

# memorandum

DATE: January 30, 1997

REPLY TO  
ATTN OF: Office of Environmental Policy and Assistance(EH-413):Sikri:6-1879

SUBJECT: **Departmental Response to Proposed Identification and Listing of Hazardous Waste/Solvents**

TO: Distribution

**PURPOSE** The purpose of this memorandum is to inform Program Offices and Field Organizations of the availability of the Departmental response to the Environmental Protection Agency (EPA) on the subject proposed rule.

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**BACKGROUND** On August 14, 1996 (61 FR 42318), the EPA published a Notice of Proposed Rulemaking (NPRM) regarding a listing determination for 14 chemicals potentially used as solvents. EPA conducted an investigation that involved an evaluation of the chemicals potentially used as solvents, characterization of the wastes generated from the identified solvent uses, and a risk assessment evaluating feasible mismanagement scenarios for the resultant wastes. Based on this investigation, EPA proposed not to list (as hazardous) wastes that are generated from the solvent use of any of the 14 chemicals.

Subsequent to the NPRM, EPA announced (September 10, 1996; 61 FR 47751) the availability of a study of an additional set of seven solvents. This study was conducted (in lieu of a listing determination) in accordance with a consent decree the Agency entered into with the Environmental Defense Fund (EDF).

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**SUMMARY  
OF  
COMMENTS** Departmental comments were submitted to EPA on November 14, 1996. The DOE response generally supports EPA's proposal not to list as hazardous those wastes generated from the solvent use of the 14 specified chemicals. The comments assert that the methodology utilized for establishing the study is reasonable. Furthermore, the Departmental response asserts that it is appropriate for EPA to use the same approach in this listing determination as in the previous solvent listings, and concurs with EPA's retention of the interpretations used in the past to define "solvent use" and "spent solvent" waste generation.

Although the DOE response generally concurs with EPA's evaluation and listing determination, the comments also raise a few issues. One such issue relates to preamble discussion about the possibility of EPA receiving relevant new data and information during the comment period. If EPA receives such new information, the DOE response urges the Agency to announce the availability of the new information, and, if necessary, repropose those sections of the initial determinations that may be modified based on the new information.

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**AVAILABILITY  
OF  
COMMENTS**

A copy of the Departmental response to this NPRM is available through the Internet on the EH-41 World Wide Website for viewing and/or downloading at <http://www.eh.doe.gov/oepa> under the "WHAT'S NEW" and "DOE COMMENTS" sections.

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**ADDITIONAL  
INFORMATION**

EPA currently plans to issue a final rule in regards to this spent solvents listing determination in May 1997.

If you have any questions regarding this Departmental response, or the proposed rule in general, please contact Al Sikri or Bill Fortune of my staff by:

- calling (202) 586-1879 and 586-7302, respectively
  - faxing messages to (202) 586-3915
  - communicating electronically, via the Internet, to [atam.sikri@eh.doe.gov](mailto:atam.sikri@eh.doe.gov) or [william.fortune@eh.doe.gov](mailto:william.fortune@eh.doe.gov)
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Thomas T. Traceski  
Director, RCRA/CERCLA Division  
Office of Environmental Policy and Assistance



## Department of Energy

Washington, DC 20585

November 14, 1996

RCRA Information Center  
U.S. Environmental Protection Agency (5305W)  
401 M Street, S.W.  
Washington, D.C. 20460

### **Docket Number F-96-SLDP-FFFFF**

Dear Sir or Madam:

*Re: 61 FR 42318, "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Solvents; CERCLA Hazardous Substance Designation and Reportable Quantities"*

On August 14, 1996, the U.S. Environmental Protection Agency (EPA) published a Notice of Proposed Rulemaking (NPRM) regarding a listing determination for 14 chemicals potentially used as solvents. This listing determination was conducted under the authority of Sections 3001(b)(1) and 3001(e)(2) of the Resource Conservation and Recovery Act (RCRA), and in accordance with a consent decree the Agency entered into with the Environmental Defense Fund (EDF). An investigation of the 14 chemicals was conducted by EPA which involved an evaluation of the chemicals potentially used as solvents, characterization of the wastes generated from the identified solvent uses, and a risk assessment evaluating plausible mismanagement scenarios for the resultant wastes. Based on this investigation, EPA is proposing not to list (under 40 CFR 261.31) wastes generated from the solvent use of any of the specific 14 chemicals evaluated.

