

9444.1985(07)

RCRA Input to Region IV Inquiry: UIC Well Inventory Update

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Per your request the following paragraph is the RCRA response to the embalming fluid question in the subject inquiry.

The RCRA hazardous waste identification regulations contain two mechanisms for identifying a waste as a hazardous waste, lists and characteristics. A waste is a hazardous waste if it either is listed (40 CFR 261.31, 32, or 33) or it exhibits one or more of the defined characteristics (261.21, 22, 23, or 24). While used embalming fluids do not qualify as hazardous under any of these criteria, many people mistakenly believe they do because formaldehyde, the key ingredient in such products, is listed under 261.33. Section 261.33 lists commercial chemical products which are hazardous wastes when discarded or intended to be discarded. It does not include wastes which result from the intended use of the product. Thus, embalming fluid, since it consists of formaldehyde plus some inert ingredients (e.g., colorants and perfumes), would be a hazardous waste if discarded unused and the septic tank/tile field could classify as Class 4 well. However, if the generator is disposing of embalming fluid which has been used, for example, to flush body fluids out of the cadaver, then disposal of the fluid does not constitute disposal of a hazardous waste and the tank/field is not a Class 4 well.