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United States Environmental Protection Agency
Washington, D.C. 20460
Office of Solid Waste and Emergency Response

November 17, 1992

MEMORANDUM

SUBJECT: RCRA Regulation of DDT-Treated Wool Blankets
as Hazardous Wastes

FROM: Sylvia K. Lowrance, Director
Office of Solid Waste

TO: Douglas D. Campt
Director, Office of Pesticide Programs,
Office of Prevention, Pesticides and Toxic
Substances

You have asked us whether wool blankets that have been treated with the pesticide dichlorodiphenyltrichloroethane (DDT) would be regulated as a hazardous waste under the Resource Conservation and Recovery Act (RCRA). Based on a review of the relevant regulations, we do not believe that such blankets, when disposed of, would be considered a hazardous waste under federal law. You should note, however, that some states may have more stringent hazardous waste laws and regulations that may apply.

As a preliminary matter, until the blankets are discarded they are not considered a solid waste under EPA regulations, and therefore, would not be a hazardous waste. However, if the blankets are considered discarded (for example, if they are to be disposed of), they must be assessed under our regulations at 40 CFR Part 261 to determine if they are a hazardous waste subject to federal regulations. There are two mechanisms by which a solid waste is deemed to be a hazardous waste under RCRA. The waste may either be specifically listed as a hazardous waste by the Agency, or the waste may exhibit one of the four characteristics of hazardous waste (ignitability, corrosivity, reactivity, or the toxicity characteristic). The regulations governing each of these mechanisms are found at 40 CFR Part 261, Subparts C and D, respectively.

We have reviewed the lists of hazardous waste and conclude that the DDT-contaminated blankets are not a listed hazardous waste. Although DDT appears as a listed hazardous waste on the list of discarded commercial chemical products (see 40 CFR §261.33(f)), a discarded blanket contaminated with DDT would not be considered a discarded commercial chemical product. The hazardous wastes identified at §261.33 are the discarded chemical substances themselves, not discarded products which have been treated with the chemical. In addition, based on our knowledge of DDT, we do not believe that the DDT treated wool blankets would be considered a characteristic hazardous waste. Further, we have reviewed the chemistry of DDT to evaluate reactions that could occur following application of DDT to the blankets. As the DDT breaks down over time, primarily through reaction with light, no RCRA hazardous compound would be formed that would cause the blankets to become a RCRA hazardous waste.

If you have any further questions regarding this matter, please contact Mr. David Topping of my staff (260-7737).

cc:Mark Badalamente, OGC; Barbara Pace, OGC