In making its decision, EPA explains that this action should not be misconstrued as a determination that the 14 chemicals are nontoxic. On the contrary, the Agency indicates that many of these solvent wastes are already regulated as characteristic hazardous wastes, or because they are mixed with other solvent wastes that qualify as listed hazardous wastes. For clarification purposes, EPA states that the determination addressed by the proposed rule pertains only to the need for adding these specific solvent wastes to the RCRA hazardous waste listings (based on the criteria in the listing regulations).

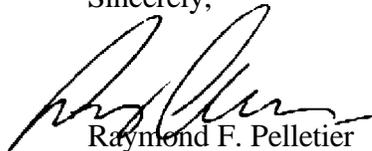
As part of the consent decree with the EDF, the Agency also agreed to conduct a study concerning an additional set of seven solvents (in lieu of a listing determination) and to issue a final report regarding these additional chemicals. Subsequent to the subject NPRM, EPA published a notice (September 10, 1996; 61 FR 47751) announcing the availability of a study on these additional spent solvents (hereinafter referred to as the "Solvents Study"). Although the consent decree does not require a listing determination for the seven-solvent study chemicals, the preamble states that EPA may decide to issue a listing determination in a future rulemaking.

The Department of Energy (DOE) appreciates the opportunity to provide input in response to the proposed spent solvent listing determination and the Solvents Study. Based on the information provided in the NPRM, the Department generally supports EPA's proposal not to list as hazardous those wastes generated from the solvent use of the 14 specified chemicals. DOE believes that the methodology utilized for establishing the study universe is reasonable. Furthermore, the Department believes that it is appropriate for EPA to use the same approach in this listing determination as in the previous solvent listings, and concurs with EPA's retention of the interpretations used in the past to define "solvent use" and "spent solvent" waste generation.

Although the Department generally concurs with EPA's evaluation and listing determination, the enclosed comments also raise a few issues and concerns. One such issue relates to preamble discussion about the possibility of EPA receiving relevant new data and information during the comment period. If EPA receives such new information, DOE urges the Agency to announce the availability of the new information, and, if necessary, repropose those sections of the initial determinations that may be modified based on the new information. Much of the remainder of the response package discusses elements of the RCRA Subtitle C program that are not addressed in the proposed rule [e.g., permitting requirements, the mixture rule exemptions under 40 CFR 261.3(a)(2)(iv)], but would be impacted or could require modification if EPA determines that listing one or more spent solvent wastes is warranted. A comment is also included in response to the study concerning the seven additional chemicals (i.e., in regards to the Solvents Study).

The enclosed comments are presented for the Agency's consideration. These comments have been organized into two sections: specific comments regarding the spent solvent listing determination (i.e., the NPRM itself) and a comment on the Solvents Study. For clarity, each comment is preceded by a reference to the section of the proposed rule to which it applies and a brief description in bold-face type of the issue within that section to which DOE's comment is directed.

Sincerely,



Raymond F. Pelletier  
Director

Office of Environmental Policy and Assistance

Enclosure

cc: R. Josephson, EPA, OSW

**UNITED STATES DEPARTMENT OF ENERGY  
COMMENTS ON PROPOSED IDENTIFICATION AND LISTING  
OF HAZARDOUS WASTE/SOLVENTS**

**PROPOSED RULE (61 FR 42318; August 14, 1996)**

DOE offers the following comments in response to the proposed listing determination for wastes generated from the use of 14 chemicals as solvents. Specific Comments regarding the proposed spent solvent listing determination itself are organized and presented using the same numbering convention as the proposed rule. These are followed by a comment which focuses on the study conducted by the U.S. Environmental Protection Agency (EPA) that addresses an additional set of seven solvents.

**SPECIFIC COMMENTS REGARDING THE SPENT SOLVENTS LISTING DETERMINATION**

**I.B. Existing Solvent Listings and the Regulatory Definition of Solvent**

- 1. p. 42320, cols. 1 and 2 -- In the background section of the preamble, EPA explains that it has used the same approach in this listing determination as in previous solvent listings; as such, the Agency has retained the interpretations used in the past to define "solvent use" and "spent solvent" waste generation. Specifically, EPA defines the universe of wastes covered by the proposed rule to include only those wastes generated as a result of one or more of the 14 chemicals being used for its solvent properties and subsequently becoming "spent."**

The Department concurs with the Agency's approach and believes that it is appropriate to consider (in this listing determination) only those solvents that are used for their solvent properties (i.e., to solubilize or mobilize other constituents). DOE appreciates EPA's effort to remain consistent with the established listing descriptions and regulations for spent solvents [40 CFR 261.31(a)] as indicated by the decision to eliminate from further evaluation those facilities whose major use of a solvent in question is not for its solvent properties, and those processes whose solvent use is limited to consumption as a reactant or ingredient in the formulation of a commercial chemical product (e.g., 2-ethoxyethanol acetate used in the formulation of photoresist).

