

US EPA ARCHIVE DOCUMENT

Hazardous Waste Identification Rule (HWIR):  
Revisions to the Mixture and Derived-From Rules  
Response to Comments  
April 28, 2001

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## I Introduction

By notices dated December 21, 1995 and November 19, 1999, the Environmental Protection Agency (EPA or the “Agency”) proposed to retain and amend the mixture and derived-from (MDF) rules. EPA proposed two revisions to the MDF rules. The first would narrow the scope of the MDF rules by exempting mixtures and derivatives of wastes listed solely for the ignitability, corrosivity, and/or reactivity characteristics which no longer exhibit any characteristic of hazardous waste and comply with land disposal restrictions (LDR) applicable to characteristic wastes. The second is a conditional exemption from the MDF rules for “mixed waste” (i.e., wastes that are both hazardous and radioactive).

EPA also discussed an implementation framework for two exemptions from Subtitle C management requirements for wastes meeting a set of conditions and procedures. However, these issues had separate response dates. This document responds to comments addressing the proposed changes to the MDF rules.

On November 13, 1995, the Administrator signed the proposed Hazardous Waste Identification Rule (HWIR) to revise the MDF rules. This proposal was published in the Federal Register on December 21, 1995 (60 FR 66344). It proposed a set of exemption levels for hundreds of hazardous constituents. Many of these levels were based on a complex multipathway risk assessment. The notice also proposed to revise the derived-from rule to provide relief for hazardous wastes listed because they exhibited the characteristics of ignitability, corrosivity and/or reactivity, and solicited comment on the concept of providing a separate exemption for hazardous wastes mixed with low level radioactive wastes.

After receiving extensive comments on the 1995 HWIR proposal, EPA concluded that considerable work needed to be done to resolve the complex scientific and technical issues raised in comments. On April 11, 1997, the District Court entered an order amending the consent decree. The amended consent decree revised the deadlines for a revision to the MDF rules, with an October 13, 1999 deadline for the Administrator to sign a proposal, and an April 30, 2001 deadline to sign a notice taking final action. Despite a concerted, sustained effort, EPA did not succeed in developing within the consent decree time frame a risk assessment capable of generating reliable exemption levels.

Therefore, in 1999 EPA decided to propose (1) revisions to the mixture rule for wastes listed because they exhibit the characteristic of ignitability, corrosivity, and/or reactivity, and (2) a set of conditional exemptions from various Subtitle C regulations (including the mixture and derived-from rules) for certain low-level radioactive wastes as described in a separate proposal. This proposal was published in the Federal Register on November 19, 1999 ( 64 FR 63382).

EPA received comments to both the 1995 and 1999 HWIR proposals. Table 1 provides

an index of all commenters for both proposals. Comments submitted in response to the 1995 proposal are numbered beginning with “WHWP” and comments in response to the 1999 proposal begin “WH2P.”

Table 1 also includes, for each commenter, code(s) that correspond to the major issues raised in those comments. All comments received were initially reviewed to identify the major issues that the commenter raised. From this review, a list of major issues was developed. Each major issue was assigned a three or four letter code. The major issues for this rulemaking and the corresponding letter code are listed below.

- Comments on Retaining the Mixture and Derived-from (MDF) Rules (MDF)
- Comments on Revising the MDF Rules: Wastes Listed Solely for Ignitability, Corrosivity or Reactivity (ICR)
- Comments on the Conditional Exemption for Mixed Waste (MW)
- Comments on Revisions to MDF Rules Submitted by Chemical Manufacturers Association (CMA)
- Comments on Other Possible Exemptions to the MDF rules (OTH)
- Miscellaneous Comments Not Directly Related to Revising the MDF Rules (MISC)
- HWIR Exemption Comments (HWIR)

Each major issue was further broken down into more discreet issues. Table 2 provides the complete list of all issues codes. The comments were reviewed and broken apart by page and paragraph. The paragraphs were then assigned one or more of the codes found in Table 2. Introductory and conclusion paragraphs and paragraphs that stated that a commenter incorporated another set of comments by reference were not assigned a code.

The majority of comments were assigned one issue code per page, paragraph breakdown. In cases where a paragraph discussed more than one issue, the paragraph was broken up into sections. The paragraph breaks are denoted by [...]. This indicates that the comment is only part of the paragraph. However, there were some comments that could not be broken down without losing the meaning of their comment and they were assigned multiple issue codes. These comments therefore appear more than once in this response to comment document.

In the chapters that follow, each comment issue is summarized, and then followed by EPA’s response. A list of the specific comments (including the comment number assigned by the EPA docket, the page, and the paragraph) that are linked to each comment issue summary is included. The full texts of these comments appear in the corresponding appendix.

This document only responds to comments addressing the proposed changes to the MDF rules and should be read in conjunction with the final rule published in the Federal Register.

EPA will respond to the comments regarding the concentration-based exemption (HWIR) in a

separate document at the time the Agency takes final action on that exemption. Appendix G references all comments (received before the February 17, 2000 deadline) which are considered to be HWIR comments.

**Table 1. Index of Commenters  
on the Proposed 1995 and 1999 Hazardous Waste Identification Rule**

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
A.T. Kearney, Inc	WHWP-00023	HWIR
ACIL	WH2P-00003	ICR7
Acrylonitrile Group, Inc.	WHWP-00145	MDF1, MDF9, MISC4, HWIR
Air Products & Chemicals, Inc.	WHWP-00148 WHWP-00232 WH2P-00026	MDF1, MDF9, MISC4, HWIR “Air Products is a member of CMA and we support the CMA comments submitted on this proposed rule and incorporate them by reference” (WH2P-00033).
Alliant Techsystems	WHWP-00115	HWIR
Allied Signal Inc.	WHWP-00159	HWIR
Aluminum Company of America	WHWP-00199	MISC14
American Auto Manufacturers Assoc	WHWP-00194	ICR3, ICR4, MDF6
American Society of Hlth-S Pharmacists	WHWP-00129	MISC7, HWIR
American Institute of Chemical Engrs	WHWP-00084	OTH12, MISC22, HWIR
American Industrial Health Council	WHWP-00100	MDF9, HWIR, OTH7
American Chrome & Chemicals	WHWP-00134	HWIR
American Forest & Paper Assoc (AFPA)	WHWP-00007 WHWP-00238 WH2P-00018	ICR1, MDF2, MDF9, HWIR
American Iron and Steel Inst.	WHWP-00165	MDF1, MDF4, MDF5, MDF7, MDF9, HWIR

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
American Petroleum Inst (API)	WHWP-00009 WHWP-00106 WH2P-00031	CMA2, CMA7, CMA8, ICR1, ICR2, ICR4, MDF1, MDF9, MISC11, HWIR
American Portland Cement	WHWP-00155	MISC13, MDF9, HWIR
American Water Works Assoc.	WHWP-00087	HWIR
American Zinc Association	WHWP-00242	HWIR
Amoco Corporation	WHWP-00117	HWIR, MDF9; "We support the API's (WHWP-00106) and CMA's (WHWP-00073) comments submitted to EPA"
Antimony Oxide Industry Assoc	WHWP-00103	HWIR
Anzon, Inc.	WHWP-00144	HWIR
Applied Environmental Management	WHWP-00133	HWIR
Arizona Public Service Co.	WHWP-00158	MDF9, MW3, HWIR
ASARCO, Inc.	WHWP-00125 WHWP-00168 <sup>1</sup>	MDF1, MDF2, MDF7, MDF9, HWIR; "As a member of the Lead Industries Association (LIA), Asarco endorses comments submitted separately by LIA" (WHWP-00081)
Ash Grove Cement Company	WHWP-00195	MDF2, HWIR
Ashland Chemical Company	WHWP-00132	HWIR; "Ashland Chemical Company, as a participating member of the CMA, recognizes and indorses CMA's (WHWP-00073) extensive comments on this rule."
Assn. for Responsible Thermal Trmt	WHWP-00244	HWIR
Association of American Railroads	WHWP-00085	MISC21, HWIR

