



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

JUN 14 1995.

4WD-RCRA

MEMORANDUM

SUBJECT: Clarification of the Regulatory Status of Solvent Wipers

FROM: G. Alan Farmer
Chief, RCRA Branch *Alan Farmer*

TO: RCRA Branch

The purpose of this memorandum is to clarify EPA Region 4's position on the regulatory status of solvent wipers. As you know, in a memorandum dated December 28, 1988 (attached), EPA Region 4 issued its initial position on how solvent wipers were regulated under RCRA. In part, the memorandum concluded that nondisposable wipers destined for laundering are not a solid or a hazardous waste and therefore are not subject to regulation under RCRA. While the Region still supports this final conclusion, several recent enforcement cases have made it clear that it is necessary to clarify the type of laundering process which, when utilized, render the incoming solvent wipers not subject to RCRA.

When the initial memo regarding the regulatory status of solvent wipers was written, EPA Region 4 attempted to develop a workable approach to the management of wipers contaminated with incidental amounts of solvent which was protective of human health and the environment and allowable under RCRA Subtitle C. In the memo, Region 4 set out its rationale for stating that solvent wipers which are laundered and reused are not a solid waste. Although not expressly stated, the type of laundering process envisioned by EPA was one that discharged its solvent contaminated wastewater to a publicly-owned treatment works (POTW), as defined in 40 C.F.R. § 260.10, or a wastewater treatment system regulated pursuant to Sections 402 or 307(b) of the Clean Water Act (CWA). For solvent wipers destined for laundering processes which discharged their wastewater to other types of treatment or disposal units, full RCRA Subtitle C regulation would apply, if applicable, at the point of generation of the wiper. In addition, the treatment unit used to launder the solvent wipers and the disposal unit used to dispose of the solvent contaminated wastewater would also be subject to full RCRA Subtitle C regulation, if applicable.