**II.A. Summary of Today's Action**

- 1. p. 42321, col. 1 -- In summarizing its proposal not to list as hazardous waste from solvent uses any of the 14 chemicals subject to the listing determination under the EDF consent decree, EPA explains that its decision not to list four of the chemicals (benzyl chloride, epichlorohydrin, ethylene dibromide, and p-**

**dichlorobenzene) is because it is extremely unlikely that these chemicals would be used as solvents. EPA requests new information on solvent uses and states that if new data is received, the Agency may use these data to revise the risk assessment methodology and assumptions.**

DOE requests that should the Agency receive comments indicating that solvent uses beyond those identified in the proposed rule exist, EPA: 1) make the new information available for viewing in the EPA RCRA Information Center; 2) issue a Notice of Data Availability in the Federal Register announcing the new information and its availability; and 3), if necessary, repropose those sections of this determination that may be modified based on the new information. Accomplishing these activities comport with the Administrative Procedures Act and ensure that stakeholders have an opportunity to evaluate the new information and comment on any proposed regulatory approaches.

#### **II.C.2.e. Risk Assessment Results**

- 1. p. 42326, col. 3 -- In the August 14, 1996 proposed rule (61 FR 42318), EPA presents the waste generation and characterization, waste management, risk assessment, and environmental damage incident data that is used as its basis for proposing not to list (as RCRA hazardous waste) wastes generated from the use of 14 chemicals as solvents. EPA requests comment on all aspects of its listing determination including: the adequacy of and evaluation methodology for the solvent data base; its characterization of the solvent uses and waste streams; and its risk assessment methodology including the selection and use of plausible management scenarios.**

The Department supports EPA's approach to this listing determination for the 14 specific spent solvents and related spent solvent mixtures. DOE believes that the methodology EPA utilized for establishing the study universe, and for characterizing solvent uses/wastes and facilities that use/generate spent solvent wastes is reasonable. [See Specific comment in Section I.B, item 1.] Although no clear justification is offered, DOE also recognizes that EPA's decision to include in its determination *all* reported solvent uses, including those reported that do not satisfy the 10 percent before use criterion [as described on page 42320, col. 1], should result in a more complete accounting of the spent solvent universe (involving the subject 14 chemicals).

Although the Department concurs with EPA that it is reasonable to limit the universe of the solvents listing investigation to facilities that use a combined total of 1,200 kilograms or more per year of all chemicals of concern used as solvents [as discussed on page 42321, col. 3], EPA may want to consider clarifying the extent of the applicability of this approach. Clarification may be useful to ensure that this approach to developing the study universe will not be misconstrued as an Agency action that also could be applied by hazardous waste

generators determining their generator category (i.e., whether they qualify as a large quantity generator, small quantity generator, or conditionally exempt small quantity generator). Specifically, the Agency may want to consider clarifying that generators cannot use a moving average of 1,200 kilograms over a 12 month period (like the approach used in developing the study universe), but rather must continue to determine their generator category based on the total amount of all hazardous wastes generated at their site on a *month-to-month* basis.

2. **p. 42327, col. 1 -- In the discussion of risk assessment results, the preamble states that “if EPA receives relevant new information during the comment period . . . EPA may revise its individual listing determinations based on this information.” The Agency continues by explaining that if comments are received that lead the Agency “to conclude that unregulated land disposal of concentrated wastestreams from the use of these solvents is likely, EPA will consider promulgating a listing to address those concerns.”**

Similar to the comment above in response to Section II.A., if new information is received which causes the Agency to revise its individual solvent listing determinations, DOE requests that EPA: 1) make the new information available for viewing in the EPA RCRA Information Center; 2) issue a Notice of Data Availability in the Federal Register announcing the new information and its availability; and 3), if necessary, repropose those sections of this determination that may be modified based on the new information.