<b>Committer Name</b>	<b>Comment Number(s)</b> <b>WHWP = 1995 docket,</b> <b>WH2P =1999 docket</b>	<b>Comment Issue Code(s)</b> <b>(see Table 2 for code description)</b>
Association of State and Territorial Solid Waste Management Officials	WHWP-00060 WH2P-00002	CMA1, MDF2, MW3, HWIR
Atlantic Research Corp	WHWP-00018	ICR1, HWIR
Atlantic Richfield Co. (ARCO)	WHWP-00092 WHWP-00154	HWIR
Baker Performance Chemicals	WHWP-00207	HWIR
Basic Acrylic Monomer Manuf. (BAMM)	WHWP-00164 WHWP-L0006 WH2P-00021	CMA1, ICR1, MDF2, MDF 13, HWIR
Battery Council Intl. (BCI)	WHWP-00147 WH2P-00049	HWIR
BCP Chemicals	WHWP-00027	HWIR
Beazer East, Inc	WHWP-00002 WHWP-00196	MDF1, MDF9, HWIR
Bethlehem Steel Corporation	WH2P-00004	MDF1, MDF11, MDF4, MDF6, MDF7, OTH8, HWIR
Betz Laboratories, Inc.	WHWP-L0001	HWIR
Biotechnology Industry Org.	WHWP-00176	HWIR
Boeing Company	WHWP-00235	HWIR

Committer Name	Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket	Comment Issue Code(s) (see Table 2 for code description)
BP Amoco Chemicals	WHWP-00205 WH2P-00041	CMA2, CMA7, CMA8, CMA11, ICR1, ICR2, ICR4, MDF1, MDF2, MDF9, MW1 “BP Amoco supports the comments being submitted by the API” (WH2P-00031) “BP Amoco Chemicals has contributed to the formation of, and strongly supports, CMA’s comments on this proposal” (WH2P-00033). “BP Chemicals has participated in the development of the comments submitted by CMA (WHWP-00073) and hereby incorporates by reference those comments in their entirety. BP Chemicals is also a member of the Acrylonitrile Group Inc., a nonprofit organization representing producers and users of acrylonitrile and we hereby incorporate their comments by reference.
BP Amoco Oil	WH2P-00001	CMA1, CMA12, ICR1, ICR2, ICR4, HWIR
BP Exploration and Oil, Inc	WHWP-00064	HWIR; We support the comments being submitted by the API (WHWP-00106) and incorporate those comments by reference into these comments
Bristol-Myers Squibb Company	WHWP-00202	ICR1, MISC3, MW3, HWIR
Browning-Ferris Industries	WHWP-00139	OTH4, MDF2, MDF9, MDF15, HWIR
Brush Wellman, Inc.	WHWP-00090	HWIR
Business Recycling Coalition	WHWP-00184	HWIR
C.L. Brassow & Assoc	WHWP-00010	HWIR

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
Capital Returns, Inc.	WHWP-00160	MDF1, MDF5, MDF9, MDF10, MISC7, HWIR
Caufield Enterprises	WHWP-00035	ICR1, ICR2, ICR4, MDF2, MDF9 MISC13, HWIR
Cement Kiln Recycling Coalition	WHWP-00251	HWIR; We hereby incorporate by reference the comments developed by The American Portland Cement Alliance (WHWP-00084)
Central & South West Services	WHWP-00233	CSWS supports the comments of the Utility Solid Waste Activities Group (WHWP-00089), The Edison Electric Research Institute, The American Public Power Association, and The National Rural Electric Cooperative Association on EPA's proposed rule.
Chemical Manufacturers Association	WHWP-00073 WH2P-00033	CMA1, CMA2, CMA3, CMA5, CMA6, CMA7, CMA8, CMA11, CMA12, ICR1, ICR3, ICR4, ICR8, MDF1, MDF2, MDF9, MW1, MISC3, MISC16, OTH7, HWIR
Chemical Manufacturers Association Panels	WH2P-00039	CMA1, ICR1 The Panels strongly support these proposed reforms and joins in the comments submitted by CMA on these issues (WH2P-00033).
Chemical Products	WHWP-00055	HWIR
Chemical Waste Management, Inc	WHWP-00005	Comment period extension
Chevron	WHWP-00179	HWIR; Chevron endorses and incorporates by reference API's (WHWP-00106) and CMA's (WHWP-00073) comments
Chlorine Institute	WHWP-00014 WHWP-00224	MDF2, HWIR, MISC23

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
Chlorobenzene Producers Assoc	WHWP-00107	HWIR
Chrome Coalition	WHWP-00095	MDF1, MDF9, HWIR
Ciba-Geigy Corporation	WHWP-00197	MDF2, MDF9, CMA8, OTH10, HWIR
CITGO Petroleum Corporation	WHWP-00209	HWIR
Citz., A.P. Colors	WHWP-00056	HWIR, MDF9
Citz., E. Brashier	WHWP-00241	HWIR
Citz., J. Woodburn	WHWP-00032	HWIR
Citz., M. Lewis	WHWP-00054	MW3, MISC18, HWIR
Citz., M. Shere	WHWP-00174	HWIR, MDF4
Citz., W. Kemper	WHWP-00216	MW3, HWIR
Clean Harbors Env'l Services	WHWP-00033	HWIR
CMA Acetone Panel	WHWP-00071	HWIR; The Panel agrees with CMA's (WHWP-00073) comments and incorporates them herein by reference
CMA Carbon Disulfide Panel	WHWP-00076	HWIR; The Panel supports and incorporates by reference the comments submitted separately by CMA (WHWP-00073) on this proposed rule.
CMA Cumene Panel	WHWP-00077	HWIR; The Cumene Panel supports, and incorporates by reference, the detailed comments being filed by CMA (WHWP-00073) on the generic policy and technical issues raised by EPA's proposal

<b>Commenter Name</b>	<b>Comment Number(s)</b> <b>WHWP = 1995 docket,</b> <b>WH2P =1999 docket</b>	<b>Comment Issue Code(s)</b> <b>(see Table 2 for code description)</b>
CMA Ketones Panel	WHWP-00070	HWIR; The Panel supports, and incorporates by reference herein, the detailed comments being filed by CMA (WHWP-00073) on the proposed HWIR
CMA Metal Catalysts Panel	WHWP-00075	HWIR, MDF9
CMA Oxo Process Panel	WHWP-00069	HWIR
CMA PCB Panel	WHWP-00079	MISC14, HWIR
CMA Phthalate Esters Panel	WHWP-00080	HWIR; The Panel agrees with CMA's (WHWP-00073) comments and incorporates them herein by reference
CMA Water Additives Panel	WHWP-00074	MDF1, MDF9, MISC4, HWIR; The Panel also endorses the comments on HWIR that are being submitted by the CMA (WHWP-00073) on generic matters in this proposal
CMA, UIC Mgmt. Task Group	WHWP-00078	MDF2, MDF9, MISC2, MW3, HWIR
Coalition for Responsible Waste Management	WH2P-00045	CMA9, ICR1, ICR4, ICR8,
Coastal Corp	WHWP-00030	HWIR, MISC24
Color Pigments Manuf Assoc	WHWP-00021 WHWP-00137	HWIR
Columbia Gas Transmission Corp	WHWP-00022	HWIR
Congressman, J. Barton	WHWP-00050	Requested that the Agency consider suggestions made in Comment WHWP-00010 concerning the definition of qualifying units
Conservation Services, Inc.	WHWP-00049	HWIR
Council of Radionuclides ...	WHWP-00116	MW3, HWIR

