewater stream discharged to a POTW.

Solid Cake - I agree with your understanding that the solid cake in the basket is not a listed hazardous waste, namely, a spent solvent--and would only be hazardous if it exhibits any of the hazardous waste characteristics (i.e., ignitability, corrosivity, reactivity, or extraction procedure (EP) toxicity); in addition, when the TCLP is promulgated, you will also need to determine whether the solid cake exhibits this characteristic.

Wastewater - This wastestream, as you state in your letter and as we discussed on June 27, comes off the centrifuge as a wastewater that contains methylene chloride; the methylene chloride is then stripped off to be reclaimed while the wastewater is discharged to a POTW. Under this scheme, the wastewater also is not considered a listed waste (nor does it contain a listed waste). Therefore, this stream also would only be hazardous if it exhibits any of the existing or future hazardous waste characteristics.

Finally, although you did not request an interpretation of the status of the spent methylene chloride under the federal hazardous waste rules, you should be aware that the spent methylene chloride that comes off the liquid extractor is considered a listed hazardous waste and may be subject to regulation under Subtitle C of RCRA. (See the Final Definition

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of Solid Waste Rulemaking, 50 FR 614, January 4, 1985 and the Final Tank Rules that were signed by the Administrator on June 30, 1986, to determine the actual regulatory status of the solvent spent methylene chloride.)

Please feel free to give me a call if I can be of any further assistance; my telephone number is (202) 475-8551.

Sincerely,

Matthew A. Straus
Chief
Waste Characterization Branch

RO 11164