3. **p. 42327, col. 1 -- EPA proposes to reserve the listing of solvents as hazardous waste to those circumstances in which significant concentrations of solvents causing significant risk are plausible. EPA invites comment regarding the appropriateness of bringing solvent wastes under RCRA Subtitle C regulation through application of the mixture and derived-from rules.**

In general, DOE agrees with EPA that the hazardous wastes listings are most appropriately limited to those circumstances wherein a waste poses or has the potential to pose significant risks to human health and the environment when evaluated using plausible management scenarios. Moreover, DOE agrees that it would be inappropriate to list the full range of wastes that might, based on the chemical-specific information provided in this proposed rule, otherwise be brought under RCRA Subtitle C regulation due to the mixture and derived-from rules. With respect to considering the appropriateness of listing the full range of wastes, it is worthwhile to again recognize that many of the solvent wastes in question are already subject to regulation as hazardous waste because they exhibit one or more hazardous characteristics, or because they are mixed with other solvent wastes that qualify as listed hazardous waste.

DOE believes that listing as hazardous those wastes generated from use of the 14 chemicals as solvents could considerably burden (in terms of both time and resources) regulators and the regulated community, while resulting in little environmental benefit. The Department offers the following factors for consideration and in support of EPA’s proposed listing determination (i.e., in addition to the fact that many of the solvent wastes addressed in the proposed rule are

already regulated because they exhibit a hazardous waste characteristic, or because they are mixed with listed wastes):

- New spent solvent listings would require *permitted* facilities managing the newly listed wastes to submit permit modification requests to modify the following attachments to their permit, among others: 1) the list of wastes permitted to be managed by a facility; 2) waste analysis plans (e.g., may need to incorporate new test methods); 3) contingency plans to address potential releases of the newly listed wastes regardless of whether a facility's general emergency response plan already addresses those chemicals; 4) groundwater monitoring programs (e.g., revise the list of hazardous constituents to which the ground-water protection standard applies); and 5) closure plans to incorporate closure performance standards (i.e., target cleanup levels and/or criteria) for the newly listed constituents.
- In addition to submitting revised Part A applications that would identify the newly listed wastes and additional units [40 CFR 270.72(a)(1)], *interim status* facilities that are managing the newly listed spent solvents will be required to revise the same types of information as permitted facilities.
- Some of the chemicals in question (cyclohexanol, 2-ethoxyethanol acetate, isophorone, 2-methoxyethanol, and 2-methoxyethanol acetate) are not currently identified in 40 CFR 261 (i.e., they do not appear in the F-, K-, P- or U-lists, or the list of hazardous constituents found in Appendix VIII to Part 261). DOE notes that in the February 25, 1986 Federal Register (51 FR 6537), EPA listed four additional spent solvent wastes and added two of the four newly listed spent solvent constituents to Appendix VIII (51 FR 6541, col. 3). Accordingly, it appears that listing as hazardous one or more of the wastes from the use of these 14 chemicals as solvents could also entail EPA amending Appendix VIII by adding certain newly listed hazardous constituents. Once listed as a hazardous spent solvent waste and/or incorporated into Appendix VIII, the release or suspected release of one or more of these chemicals at a permitted facility could subject that facility to corrective action. Although initiating corrective action to address releases or suspected releases of such constituents is prudent and appropriate, DOE is concerned that should EPA list certain new spent solvent constituents and incorporate the newly listed chemicals into Appendix VIII, facilities could be required to reevaluate ongoing/or previously completed corrective actions. For example, owners/operators could be required to prepare a revised RCRA facility investigation (RFI) workplan that incorporates specific sampling and analysis provisions for the newly listed hazardous constituents (assuming they were not previously addressed within the initial RFI workplan); regardless of whether these constituents are being/or were comanaged (in remediation wastes) with other hazardous wastes (e.g., F-listed solvents) and are being or had been thoroughly addressed. As with permitted facilities, interim status facilities could be required to reevaluate ongoing or completed corrective action efforts.