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Cyprus Amax Minerals Company	WHWP-00099	MDF2, MDF7, MDF9
DaimlerChrysler	WH2P-00042	CMA11, ICR1, ICR8, MDF2, HWIR
(U.S.) Department of Defense	WHWP-L0004 WH2P-00017	MDF9, CMA1, CMA2, CMA3, CMA5, CMA9, CMA11, ICR1, ICR3, ICR4, ICR5, ICR8, ICR14, MDF2, MISC1, MISC4, MW2, HWIR
Department of Energy (DOE)	WHWP-00072 WH2P-00007	MDF9, CMA4, CMA10, ICR1, ICR2, ICR3, ICR4, ICR8, MW1, MW2, MW3, MISC9, OTH5, HWIR
Department of Toxic Substances Control, State of California	WH2P-00009	CMA6, CMA7, CMA8, CMA11, ICR4, ICR8, ICR9, MDF2
Detroit Edison Company	WHWP-00112	MDF1, MW3, HWIR
Disposal Safety Inc.	WHWP-00051	HWIR
Distilled Spirits Council	WHWP-00016	MISC17
Doe Run Company (Doe Run)	WHWP-00098	HWIR
Dow Chemical Company	WHWP-00185	ICR2, ICR3, MDF3, MDF9, HWIR; Dow supports the comments of CMA (WHWP-00073) concerning extrapolated exit levels
Duke Power	WH2P-00022	CMA1, CMA2, CMA3, CMA5, ICR2, ICR8, MDF1, MW1, HWIR
Duquesne Light	WHWP-00143	MDF1, MW3,
E.I. DuPont	WHWP-00182	ICR1, MDF9, MDF10, OTH3, HWIR; We support and incorporate herein, by reference, CMA's (WHWP-00073) and AIHC's comments
Eastman Chemical Co.	WHWP-00162 WH2P-00050	CMA1, CMA7, CMA8, ICR1, MDF2, MDF3, MDF9, MW1, HWIR

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Eastman Kodak Company	WHWP-00065	MDF2, MDF9, HWIR
Electronic Industries Assoc.	WHWP-00114	MDF9, MISC19, HWIR
Electrotek Corporation	WHWP-00230	HWIR
Elf Atochem North America, Inc	WHWP-00128	HWIR; Elf Atochem N.A. concurs with many of the comments of CMA (WHWP-00073)
Eli Lilly and Company	WHWP-00201	CMA8, ICR1, MDF1, MDF2, MDF3, MDF7, MDF10, OTH7, HWIR
Emulsion Polymers Council	WHWP-00123	HWIR
Encapco	WHWP-00036	HWIR
Enron Operations Corp. (EOC)	WHWP-00248	MDF9, HWIR
Env. Council of the States	WHWP-00213	MW3
Envirocare of Utah, Inc.	WH2P-00011	CMA9, ICR7, MW3, HWIR
Environmental Defense Fund	WHWP-00003 WHWP-00156	HWIR; EDF concurs generally in many of the detailed comments submitted today by the Environmental Technology Council (WHWP-00204)
Environmental Technology Council	WHWP-00204 WH2P-00034	CMA1, CMA2, CMA6, CMA7, CMA8, CMA9, CMA11, ICR1, ICR4, ICR8, ICR10, MDF1, MDF2, HWIR
EnviroSource TDS, Inc.	WHWP-00152	HWIR
ETAD	WHWP-00082	HWIR; ETAD fully supports SOCMA's (WHWP-00138) comments and incorporates them by reference
Exxon Chemical Americas (ECA)	WHWP-00111	HWIR; ECA has been active in the development of those comments and supports and incorporates by reference the CMA (WHWP-00073) submission

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Exxon Company, USA	WHWP-00067	HWIR; Exxon supports and incorporates by reference the API (WHWP-00106) comments on this proposed rule
Fertilizer Institute	WHWP-00101	MDF1, MDF12, HWIR
Florida Power and Light Co.	WH2P-00047	MW1 FPL endorses the comments of the USWAG and the Nuclear Energy institute and hereby incorporates those comments as part of our comments (WH2P-00010).
FMC Corporation	WHWP-00227	HWIR
Formaldehyde ETE Group	WHWP-00105	HWIR; The Group also supports the general comments of the CMA (WHWP-00073) on this proposal
Formosa Plastics Corp	WHWP-00008	Comment period extension
(The) General Electric Company	WHWP-00193 WH2P-00005	CMA1, CMA2, CMA3, CMA5, CMA6, CMA7, CMA8, CMA11, ICR1, ICR4, ICR8, ICR11, MDF1, MDF2, MDF6, MDF7, MDF9, OTH9, MISC4, MISC14, HWIR; GE supports CMA's ( WHWP-00073) comments on the multipathway risk analysis and the modified groundwater fate and transport model
General Motors	WH2P-00038	ICR1, ICR4, HWIR
General Public Utilities (GPU)	WHWP-00239	ICR1, MDF1, MDF2, MDF9, MW3, MISC14
GPU Nuclear Corporation	WHWP-00208	MDF1, MDF9, MW3, HWIR
HADCO Corp	WHWP-00028	HWIR
Halogenated Solvents Industry	WHWP-00163	HWIR

<b>Committer Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
Hazardous Waste Action Coalition	WHWP-00119	MDF9, MW 3, HWIR
Hazardous Waste Management Association	WHWP-00004 WHWP-00186	ICR1, MDF2
Hercules Incorporated	WHWP-00172	MDF1, MDF9, MISC4, HWIR
Heritage Environmental Services	WHWP-00017	MDF8, MISC9, HWIR
Hoechst Celanese Corp. (HCC)	WHWP-00169	ICR4, HWIR
Holnam Inc.	WHWP-00150	MDF1, MDF9, MISC4, HWIR
Horsehead Resource Dev. Co.	WHWP-00190	MDF2
IBC Manufacturing Company	WHWP-00045	HWIR
IBM Corp.	WHWP-00225	HWIR
Independent Liquid Terminals Association	WH2P-00027	CMA11, HWIR
Industrial Environmental Assoc	WHWP-00166	ICR1, MW3, HWIR
International Precious Metals Institute	WH2P-00032	CMA8
IPC	WHWP-00083	MDF2, MDF9, MISC20, HWIR
IT Corporation	WHWP-00026	HWIR
Jersey Central P&L Co (JCP&L)	WHWP-00220	ICR1, MDF1, MDF9, OTH7, MISC14, HWIR
JetSeal, Inc	WHWP-00020	MW3, HWIR
Kaiser Alumin. & Chem. Corp.	WHWP-00149	MDF1, MDF9, MISC4, HWIR
Kaiser-Hill Company	WHWP-00029	ICR3, MW3, HWIR

