

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

SEPTEMBER 15, 1987

Mr. Stuart J. Gock
Environmental Coordinator
Printing Development, Inc.
2010 Indiana Street
Racine, WI 53405

Dear Mr. Gock:

The following information is being provided in response to your letter of April 6, 1987, regarding the definition of aqueous as used in the Corrosivity Characteristic, 40 CFR Part 261.22(a)(1).

As you are aware, the corrosivity characteristic does not specifically define what constitutes an aqueous waste. However, we have developed guidance in defining the term "aqueous." In particular, we consider a waste to be aqueous if it has a liquid phase containing more than 50 percent water." (See attached letter from Dr. John Skinner, Director of the Office of Solid waste, on February 26, 1985.) This position is currently in effect and you should use the 50 percent water cut-off as a basis for evaluating whether or not to test your wastes for corrosivity.

I should point out that we are considering reviewing this position, as well as the need for a regulatory definition of aqueous waste. Therefore, you should be aware that a regulatory definition of aqueous may be proposed at some point in the future.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Robert Scarberry, Acting Chief
Waste Characterization Branch

Attachment

FaxBack# 11292

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

FEBRUARY 26, 1985

Mr. Kevin J. Walter
Chief, Bureau of Technical Services
Division of Environmental Enforcement
Department of Environmental Conservation
State of New York
50 Wolf Road
Albany, New York 12233-0001

Dear Mr. Walter:

I am writing in response to your recent letter requesting clarification of the definition of the characteristic of ignitability for hazardous wastes.

Your understanding that the words "it is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume" were intended to exclude alcoholic beverages, such as wine, and non-liquid materials is correct. However, while the Agency's intent was that this exemption apply to potable beverages only, because the term "alcohol" was used instead of "ethanol," all aqueous wastes which are ignitable only because they contain alcohols (here using the term alcohol to mean any chemical containing the hydroxyl [-OH] functional group) are excluded from regulation.

While the Agency completes the process of officially adopting a method for identifying "free liquids," for use in the land disposal regulations, it is our current practice to employ Method 9095 (see "Test Methods for Evaluating Solid Waste, SW-846") for such purposes. Any material passing through the paint filter is deemed to be a liquid.

With respect to what constitutes an "aqueous solution," such a solution is one in which water is the primary component. This means that water constitutes at least 50 percent by weight of the sample. Although we have not officially approved any test methods for determining a waste's water content, any competent laboratory should be able to make such a determination using standard techniques (e.g., Karl Fisher titration, GC).

We share your concern over the ambiguities in the current ignitability definition and have a program underway to correct the characteristic's shortcomings. Specifically, changes are under development to replace the alcoholic solution exclusion with a generic exclusion for those wastes which, while possessing a flash point below 60°C, neither continue to burn nor, if they do burn, release enough energy to be cause a major fire. In addition, steps are being taken to expand the ignitability characteristic to include wastes which are physical solids. Both of these changes will involve proposal and promulgation of specific definitional test methods and thresholds.

I hope this information clears up any questions you may have about the ignitability characteristic. If you have any further questions concerning any of the hazardous waste characteristics, please contact David Friedman, of my staff, at: 202-382-4770.

Sincerely yours,

John H. Skinner
Director
Office of Solid Waste

General Chemical Corporation

Environmental Matters
P.O. Box 389
Parsippany, NJ 07054-0389
(201) 515-0900

June 22, 1987

Ms. Eileen Claussen, Director
Characterization and Assessment Division
WH562B
Environmental Protection Agency
401 M. Street SW
Washington, DC 20460

Dear Ms. Claussen:

In 40 CFR, Part 261.22(a)(1) of Subpart C, Characteristics of Hazardous Waste, one of the characteristics for determining if a waste is hazardous is defined as follows:

“(1) It is aqueous and has a pH less than or equal to 2 or greater than or equal to 12.5, _ _ _ _
_”

In attempting to determine the regulatory status regarding certain liquid waste streams we need to ascertain the EPA definition of the term “aqueous” in the above. This term is defined in the Glossary of Chemical Terms as a “solution or suspension in which the solvent is water.”

If this is the definition intended for use by EPA, then we would conclude that only those waste liquid solutions containing greater than 50% water and meeting the pH criteria would be characterized as hazardous wastes.

Your confirmation and comment on the above would be greatly appreciated. questions can be addressed to my attention at (201) 515-1841.

Sincerely yours,

GENERAL CHEMICAL CORPORATION

B.N. Fleischer
Manager, Pollution Control

July 22, 1987

MEMORANDUM

SUBJECT: Definition of "aqueous" in RCRA regulations

FROM: Becky Cuthbertson
Information Specialist, RCRA/Superfund Hotline

TO: Jacqui Sales
Office of Solid Waste

Thank you for your presentation Monday on the California List land disposal restrictions. You had mentioned the lack of a regulatory definition of "aqueous". A letter from John Skinner to Kevin J. Walter, dated February 26, 1985, defines "aqueous solution", a term used in the ignitability characteristic. A copy of this letter is attached for your information.

cc: Denise Sines

April 6, 1987

Mr. Matt Straus
#WH562V
Waste Characterization Branch
USEPA
401 M. Street SW
Washington, DC 20460

Dear Mr. Straus:

A problem with the definition of what "aqueous" means in the definition of the characteristic of corrosivity has again risen (See enclosed letter of February 26, 1987). Any assistance you might provide on this matter would be greatly appreciated.

Thank you again for your assistance in this matter. Please feel free to contact me if you have any further questions regarding this matter.

Sincerely,

PRINTING DEVELOPMENTS, INC.

Stuart J. Gock
Environmental Coordinator

SJG/db

Enc.

cc: E. C. Sandvig
J. G. Behrens