Regarding waste management under the current regulatory scheme, as EPA states throughout the listing determination, the 3007 survey showed that solvent wastewaters (involving the 14

chemicals addressed by the proposed rule) are typically dilute, pose minimal risk, and are generally managed in wastewater treatment systems, whereas a high percentage of the nonwastewater residuals reported are classified as hazardous and are subject to RCRA Subtitle C regulation (61 FR 42319, col. 3; 42324, col. 1; 42326, col. 3). The preamble explains that the data EPA gathered regarding wastewaters indicate that these waters are diluted by the flow of other dilute wastewaters at the headworks of the treatment system (61 FR 42325, col. 2). EPA also states that “[s]olvent levels were generally found to be below the health-based levels (HBLs) at the headworks.” Although the notice offers this information, the Agency does not elaborate on any of the regulatory implications associated with managing wastewaters containing such low constituent concentrations at the headworks. As an additional consideration, DOE suggests that EPA address the implications of listing one or more of the wastes generated from the use of the 14 chemicals as solvents relative to the mixture rule exemptions found in 40 CFR 261.3(a)(2)(iv).

In a November 17, 1981 notice (46 FR 56582), EPA recognized that the risks posed to human health and the environment from the management of certain wastewater mixtures were not substantial, and thus, the Agency revised the regulations under 40 CFR 261.3(a)(2) to exempt from being hazardous waste certain mixtures of solid waste (i.e., wastewater) and hazardous wastes. For the purpose of this rulemaking, the most relevant of these exemptions include mixtures of wastewater and listed spent solvents, as well as mixtures consisting of wastewater and wastes (including solvent wastes) that are generated by laboratory operations [40 CFR 261.3(a)(2)(iv)(A),(B) & (E), respectively]. Under these mixture rule exemptions, such mixtures are not presumed to be hazardous waste when generators can demonstrate that their mixture consists of:

- Wastewater managed in wastewater treatment systems whose discharge is subject to regulation under the Clean Water Act (CWA); AND
- One or more of the identified spent solvents provided the combined concentration in the resulting mixture is no greater than 1 ppm and/or 25 ppm at the headworks (depending on the specific solvent constituents), OR
- Laboratory wastewaters that contain or may contain listed hazardous wastes (e.g., spent solvents) provided the concentration of laboratory wastewater is less than one percent of the total wastewater flow into the headworks of the facility’s wastewater treatment system.

Relevant to this listing determination, some of the solvent uses discussed in the preamble result in the generation of residuals that are managed in wastewater treatment units and are primarily wastewater [e.g., 99.6 percent phenolic wastewaters containing from 0.01% to almost 8 percent phenol (61 FR 42336, col. 2)]. Furthermore, as previously noted, EPA clarifies in its preamble discussion regarding the potential for groundwater risks posed by treatment in surface impoundments that “[s]olvent levels were generally found to be below the HBLs at the headworks.” (61 FR 42325, col. 2). Water HBLs for many of the solvents addressed in this notice fall within the 1 ppm to 25 ppm range (e.g., acetonitrile, 0.2 mg/l; 2-

methoxyethanol, 0.2mg/l; phenol, 20 mg/l; furfural, 0.1 mg/l)<sup>1</sup>. Taking this information into consideration, it appears that mixtures of wastewater and spent solvent waste (from the use of the 14 chemicals as solvents) would likely fall below the established mixture rule exemption thresholds in most cases. As such, this seems to offer some further support to the Agency's proposal not to add these solvent wastes to the lists of hazardous waste. Should EPA determine that listing one or more of the wastes from the use of the 14 chemicals as solvents is warranted, the Department requests that (at a minimum) EPA should clarify the relationship between any newly listed solvent waste(s) and the mixture rule exemptions. Moreover, DOE requests EPA consider amending the mixture rule exemptions to incorporate any such newly listed solvent waste(s).

**II.G.2.b. Physical/Chemical Properties and Toxicity [and corresponding sections concerning certain other chemicals]**

- 1. pp. 42336, col. 2; 42343, col. 3; 42345, col. 2; 42346, col. 3) -- EPA acknowledges that the data on the health effects of certain chemicals are limited and that provisional values [i.e., for the reference doses (RfDs) and reference concentrations (RfCs)] have been utilized. EPA requests comment on the appropriateness of the provisional numbers, and seeks additional data on the toxicity of certain chemicals.**

In the event that the external peer reviews (planned for completion prior to issuing final determinations), and/or additional data on toxicity is received, that indicate the carcinogenicity or toxicity values for any of the solvents for which EPA uses “provisional numbers” are more stringent and, therefore, require EPA to modify the corresponding health-based numbers, DOE requests that EPA (1) make revised health-based numbers and any recalculated risk assessments available for review, and (2) repropose those sections of this rulemaking that are modified based on new calculations. This will afford stakeholders an opportunity to comment on the revised proposal.

