

US EPA ARCHIVE DOCUMENT



Office of Solid Waste

Environmental Fact Sheet

Hazardous Waste Listing Determination for Two Dye and Pigment Wastes

The U.S. Environmental Protection Agency is proposing to list two dye and pigment wastes as hazardous wastes, and not to list one other waste. This is the first time that EPA is proposing concentration-based listings, which stipulate constituent-specific concentration levels in wastes at which the wastes will be hazardous. The proposed concentration-based listings would be self-implementing. Because the dye and pigment industries are known to use batch processes, the dye and pigment wastes are potentially highly variable wastes. For such wastes, a concentration-based approach is more cost-effective and prevents the unnecessary regulation of nonhazardous wastes.

Background:

The organic dye and pigment industries produce dyes and pigments for a number of users including the automotive, textile, printing, and plastic industries. More than 2,000 individual dyes are manufactured, generally in multiple small batch quantities. There are fewer pigments produced than dyes, however, pigment batches are generally larger in size. The total dyes and pigments production in the U.S. is more than 200,000 tons each year.

This action is proposed under the authority of sections 3001(e)(2) and 3001(b)(1) of the Hazardous and Solid Waste Amendments (HSWA) of 1984, which direct EPA to make hazardous waste listing determinations for certain wastes from the dye and pigment industries. This proposed rule applies to the manufacturers of organic dyes and pigments, and does not affect producers of only inorganic dyes or pigments. The Agency has already listed as hazardous seven waste streams from the production of inorganic pigments.

In June of 1991, the Environmental Defense Fund (EDF) and EPA entered into a proposed consent decree (EDF v. Browner, Civ. No. 89-0598 (D.D.C.)) in which the Agency agreed to examine three classes of dyes and pigments for regulation: azo/benzidine, anthraquinone, and triarylmethane. On December 22, 1994, EPA published a notice that proposed listing decisions for 11 of the wastes covered in the consent decree. EPA deferred action on three dye and pigment wastes: spent filter aids, triarylmethane (TAM) sludges, and anthraquinone sludges. The Agency deferred action on these three wastes because of insufficient characterization data, or lack of health-based levels for specific constituents of concern.

Action:

EPA is proposing concentration-based listings for two deferred dye and pigment wastes described below. Both wastes will be hazardous wastes, unless the wastes do not contain any of the constituents of concern at or above the regulatory levels of concern. Generators must follow implementation procedures described in the proposed FR notice if they want to determine these wastes to be nonhazardous.

- K167-- Spent filter aids, diatomaceous earth, or adsorbents used in the production of azo, anthraquinone, or triarylmethane dyes, pigments, or FD&C colorants.
- K168-- Wastewater treatment sludge from the production of triarylmethane dyes and pigments (excluding triarylmethane pigments using aniline as a feedstock).

The listing determinations are based on risk assessment results that show certain concentration levels of constituents contained in these wastes may pose potential hazards to human health when these wastes are disposed of in landfills.

EPA is proposing not to list one deferred dye and pigment waste:

- Wastewater treatment sludge from the production of anthraquinone dyes and pigments.

EPA is also proposing that the regulation of landfill leachate and landfill gas condensate derived from the two newly-listed dye and pigment wastes be deferred if the wastes were disposed prior to the listing date.

For More Information:

The Federal Register Notice and this fact sheet are available in electronic format on the Internet. The notice is available at <<http://epa.gov/fedgstr>>. This fact sheet and other documents related to this rule are available at <<http://www.epa.gov/epaoswer/hazwaste/id/dyes/index.htm>>. For additional information or to order paper copies of any documents, call the RCRA Hotline. Callers within the Washington Metropolitan area must dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). Long distance callers may call 1-800-424-9346 or TDD 1-800-553-7672. The RCRA Hotline operates weekdays, 9:00am to 6:00pm. Write the RCRA Information Center (5305W) US EPA, 401 M Street, SW, Washington, DC 20460. Address e-mail to <RCRA-Docket@epa.gov>.