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June 27, 1985

DISPOSAL REQUIREMENTS FOR SCRAP DEHP AND SMALL CAPACITORS  
CONTAINING DEHP

Mr. N. Ray Clark  
Universal Manufacturing Corp.  
200 Robin Road  
Paramus, New Jersey 07652

Dear Mr. Clark:

This letter is in response to your letter dated April 30, 1985, regarding the disposal requirements of scrap (off-specification) DEHP and small capacitors which contain DEHP. First, let me apologize for taking so long in getting back to you; I have been very busy and hope my delay has not created a problem for you. Concerning your specific question, I generally agree with the answers given by Mr. Travis Wagner of the RCRA Hotline. More specifically:

Contaminated or unusable DEHP which is generated in the normal course of the manufacturing process and becomes a waste which must be disposed of is subject to the RCRA hazardous waste rules (i.e., if shipped-off-site must be manifested, must go to a facility with interim status or one which is fully permitted, etc.)

Capacitors which are found to be unusable for electrical or mechanical reasons are presently not defined as a listed hazardous waste (i.e., U028). Therefore, these wastes would only be hazardous if they exhibit one or more of the hazardous waste characteristics (i.e., ignitability, corrosivity, reactivity, or extraction procedure (EP) toxicity.)

With regard to your third question, you ask whether rags, gloves, and other miscellaneous solid materials which have absorbed some DEHP are RCRA hazardous wastes. The answer to this question is yes and no; that is, if the solid material has become contaminated as a result of waste management activities (i.e., clean-up of spills or leaks from mixing waste DEHP with other

wastes), these contaminated materials would be defined as RCRA listed hazardous wastes. On the other hand, if the contamination is a result of its use during the manufacturing process (i.e., gloves become contaminated as a result of handling during the manufacturing process), these solid materials would not be defined as listed hazardous wastes, these materials, however, would be a hazardous wastes if they exhibit any of the characteristics of hazardous wastes.

Please feel free to give me a call if I can be of any further assistance; my telephone number is (202) 475-8551.

Sincerely yours,

Matthew A. Straus, Chief  
Waste Identification Branch