<b>Commenter Name</b>	<b>Comment Number(s)</b> <b>WHWP = 1995 docket,</b> <b>WH2P =1999 docket</b>	<b>Comment Issue Code(s)</b> <b>(see Table 2 for code description)</b>
Kerr-McGee Corporation	WHWP-00222	HWIR; as a member of the API (WHWP-00106), KMC has reviewed API's comments to EPA on the HWIR and we support and concur with them
Kimberly-Clark Corp	WHWP-00012	MISC19
Laidlaw Environmental Services Inc	WHWP-00176	HWIR
Lake City Army Ammunition	WHWP-00040	ICR1, HWIR
Lead Industries Assoc., Inc.	WHWP-00081	HWIR
Leather Industries of America	WHWP-00096 WHWP-00097	MDF1, MDF9, HWIR
Lenz Oil Service, Inc	WHWP-00019	OTH6
Lockheed Martin	WHWP-00024	MW3, HWIR
Lucent Technologies	WHWP-00157 WHWP-00212 <sup>1</sup>	HWIR
Maine DEP/ State of Maine, DEP	WHWP-00247 WH2P-00028 WH2P-00029	CMA2, CMA6, CMA7, CMA8, CMA9, CMA11, ICR1, ICR8, ICR10, MDF2, MW3, HWIR
Mallinckrodt Chemical	WHWP-00057	HWIR
Marine Shale Processors, Inc.	WHWP-00091	HWIR
Maxus Energy Corporation	WHWP-00211	HWIR
Merck & Co., Inc.	WHWP-00173	MDF1, MDF9, HWIR
Methacrylate Producers Assoc	WHWP-00061 WHWP-00062 WH2P-00020	CMA1, ICR1, MDF10, HWIR

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
Methyl Chloride Industry Assoc	WHWP-00104	HWIR; MCIA supports, and incorporates by reference, the detailed comments being filed by the CMA (WHWP-00073) on the proposed HWIR
Military Production Network	WHWP-00189	MW3
Missouri Department of Natural Resources/ State of Missouri DNR	WHWP-00034 WH2P-00025	ICR1, ICR12, MDF2, MDF9, MISC10, HWIR
Mobil Corp	WHWP-00063	HWIR; Mobil hereby incorporates API's (WHWP-00106) comments by reference
Molten Metal Technology, Inc.	WHWP-00011 WHWP-00120	MISC15, MW 3, HWIR
Monsanto Company	WHWP-00252	HWIR; We incorporate CMA (WHWP-00073) comments here in their entirety by reference
NASA	WHWP-00210	HWIR
National Assoc of Chemical Recyclers	WHWP-00161	HWIR
National Association of Manufacturers	WHWP-00013 WHWP-00140	HWIR, MDF9
National Association of Metal Finishers	WHWP-00141	MISC9, HWIR
National Association of Photo. Manuf.	WHWP-00113	The National Association of Photographic Manufacturers (NAPM) is in full support of the submission by the Silver Council dated April 18, 1996 The NAPM agrees and endorses the statements and the rationale of the Silver Council

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National Auto Radiator Service	WHWP-L0005	HWIR, MDF9, OTH6
National Coil Coaters Association	WHWP-00192	MDF1, MDF5, MDF9, MDF10, MISC12, HWIR
National Environmental Development Assoc RCRA Project	WH2P-00012	CMA1, ICR1, ICR11, MDF1
National Groundwater Assoc	WHWP-00044	HWIR
National Oil Recyclers Assoc.	WHWP-00223	HWIR
National Oil Recyclers Coalition	WH2P-00023	MISC10, HWIR
National Petroleum Refiners Assoc	WHWP-00146	HWIR
National Wholesale Druggists Assn	WHWP-00188	MISC7, HWIR
New York Dept. of Environmental Conservation/ State of New York DEC	WHWP-00245 WH2P-00048	CMA2, CMA3, CMA5, CMA8, ICR1, ICR4, ICR8, ICR14, MDF2
Nickel Development Institute	WHWP-00183	HWIR; NiDI and Inco participated in the development of the BRC (WHWP-00184) Comments, and we explicitly endorse the positions on those issues set forth in the BRC Comments
Norlite Corporation	WHWP-00153	HWIR
Northeast Waste Mgmt Officials	WHWP-00170	MW3, HWIR
NorthWestern Carbon	WHWP-00131	OTH1
Nuclear Energy Institute	WHWP-00246	MW3, HWIR

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
Nucor Corporation	WHWP-00215	MDF5, HWIR
NYNEX	WHWP-00126	HWIR
Occidental Chem Corp (OxyChem)	WHWP-00236 WH2P-00046	CMA3, CMA5, CMA6, CMA7, CMA8, CMA11, CMA12, ICR1, ICR8, MDF1, MDF2, OTH7, HWIR
Ohio Department of Health	WH2P-00044	ICR1, MW3
Ohio EPA/State of Ohio EPA DHWM	WHWP-00234 WH2P-00030	CMA2, CMA3, CMA6, CMA7, CMA8, CMA11, ICR8
Onyx Environmental Services, L.L.C	WH2P-00015	CMA8, CMA9, CMA11, CMA12, ICR1, ICR4, ICR8, MDF2, MDF10, MISC8, OTH11
Pacifi Corp.	WHWP-00108	ICR1, MDF1, MDF7, MISC14, HWIR; PacifiCorp fully supports and endorses the comments filed by the PCB Consensus Group (WHWP-00079) regarding the effects of the HWIR proposal on the regulation of polychlorinated biphenyls
Peco Energy	WH2P-00040	PECO Energy supports the comments submitted on behalf of the nuclear energy industry, by the USWAG (WH2P-00010).
Pennzoil Company	WHWP-00088	MDF7, HWIR; Pennzoil is a member of API (WHWP-00106) and supports its comments on the proposed rule
Penta Task Force	WHWP-00136	HWIR, MDF9
Phelps Dodge Corporation	WHWP-00243	MISC5, HWIR

<b>Committer Name</b>	<b>Comment Number(s)</b> <b>WHWP = 1995 docket,</b> <b>WH2P =1999 docket</b>	<b>Comment Issue Code(s)</b> <b>(see Table 2 for code description)</b>
Phillips Petroleum Company	WHWP-00001 WH2P-00014	CMA1, CMA3, CMA5, CMA6, CMA7, CMA8, CMA11, ICR1, ICR2, ICR4, MDF1, MDF2, OTH7 Phillips Petroleum - Endorses comments found elsewhere in the docket for this proposed rulemaking by NEDA RCRA (WH2P-00012).. Phillips Petroleum - Endorses comments found elsewhere in the docket for this proposed rulemaking by API. (WH2P-00031). Phillips Petroleum- Endorses comments found elsewhere in the docket for this proposed rulemaking by CMA (WH2P-00033).
Photo Marketing Association Int'l	WHWP-00068	HWIR
Pioneer Americas	WH2P-00036	CMA1, CMA9, ICR1, ICR4, ICR8, MDF2
Proler International Corp.	WHWP-00175	ICR1, MDF2, HWIR
Questar Corp	WHWP-00047	HWIR
Reusable Industrial Packaging Association	WH2P-00037	CMA11
Rocky Flats Cleanup Comm. Inc.	WHWP-L0002	HWIR
Rocky Mt. Oil & Gas Assoc	WHWP-00041	HWIR
Safety-Kleen Corp.	WHWP-00124 WH2P-00019	CMA11, ICR1, ICR4, MISC15, MDF6, HWIR
SB Latex Council	WHWP-00121	HWIR
Shell Chemical Company	WHWP-00191	MISC9, HWIR
Silver Council, Inc.	WHWP-00086	HWIR

