

Solvent-Contaminated Wipes Update

OAR 340-101-0004(3-5), and 40 CFR §261.4(a)(26) and 261.4(b)(18)

Purpose

This fact sheet clarifies the status of solvent-contaminated rags and wipes under Oregon's hazardous waste regulations after recent federal and state changes.

Background

On Jul. 31, 2013, the US EPA published the final rules titled "Conditional Exclusion from Hazardous Waste and Solid Waste for Solvent Contaminated Wipes." The federal rule became effective on Jan. 31, 2014. As part of this rule, EPA requires states that regulate wipes through a policy to adopt enforceable regulations.

DEQ recently adopted the EPA rule in part, allowing generators to recycle solvent-contaminated wipes and rags through laundering agreements. DEQ did not adopt the portion of EPA's rule allowing disposal of these wipes in municipal landfills or non-hazwaste incinerators.

DEQ will exempt wipes and rags from hazardous waste regulation if managed under Oregon's wipes rule and wipes are laundered or disposed as solid waste at a hazardous waste treatment, storage and disposal permitted facility.



Dirty rags destined for laundering

Changes from laundered wipe policy

Under the new federal regulations, the following are not eligible for the laundering exclusion:

- Rags and wipes that contain listed hazardous waste other than solvents (e.g., such as metals, etc.); and
- Rags and wipes exhibiting hazardous waste characteristics due to contaminants other than solvents.

Formerly DEQ exempted all laundered wipes according to a 1996 policy. To be at least as stringent as EPA, Oregon's new rule only applies to solvent-contaminated rags and wipes. If a business generates a rag or wipe that is hazardous waste for reasons other than solvent, these rags and wipes are no longer exempt if laundered. Wipes are also subject to recordkeeping requirements, labeling, and may only be kept on site for 180 days. DEQ also allows solvent wipes to be exempt if disposed at a hazardous waste permitted facility as solid waste.



Properly manage recyclable solvent-contaminated wipes

How does Oregon's rule differ from EPA?

DEQ does not allow disposal of wipes at a municipal landfill or non-hazardous waste incinerator.

The federal rule requires containers holding recyclable wipes to be labeled as "Excluded Solvent-Contaminated Wipes." Oregon requires labeling, but allows for equivalent wording on the label such as 'dirty rags destined for laundering.'

Businesses management of wipes under Oregon's rule

Businesses must place solvent-contaminated wipes in non-leaking, closed containers with no free liquids, and label containers "Excluded Solvent- Contaminated Wipes" or with equivalent wording (see example above).

Before transporting, businesses must ensure solvent-contaminated wipes and their containers have no free liquids, as determined by the Paint Filter Liquids Test (EPA Methods Test 9095B).

Businesses must manage free liquids removed from the wipes or from the containers holding wipes as hazardous waste prior to the wipes sent for laundering or disposal.



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A business can accumulate solvent-contaminated wipes for up to 180 days before sending for cleaning or disposal at a hazardous waste permitted facility.

Businesses must keep records documenting:

- The name and address of the laundry or dry cleaner;
- How the 180-day accumulation time limit is being met; and
- The process it uses to meet the “no free liquids” condition.

The exclusion consists of: Wipes that exhibit a hazardous characteristic resulting from a solvent listed in Part 261; wipes that exhibit only the characteristic of ignitability when containing one or more non-listed solvents; and wipes containing one or more F001-F005 listed solvents listed in 40 CFR §261.31 or the corresponding P- or U-listed solvents found in §261.33, including:

- Acetone
 - Benzene
 - n-Butanol
 - Chlorobenzene
 - Creosols
 - Cyclohexanone
 - 1,2-Dichlorobenzene
 - Ethyl acetate
 - Ethyl benzene
 - 2-Ethoxyethanol
 - Isobutyl alcohol
 - Methanol
 - Methyl ethyl ketone
 - Methyl isobutyl ketone
 - Methylene chloride
 - Tetrachloroethylene
 - Toluene
 - 1,1,2-Trichloroethane
 - Trichloroethylene*
 - Xylenes
- * Trichloroethylene for reuse only

Reusable solvent-contaminated wipes must go to a laundry or dry cleaner where discharge, if any, is regulated under sections 301 and 402 or section 307 of the Clean Water Act.

If disposing, not laundering, solvent-contaminated wipes or rags are exempt as long as the business follows the management requirements and send for disposal to a hazardous waste permitted facility.

Laundries management of wipes under Oregon’s rule

Laundries must store solvent-contaminated wipes in non-leaking, closed containers that are labeled “Excluded Solvent-Contaminated Wipes” or equivalent wording. Containers must be able to contain free liquids should they occur.

In transportation, occasionally free liquids can settle out. Free liquids removed from the wipes or from the container holding the wipes must be managed according to applicable hazardous

waste regulations in 40 CFR parts 260 through 273.

Laundries must not accept wipes and rags from large or small quantity generators that are toxic, corrosive, or reactive hazardous waste due to the presence of contamination that is not from a solvent listed in the federal rule.

Laundries cannot accept wipes and rags from large or small quantity generators contaminated with listed hazardous waste, unless the wipes and rags are hazardous waste for a solvent listed in the wipes and rag rule

DEQ regional offices and assistance

For more assistance, see the DEQ hazardous waste program specialist in your area.

Northwest Region office: 700 NE Multnomah St., Suite 600, Portland, OR 97232, 503-229-5696

Bend office: 475 Bellevue, Suite 110, Bend, OR 97701, 541-388-6146

Pendleton office: 800 SE Emigrant, Suite 330, Pendleton OR 97801, 541-276-4063

Salem office: 4026 Fairview Industrial Dr., Salem, OR 97302, 503-378-8240, ext. 253

Eugene office: 165 E. 7th Ave., Suite 100, Eugene OR 97401, 541-686-7838

Where to find more information

DEQ hazardous waste regulations are located on DEQ’s website or search Oregon Administrative Rule 100 through 109.

Federal hazardous waste regulations are in Title 40, Part 260-265 of the Code of Federal Regulations.

Alternative formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.