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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

MAY -5 1988

Mr. William Lindberg
Regulatory Affairs Coordinator
SWI, Inc.
P.O. Box B
Saukville, WI 53080

Dear Mr. Lindberg:

This is in response to your letter of April 19, 1988 to Mr. Steven Weil, in which you ask if paints containing solvent constituents are subject to F listings (40 CFR 261.31).

You are correct in stating that "solvents that are used for their 'solvent' properties--that is, to solubilize (dissolve) or mobilize other constituents" (50 FR 53316, December 31, 1985) are covered by the spent solvent listings. However, the Federal Register notice goes on to state that "process wastes where solvents were used as reactants or ingredients in the formulation of commercial chemical products are not covered by the listing. The products themselves are also not covered." (Id.) Paints, which are included in the classification of such commercial chemical products are, therefore, not F-listed spent solvent hazardous wastes.

Thank you for your letter. If you have any further questions, please call the RCRA/Superfund Hotline at (800)424-9346.

Sincerely,

Original Document signed

Devereaux Barnes, Director
Characterization and
Assessment Division