<b>Commenter Name</b>	<b>Comment Number(s)</b> <b>WHWP = 1995 docket,</b> <b>WH2P =1999 docket</b>	<b>Comment Issue Code(s)</b> <b>(see Table 2 for code description)</b>
Society of Plastics Industry	WHWP-00102	HWIR; SPI submits and endorses the comments of SIRC and the Polyurethane Division on substance-specific aspects of the HWIR proposal
Solid Waste Assoc of North Am	WHWP-00015	HWIR
South Carolina Electric & Gas	WHWP-00127	HWIR
Southern CA Edison Company	WHWP-00198	MW3; Edison also supports USWAG's (WHWP-00089) comments being provided on this issue and urges EPA to revise the proposed rule
Southern Wood Piedmont Co	WHWP-00039	HWIR
Specialty Steel Industry	WHWP-00093	MDF1, MDF9, HWIR
State of Alabama, DEM	WHWP-00066	MW3, HWIR
State of Arizona, DEQ	WHWP-00221	HWIR
State of California, EPA	WHWP-00249	MW3, HWIR
State of Colorado, DPHE	WHWP-00231	MW3, HWIR
State of Delaware, HWMB	WHWP-00237	HWIR, MDF10
State of Idaho, DHW DEQ	WHWP-00228 WHWP-00229	MW3, HWIR
State of Illinois EPA	WHWP-00038	HWIR
State of Kentucky, NREP	WHWP-00206	ICR1, ICR3, ICR8, ICR13, MW3, HWIR
State of Maryland, DEQ	WHWP-00109	MW3, HWIR
State of Michigan, DEQ	WHWP-00171 WH2P-00043	ICR1, MDF2, HWIR

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
State of Minnesota, PCA	WHWP-00059	HWIR
State of Nevada	WHWP-00052	MW3
State of New Mexico HRB	WHWP-00043 WHWP-00046	MW3, HWIR
State of Oregon DEQ	WHWP-00130	MDF9, HWIR
State of Pennsylvania, DEP	WHWP-00167	MW3, MDF9, MDF14, HWIR
State of Texas - TNRCC	WHWP-00037	MDF9, HWIR
State of Utah, DEQ	WHWP-00214	HWIR
State of Vermont, WMD	WHWP-00226	MW3
State of Wash, Dept of Ecology	WHWP-00025 WHWP-00250	MDF3, MDF9, MW3, HWIR
Steel Manufacturers Assoc.	WHWP-00094	MDF1, MDF9, HWIR
Steel Structures Painting Council	WHWP-00048	HWIR
Sterling Chemicals	WHWP-00110	HWIR; Sterling supports the comments submitted by CMA (WHWP-00073), Acrylonitrile Group and CMA's Underground Injection Control Group
StorageTek Corp	WHWP-00042	HWIR
Styrene Information (SIRC)	WHWP-00142	HWIR
Synthetic Organic Chemical Manufacturers Association	WHWP-00138 WH2P-00035	CMA1, CMA2, CMA3, CMA11, ICR1, MDF1, MDF2, MDF3, MDF9, MDF10, MISC10, OTH7, HWIR
Systech Environmental	WHWP-00053 WHWP-00151	MISC6, MISC13, HWIR
Texas Instruments Incorporated	WHWP-00187	HWIR
The Fertilizer Institute	WH2P-00013	HWIR

<b>Commenter Name</b>	<b>Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket</b>	<b>Comment Issue Code(s) (see Table 2 for code description)</b>
Thermal Fluids Council	WHWP-00135	HWIR, MDF9
TRW	WH2P-00024	ICR5, ICR6, ICR7, OTH13
TXU Business Services	WH2P-00008	CMA1, ICR2, ICR8, MDF1, MW1 TXU is a member of USWAG and supports their comments being submitted under separate cover (WH2P-00010).
U.S. Nuclear Reg Commission	WHWP-00178	MW3, HWIR
U.S. Small Business Administration	WHWP-00180.A WHWP-L0003 <sup>1</sup>	HWIR
Union Camp Corporation (UCC)	WHWP-00217	HWIR, Union Camp shares many of the same concerns and comments expressed by the American Forest and Paper Association (AFPA) (WHWP-00238) and the National Council of Air and Stream Improvement (NCASI)
Union Carbide Corporation	WHWP-00218	HWIR; Union Carbide supports the comments of the CMA (WHWP-00073), to which we belong
Uniroyal Chemical Company, Inc	WHWP-00219	MDF3, HWIR
University of Texas	WHWP-00058	HWIR
Utility Solid Waste Activities Group	WHWP-00089 WH2P-00010	CMA1, CMA2, ICR1, ICR2, ICR8, MDF1, MDF7, MDF9, MW1, MW3, HWIR; USWAG fully supports and endorses the comments filed today by the PCB Consensus Group (WHWP-00079)
Valvoline Company	WHWP-00031	Comment period extension
Vinyl Acetate Toxicology Group	WHWP-00122	MDF9, MDF10, HWIR

Commenter Name	Comment Number(s) WHWP = 1995 docket, WH2P =1999 docket	Comment Issue Code(s) (see Table 2 for code description)
Virginia Power	WHWP-00240 WH2P-00016	ICR1, ICR2, MDF1, MW1 VA Power is a member of USWAG and agrees with the separate comments filed by USWAG (WH2P-00010). Virginia Power fully endorses comments submitted by the Utilities Solid Waste Activities Group (WHWP-00089)
Waste Management	WH2P-00006	MISC8, OTH4
Westinghouse Electric Corp.	WHWP-00177	ICR1, ICR3, MW3, OTH2, MISC4, HWIR
WMX Technologies, Inc.	WHWP-00200	MW3, HWIR
Zinc Corp & Horsehead	WHWP-00006	Comment period extension
Zinc Industrial Consumers	WHWP-00118 WHWP-00181 <sup>1</sup>	HWIR

Notes:

<sup>1</sup> Duplicate comment.

**Table 2. Comment Issue Codes  
on the Proposed 1995 and 1999 Hazardous Waste Identification Rule**

Code	Comment Issue	Comment ID, Page #, Paragraph #
<b>Retaining the Mixture and Derived-from (MDF) Rules</b>		
MDF1	Legal authority for the MDF rules	WHWP-00073, 20, 1; WHWP-00074, 4, 3; WHWP-00089, 6, 6; WHWP-00093, 4,1 WHWP-00094, 4,1; WHWP-00095, 4,1 WHWP-00096, 4,1; WHWP-00101, 20, 1 WHWP-00106, 12, 2; WHWP-00108, 4, 7. WHWP-00108, 5, 2; WHWP-00112, 2, 1 WHWP-00125, 3, 1; WHWP-00138, 3,1 WHWP-00143, 1, 3; WHWP-00145, 2, 5 WHWP-00148, 6, 4; WHWP-00149, 5, 1 WHWP-00150, 11, 1; WHWP-00160, 3, 2 WHWP-00160, 7, 1; WH2P-00046, 5, 5 WHWP-00165, 4, 3; WHWP-00165, 6, 3 WHWP-00165, 9, 4; WHWP-00172, 41, 1 WHWP-00173, 1, 2; WHWP-00192, 6, 1 WHWP-00192, 11, 1; WHWP-00196, 4, 1 WHWP-00201, 2,1; WHWP-00201,15, 2 WHWP-00204, 6, 2; WHWP-00208, 1,1 WHWP-00220, 3, 3; WHWP-00239, 3, 5 WH2P-00004, 8, 1; WH2P-00004, 10, 1 WH2P-00004, 10, 7; WH2P-00004, 10, 8 WH2P-00005, 1, 2; WH2P-00005, 3, 1 WH2P-00008, 1, 2; WH2P-00010, 3, 3 WH2P-00010, 4, 7; WH2P-00012, 1, 3 WH2P-00014, 2, 2; WH2P-00016, 2, 1 WH2P-00022, 2, 4; WH2P-00022, 3, 5 WH2P-00031, 2, 6; WH2P-00031, 3, 3 WH2P-00031, 4, 4; WH2P-00033, 4, 2 WH2P-00033, 10, 6; WH2P-00033, 12, 2 WH2P-00033, 13, 3; WH2P-00033, 14, 3 WH2P-00035, 1, 3; WH2P-00035, 6, 3 WH2P-00035, 25, 1; WH2P-00035, 28, 2 WH2P-00041, 1, 3; WH2P-00046, 3, 1 WH2P-00046, 4, 1

