

QUESTION: The preamble to the February 25, 1982, regulations on reduction of free liquids in containers states that the act of adding absorbent material to hazardous waste in a container is exempt from the requirements of the hazardous waste management regulations if the absorbent is added ". . . at the time the waste is first placed in the container." If I transfer a hazardous waste from one container to another container and at the same time add an absorbent material to the waste, is my act of placing the waste in the second container and adding an absorbent covered by this exemption?

ANSWER: The February 25, 1982 regulation was intended to reduce the amount of free liquids in containerized wastes by allowing anyone to add absorbent material to the waste at the time the waste is first placed in the container. Thus, a hazardous waste can be transferred from one container to another container and absorbent material added at the time of transfer and this activity not be subject to the permit requirements for treatment under 40 CFR 264.1 (g) (10) and 270.1 (c) (2) (vii).

SOURCE: Fred Lindsey, Dov Weitman

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