**COMMENTS REGARDING THE SOLVENTS STUDY**

- 1. p. 42319, col. 3 -- As part of the consent decree with the Environmental Defense Fund (EDF), EPA agreed to conduct a study, in lieu of a listing determination, that evaluates the wastes that are generated from seven additional chemicals when used as solvents. EPA also agreed to issue a final report on the investigation of the additional solvents. In the August 14, 1996 rulemaking, EPA notes that although the consent decree does not require a listing determination for the solvents covered by the study, the Agency may decide to issue a listing determination in a future rulemaking.**

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<sup>1</sup> Milligrams per liter (mg/l) converts into parts per million (ppm) on approximately a one-to-one basis (i.e., 1 mg/l is approximately equivalent to 1 ppm).

Based on the results of the study regarding the seven additional chemicals (hereinafter referred to as the “Solvents Study”) and the current applicability of RCRA Subtitle C requirements that govern the management of wastes from the use of the seven chemicals as solvents, DOE believes a listing determination for these chemicals is unwarranted -- i.e., provided stakeholders do not submit substantial new information indicating that the management of certain solvent wastes does in fact pose a risk to human health and the environment. Regarding the Solvents Study, each section of Chapter 4 that addresses a chemical that EPA identifies as typically being used for its solvent properties (i.e., except for bromoform and vinylidene chloride) contains a subsection entitled “Management Practices.” In these subsections, EPA identifies the practices that are currently used to manage wastes generated from each chemical’s use as a solvent. Results of the study indicate that a high percentage of the wastes currently generated from the use of these chemicals as solvents are managed as hazardous waste, typically as characteristic hazardous waste.

Under the land disposal restrictions (LDR) program (40 CFR 268), characteristic hazardous waste must be treated to meet the treatment standard(s) prescribed in the table entitled “Treatment Standards for Hazardous Wastes” (40 CFR 268.40) for each hazardous characteristic exhibited at the point of initial generation. In addition, when other chemical(s) meeting the definition of an underlying hazardous constituent (UHC) are reasonably expected to be present in certain characteristic hazardous wastes,<sup>2</sup> the waste must also be treated to meet the applicable universal treatment standards (UTS) for each UHC listed in 40 CFR 268.48, Table UTS. Table 1 (below) identifies each of the seven chemicals addressed in the Solvents Study, summarizes the practices currently employed to manage wastes from their uses as solvents, and indicates whether EPA has promulgated a UTS for each chemical.

**Table 1. Solvents Study chemicals and their current regulatory/UTS status.**

Solvent Study Chemical <sup>3</sup>	Management Practice	UTS Promulgated
1) Allyl chloride (3-chloropropylene)	Managed as hazardous waste (typically D001/D002) in <u>all</u> cases.	Yes
2) Aniline	Typically managed as characteristic hazardous waste at all but one facility.	Yes

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<sup>2</sup> Under current LDR regulations, UHC treatment standards must be met when UHCs are reasonably expected to be present in certain D001- D002 and D012-D043 wastes that are managed in non-CWA/non-CWA equivalent/non-Class I SDWA systems. When promulgated, the treatment standards applicable to toxicity characteristic metal wastes (D004-D011) have also been proposed to require treatment to meet both metal and UHC treatment standards.

<sup>3</sup> The chemicals identified in the parenthetical statements are the chemical name synonyms that appear under the heading “Regulated Constituent/Common Name” in Table UTS of 40 CFR 268.48.

3) Bromoform (tribromomethane)	No residuals reported.	Yes
4) Vinylidene Chloride (1,1-dichloroethylene)	No solvent uses reported.	Yes
5) Diethylamine	Managed as hazardous waste (typically D001/D002) in <u>all</u> cases.	No
6) 1,4-Dioxane	In all but one case, nonwastewaters are managed as hazardous waste (typically characteristic). Wastewaters are managed as nonhazardous in all cases.	Yes
7) Ethylene oxide	Managed as hazardous waste (D001) in <u>all</u> cases.	Yes

When evaluating the need for a listing determination for the Solvent Study chemicals identified above, DOE requests EPA to consider that most of the wastes from the use of the seven chemicals as solvents are currently managed as RCRA hazardous waste, and that six of the seven chemicals are subject to UTS when they are reasonably expected to be present in certain characteristic hazardous wastes. With these factors in mind, it appears that little value would be added relative to protection of human health and the environment should EPA conclude that one or more of the seven chemicals warrants listing as a spent solvent.