Code	Comment Issue	Comment ID, Page #, Paragraph #
MDF2	Necessity of the MDF rules	WHWP-00035, 1, 4; WHWP-00065, 1, 1 WHWP-00078, 3, 7; WHWP-00083, 2, 1 WHWP-00099, 1, 3; WHWP-00125, 3, 1 WHWP-00171, 4, 3; WHWP-00175, 2, 3 WHWP-00186, 2, 1; WHWP-00190, 3, 3 WHWP-00193, 2, 1; WHWP-00195, 1, 2 WHWP-00197, Ltr; WHWP-00201, 2,1 WHWP-00224, 2,5; WHWP-00247, 2, 1 WHWP-L0004, 13, 2 ; WH2P-00002, 1, 3 WH2P-00005, 1, 1; WH2P-00005, 3, 1 WH2P-00009, 1, 2; WH2P-00014, 2, 2 WH2P-00015, 5, 2; WH2P-00018, 1, 4 WH2P-00021, 4, 3; WH2P-00025, 1, 3 WH2P-00028, 1, 2; WH2P-00033, 4, 2 WH2P-00033, 7, 1; WH2P-00034, 1, 3 WH2P-00035, 1, 3; WH2P-00035, 5, 1 WH2P-00036, 1, 2; WH2P-00041, 1, 3 WH2P-00042, 1, 2; WH2P-00043, 1, 2 WH2P-00046, 1, 3; WH2P-00048, 1, 2 WH2P-00048, 3, 1; WH2P-00050, 1, 2 WH2P-00050, 2, 5; WHWP-00139, 38,1
MDF3	Regulatory burden of the MDF rules	WHWP-00162, 8, 1; WHWP-00185, 9, 1 WHWP-00201, 2, 1; WHWP-00219, 1, 1 WHWP-00250, 3,4; WH2P-00035, 7, 2 WH2P-00035, 10, 1
MDF4	Unintended consequences of the MDF rules	WHWP-00165, 27, 2; WH2P-00004, 1, 3 WH2P-00004, 8, 1; WHWP-00174, 9,2
MDF5	Pollution prevention and treatment technology development under the MDF rules	WHWP-00160, 3, 2; WHWP-00160, 5, 2; WHWP-00165, 4, 3; WHWP-00192, 6, 1; WHWP-00192, 9, 1; WHWP-00215, 1, 1
MDF6	Mixture rules should be replaced by a general dilution prohibition	WHWP-00124, 3, 4; WHWP-00193, 2, 1 WHWP-00193, iii, 1; WHWP-00194, 2, 3 WH2P-00004, 8, 1
MDF7	MDF wastes should be regulated in the same way non-hazardous solid wastes are regulated (characteristics, supplemented by waste-specific listings, as warranted)	WHWP-00088, 2, 3; WHWP-00089, 6, 6 WHWP-00099, 1, 3; WHWP-00108, 5, 2 WHWP-00125, 3, 1; WHWP-00165, 4, 3 WHWP-00165, 6, 3; WHWP-00193, 2, 1 WHWP-00201, 2, 1; WH2P-00004, 10, 5 WHWP-00201, 12,2

Code	Comment Issue	Comment ID, Page #, Paragraph #
MDF8	Instead of revising the MDF rules, EPA should implement them more reasonably through directives to States	WHWP-00017, 8, 2
MDF9	Relationship of a concentration-based HWIR exemption to the MDF rules	WHWP-00034, 1, 3; WHWP-00037, Cvr. Ltr. WHWP-00037, Cvr. Ltr.; WHWP-00065, 1, 1 WHWP-00073, 11, 2; WHWP-00074, 4, 3 WHWP-00078, 3, 7; WHWP-00083, 2, 1 WHWP-00089, 72, 1; WHWP-00099, 1, 3 WHWP-00100, 38, 1; WHWP-00106, 12, 2 WHWP-00114, 1, 1; WHWP-00119, 1, 1 WHWP-00122, 1, 2; WHWP-00125, 2, 3 WHWP-00125, 3, 1; WHWP-00130, 1, 1 WHWP-00138, 3,1; WHWP-00145, 2, 5 WHWP-00148, 6, 4; WHWP-00149, 5, 1 WHWP-00150, 10, 3; WHWP-00150, 11, 1 WHWP-00158, 1, 1; WHWP-00160, 1, 4 WHWP-00160, 3, 2; WHWP-00160, 5, 2 WHWP-00160, 3, 1; WHWP-00162, 8, 1 WHWP-00162, 12, 4; WHWP-00172, 41, 1 WHWP-00173, 1, 2; WHWP-00185, 1, 3 WHWP-00192, 6, 1; WHWP-00193, 2, 1 WHWP-00193, iii, 1; WHWP-00196, 2, 1 WHWP-00196, 4, 1; WHWP-00208, 1, 2 WHWP-00220, 3, 4; WHWP-00238, 17, 1 WHWP-00239, 3, 6; WHWP-00248, 2, 5 WHWP-00093, 18,3; WHWP-00094, 15,4 WHWP-00095, 17, 3; WHWP-00096, 17, 2 WHWP-00099, 3, 2; WHWP-00140, 1,1 WHWP-00083, 18,2; WHWP-00182, 1,1 WHWP-00075, 1,3; WHWP-00056, 1,1 WHWP-00205, 1,4; WHWP-00117, 1,2 WHWP-00155, 1,2; WHWP-00165, 13,2 WHWP-L0005, 1,2; WHWP-00136, 2,1 WHWP-00135, 2,1; WHWP-L0004, 4,5 WH2P-00035, 1, 3 ; WHWP-00139, 38,3; WHWP-00167, 3,4; WHWP-00197, cvr; WHWP-00035, 1,3; WHWP-00072, 18,3; WHWP-00138, 6,5; WHWP-00208, 4,3; WHWP-00139, 8,2; WHWP-00167, 3,4; WHWP-00250, 1,2;

Code	Comment Issue	Comment ID, Page #, Paragraph #
MDF10	Relationship of delistings to MDF rules	WHWP-00122, 1, 2; WHWP-00160, 3, 2 WHWP-00160, 5, 2; WHWP-00182, 4, 2 WHWP-00192, 6, 1; WHWP-00201, 2,1 WH2P-00015, 6, 1; WH2P-00020, 1, 2 WH2P-00035, 1, 3; WH2P-00035, 5, 1 WH2P-00035, 7, 2; WHWP-00237, 1,1; WHWP-00237, 3,3
MDF11	If MDF rules are finalized, EPA should identify when it believes any petitions seeking judicial review may be filed	WH2P-00004, 10, 3
MDF12	MDF rules should have a sunset provision of one year while being revised	WHWP-00101, 17, 1
MDF13	Exemptions are consistent with the RCRA statutory language and general principles of administrative law	WH2P-00021, 4,3
MDF14	LDR Treatment Should be Required of Mixture-rule Process Wastes	WHWP-00167, 3,4
MDF15	EPA Should Ensure that the Federal Revisions are Applicable in Authorized States	WHWP-00139, 50,2
<b>Revising the MDF Rules: Wastes Listed Solely for Ignitability, Corrosivity or Reactivity</b>		

