

9444.1988(02)

JAN 20 1988

J. Carter S. Gray
Secretary/Counsel
Earth Industrial Waste Management, Inc.
3536 Fite Road
Millington, Tennessee 38053

Dear Mr. Gray:

This is in response to your letter of November 30, 1987, to Michael Petruska concerning classification of your solvent wastes.

The waste you describe appears to be a mixture of several commercial chemical products that are listed in 40 CFR Section 261.33(f). In addition, you also indicate that at times the solvent mixture would exhibit the ignitability characteristics -- referred to in your letter as D001. If the commercial chemical products flushed from the line are intended for reclamation (i.e., solvent distillation), they would not be wastes under the hazardous waste regulations and, thus, would not be subject to any Federal regulation, including labelling requirements. If however, the line flushings are intended for discard, they are hazardous wastes provided they contain a U-listed commercial chemical product or exhibit a characteristic.

With respect to your specific concern, the Agency recognizes that generators may have difficulty identifying and manifesting the waste as a result of this multiple U-waste classification. One possible means of reducing the generator's burden is to segregate the wastestreams as they are generated, and thus limit the number of different wastes in each drum. For example, chlorinated solvents could be segregated from non-chlorinated solvents, and solvents that are hazardous only due to their flash point (ignitability) should be segregated from those that are listed as hazardous due to their toxicity.

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With respect to proper identification of the multiple U-listing wastes on the manifest, the generator should seek guidance from the regulating State agency. The National Uniform Hazardous Waste Manifest (EPA Form 8700-22, codified at 40 CFR Part 262, Appendix) includes a continuation sheet (EPA form 8700-22A) for multiple waste shipments. Some states, however, prefer the generator to simply use more than one manifest for multiple waste shipments; either approach is acceptable to EPA.

If you have further questions, please continue to deal with Michael Petruska at (202) 475-8551.

Sincerely,

Original Document signed
"Cabworth"

Marcia E. Williams
Director
Office of Solid Waste