Code	Comment Issue	Comment ID, Page #, Paragraph #
ICR1	General comments on proposed expanded exemption	WHWP-00018, 1, 3; WHWP-00034, 1, 4 WHWP-00035, A1, 5; WHWP-00040, 1, 2 WHWP-00072, 21, 1; WHWP-00089, 71, 2 WHWP-00106, 15, 1; WHWP-00108, 29, 1 WHWP-00166, 2, 4; WHWP-00171, 4, 3 WHWP-00175, 2, 3; WHWP-00177, 2, 4 WHWP-00182, 3, 3; WHWP-00186, 2, 1 WHWP-00201, 1, 2; WHWP-00201, 15, 2 WHWP-00202, 6, 1; WHWP-00206, 6, 3 WHWP-00220, 8, 3; WHWP-00239, 10, 1 WHWP-L0004, 14, 1; WH2P-00001, 1, 2 WH2P-00005, 1, 2; WH2P-00005, 1, 3 WH2P-00005, 15, 2; WH2P-00007, 5, 1 WH2P-00010, 8, 3; WH2P-00012, 1, 4 WH2P-00014, 3, 3; WH2P-00015, 2, 2 WH2P-00016, 2, 2; WH2P-00017, 7, 1 WH2P-00018, 1, 4; WH2P-00019, 2, 3 WH2P-00020, 1, 2; WH2P-00020, 2, 1 WH2P-00021, 2,3; WH2P-00021, 4, 2 WH2P-00021, 6, 2; WH2P-00021, 11, 2 WH2P-00028, 1, 3; WH2P-00031, 1, 3 WH2P-00033, 2, 1; WH2P-00033, 15, 2 WH2P-00034, 4, 1; WH2P-00035, 1, 3 WH2P-00035, 6, 2; WH2P-00035, 12, 4 WH2P-00035, 13, 5; WH2P-00036, 2, 4 WH2P-00038, 1, 2; WH2P-00039, 2, 1 WH2P-00039, 2, 2; WH2P-00039, 6, 1 WH2P-00041, 1, 4; WH2P-00042, 1, 3 WH2P-00044, 1, 2; WH2P-00044, 2, 1 WH2P-00045, 1, 2; WH2P-00046, 6, 3 WH2P-00048, 1, 2; WH2P-00048, 3, 1 WH2P-00048, 3, 3; WH2P-00050, 2, 5
ICR2	Adding toxicity characteristic to expanded exemption	WHWP-00035, A1, 5; WHWP-00106, 15, 1 WHWP-00185, 9, 2; WH2P-00001, 1, 3 WH2P-00007, 5, 1; WH2P-00008, 1, 3 WH2P-00010, 4, 2; WH2P-00010, 8, 3 WH2P-00014, 3, 3; WH2P-00016, 2, 3 WH2P-00022, 2, 5; WH2P-00022, 5, 1 WH2P-00031, 2, 3; WH2P-00041, 1, 4

Code	Comment Issue	Comment ID, Page #, Paragraph #
ICR3	Lack of regulatory language for the expanded exemption	WHWP-00029, 2, 8; WHWP-00072, 21, 1. WHWP-00072, 77, 4; WHWP-00073, 20, 1 WHWP-00177, 2, 4; WHWP-00185, 9, 2 WHWP-00194, 2, 5; WHWP-00206, 6, 1 WHWP-L0004, 14, 1
ICR4	Applicability of LDRs to exempted wastes	WHWP-00035, A2, 1; WHWP-00106, 15, 1 WHWP-00169, 4, 3; WHWP-00194, 2, 6 WHWP-00204, 7, 1; WHWP-L00004, 10, 3 WH2P-00001, 1, 3; WH2P-00005, 15, 2 WH2P-00007, 6, 1; WH2P-00009, 2, 5 WH2P-00014, 3, 3; WH2P-00015, 2, 2 WH2P-00019, 2, 3; WH2P-00031, 1, 3 WH2P-00033, 15, 2; WH2P-00036, 2, 4 WH2P-00038, 1, 2; WH2P-00038, 1, 3 WH2P-00041, 1, 4; WH2P-00045, 1, 2 WH2P-00048, 3, 3
ICR5	Technology-based LDR standards for wastes listed for a characteristic should be re-evaluated	WH2P-00017, 7, 1; WH2P-00024, 8, 1
ICR6	Adding P105 into exemption	WH2P-00024, 1, 3; WH2P-00024, 2, 2
ICR7	EPA must provide greater specificity on the regulatory definition of reactivity	WH2P-00003, 2, 1; WH2P-00011, 4, 1 WH2P-00024, 6, 1
ICR8	Inclusion of F003 solvents in exemption	WH2P-00005, 1, 3; WH2P-00007, 6, 3 WH2P-00008, 1, 3; WH2P-00009, 2, 5 WH2P-00010, 4, 4; WH2P-00010, 10, 2 WH2P-00015, 2, 3; WH2P-00017, 9, 1 WH2P-00022, 3, 2; WH2P-00022, 5, 6 WH2P-00028, 1, 3; WH2P-00030, 5, 3 WH2P-00033, 16, 2; WH2P-00034, 4, 4 WH2P-00036, 2, 5; WH2P-00042, 1, 4 WH2P-00045, 2, 1; WH2P-00046, 6, 5 WH2P-00048, 3, 5; WHWP-00206, 6, 5
ICR9	Dilution prohibition should apply to these exempted wastes	WH2P-00009, 2, 5

Code	Comment Issue	Comment ID, Page #, Paragraph #
ICR10	Toxicity of wastes listed for ignitability, corrosivity, and/or reactivity	WH2P-00028, 1, 3; WH2P-00034, 4, 1 WH2P-00034, 5, 1
ICR11	EPA should encourage States to adopt changes	WH2P-00005, 18, 1; WH2P-00012, 2, 2
ICR12	EPA should increase funding to the States which adopt these changes	WH2P-00025, 2, 1
ICR13	Text of the mixture rule does not currently exclude waste listed for specific toxic chemicals (e.g., F035) from becoming exempt once those chemicals are below TC levels	WHWP-00206, 6,2
ICR14	EPA should clarify whether discarded nitroglycerine patches are P081 hazardous waste	WHWP-00245, 1, 2; WH2P-00017, 6, 1 WH2P-00048, 4, 1
<b>Revising MDF Rules: Conditional Exemption for Mixed Waste</b>		
MW1	General comments on conditional exemption from MDF rules for mixed waste	WH2P-00007, 3, 1; WH2P-00007, 7, 1 WH2P-00008, 2, 2; WH2P-00010, 4, 5 WH2P-00010, 11, 1; WH2P-00016, 3, 1 WH2P-00022, 3, 3; WH2P-00022, 6, 2 WH2P-00033, 2, 1; WH2P-00033, 17, 4 WH2P-00041, 2, 4; WH2P-00047, 1, 4 WH2P-00050, 2, 5

Code	Comment Issue	Comment ID, Page #, Paragraph #
MW2	Proposed regulatory language is not an appropriate approach for implementing mixed waste exemption	WH2P-00007, 7, 1; WH2P-00017, 10, 1

Code	Comment Issue	Comment ID, Page #, Paragraph #
MW3	All other comments on mixed waste	WHWP-00020, 1, 2; WHWP-00020, 2, 2 WHWP-00020, 2, 3; WHWP-00024, 11, 1 WHWP-00025, 1, 1; WHWP-00029, 2, 2 WHWP-00046, 1, 1; WHWP-00052, 1, 1 WHWP-00054, Cvr Ltr.; WHWP-00060, 5, 2 WHWP-00066, 6, 5; WHWP-00072, 1, 1 WHWP-00072, 4, 2; WHWP-00072, 9, 1 WHWP-00072, 27, 5; WHWP-00072, 65, 4 WHWP-00072, 68, 2; WHWP-00072, 69, 6 WHWP-00072, 70, 3; WHWP-00072, 13, 3 WHWP-00072, 15, 2; WHWP-00072, 69, 2 WHWP-00072, 69, 4; WHWP-00078, 9, 4 WHWP-00089, 18, 3; WHWP-00089, 18, 8 WHWP-00089, 24, 1; WHWP-00089, 26, 2 WHWP-00089, 72, 1; WHWP-00109, 6, 1 WHWP-00112, 1, 2; WHWP-00116, 1, 1 WHWP-00116, 2, 4; WHWP-00116, Cvr. Ltr. WHWP-00116, 3, 1; WHWP-00116, 2, 2 WHWP-00119, 11, 1; WHWP-00120, 24, 4 WHWP-00120, 25, 2; WHWP-00143, 1, 2 WHWP-00158, 1, 3; WHWP-00158, 3, 2 WHWP-00166, 2, 2; WHWP-00167, 5, 4 WHWP-00170, 3, 7; WHWP-00177, 16, 3 WHWP-00177, 16, 4; WHWP-00177, 17, 4 WHWP-00178, 1, 2; WHWP-00178, 4, 2 WHWP-00178, 4, 1; WHWP-00178, 4, 4 WHWP-00189, 1, 2; WHWP-00198, Cvr. Ltr. WHWP-00198, 8, 4; WHWP-00198, 8, 5 WHWP-00198, 11, 1; WHWP-00200, 25, 3 WHWP-00202, 12, 3; WHWP-00206, 25, 1 WHWP-00206, 26, 4; WHWP-00206, 27, 1 WHWP-00208, 2, 4; WHWP-00208, 2, 5 WHWP-00208, 3, 4; WHWP-00208, 5, 1 WHWP-00213, 1, 2; WHWP-00213, 3, 2 WHWP-00226, 2, 13; WHWP-00228, 1, 1 WHWP-00228, 1, 2; WHWP-00228, 2, 1 WHWP-00228, 2, 3; WHWP-00231, 5, 2 WHWP-00239, 3, 6; WHWP-00239, 4, 1 WHWP-00239, 5, 1; WHWP-00246, 2, 1 WHWP-00246, 2, 2; WHWP-00247, 6, 6 WHWP-00249, 7, 3; WHWP-00250, 3, 3 WH2P-00011, 4, 4; WH2P-00044, 1, 4; WHWP-00216, 1,2; WHWP-00029, 2,3;

Code	Comment Issue	Comment ID, Page #, Paragraph #
<b>Revisions to MDF Rules Submitted by Chemical Manufacturers Association</b>		
CMA1	General comments on CMA proposals	WH2P-00001, 3, 1; WH2P-00001, 3, 4 WH2P-00002, 1, 3; WH2P-00005, 1, 2 WH2P-00005, 5, 1; WH2P-00008, 2, 1 WH2P-00010, 4, 6; WH2P-00010, 11, 2 WH2P-00012, 2, 1; WH2P-00014, 3, 2 WH2P-00014, 4, 3; WH2P-00017, 2, 1 WH2P-00020, 1, 2; WH2P-00020, 3, 1 WH2P-00021, 2, 3; WH2P-00021, 9, 2 WH2P-00021, 10, 2; WH2P-00021, 12, 1 WH2P-00022, 3, 4; WH2P-00022, 6, 3 WH2P-00033, 1, 3; WH2P-00033, 3, 4 WH2P-00033, 17, 5; WH2P-00034, 2, 4 WH2P-00035, 1, 3; WH2P-00035, 22, 3 WH2P-00035, 22, 5; WH2P-00036, 2, 1 WH2P-00039, 6, 1; WH2P-00050, 2, 2 WH2P-00050, 3, 1; WH2P-00050, 9, 4 WH2P-00050, 10, 5; WH2P-00050, 11, 3 WH2P-00050, 11, 5
CMA2	General comments on the headworks exemption	WH2P-00005, 14, 3; WH2P-00010, 12, 2 WH2P-00017, 2, 2; WH2P-00022, 6, 3 WH2P-00029, 2, 3; WH2P-00030, 2, 1 WH2P-00031, 2, 4; WH2P-00033, 28, 2 WH2P-00034, 3, 3; WH2P-00035, 23, 2 WH2P-00041, 2, 1; WH2P-00041, 2, 2 WH2P-00048, 5, 1
CMA3	Monitoring of the actual concentration of spent solvents in wastewater	WH2P-00005, 12, 4; WH2P-00014, 8, 2 WH2P-00017, 2, 2; WH2P-00022, 6, 3 WH2P-00030, 2, 3; WH2P-00033, 25, 1 WH2P-00033, 26, 1; WH2P-00033, 27, 2 WH2P-00035, 23, 2; WH2P-00046, 11, 2 WH2P-00046, 12, 4; WH2P-00048, 5, 2
CMA4	Definition of headworks	WH2P-00007, 4, 2
CMA5	Allowing treated leachate from landfills (F039), derived solely from the disposal of spent solvents, eligible for the headworks exemption	WH2P-00005, 14, 2; WH2P-00014, 9, 1 WH2P-00017, 2, 2; WH2P-00022, 6, 3 WH2P-00033, 27, 4; WH2P-00046, 13, 4 WH2P-00048, 5, 4

Code	Comment Issue	Comment ID, Page #, Paragraph #
CMA6	General comments on exempting treated leachate from landfills and land treatment units	WH2P-00005, 11, 2; WH2P-00009, 2, 3 WH2P-00014, 7, 2; WH2P-00029, 2, 1 WH2P-00030, 4, 3; WH2P-00033, 33, 1 WH2P-00034, 3, 2; WH2P-00046, 16, 3
CMA7	General comments on exempting aggressive biological treatment residues	WH2P-00005, 5, 2; WH2P-00009, 1, 3 WH2P-00014, 5, 1; WH2P-00029, 2, 2 WH2P-00030, 4, 3; WH2P-00031, 2, 4 WH2P-00033, 20, 2; WH2P-00034, 3, 2 WH2P-00041, 2, 1; WH2P-00046, 9, 2 WH2P-00050, 2, 2; WH2P-00050, 3, 1 WH2P-00050, 4, 2; WH2P-00050, 10, 1 WH2P-00050, 10, 6; WH2P-00050, 11, 4
CMA8	General comments on exempting hazardous waste combustion residues	WHWP-00197, Ltr.; WHWP-00201, 12, 2 WH2P-00005, 7, 2; WH2P-00009, 1, 3 WH2P-00014, 6, 2; WH2P-00015, 2, 4 WH2P-00029, 1, 2; WH2P-00030, 4, 3 WH2P-00031, 2, 4; WH2P-00032, 1, 2 WH2P-00033, 28, 3; WH2P-00034, 2, 4 WH2P-00041, 2, 1; WH2P-00046, 14, 1 WH2P-00048, 4, 2; WH2P-00050, 3, 1 WH2P-00050, 9, 3; WH2P-00050, 10, 6
CMA9	General comments on multisource listing for combustion residues	WH2P-00011, 4, 3; WH2P-00015, 5, 3 WH2P-00017, 5, 1; WH2P-00029, 1, 2 WH2P-00034, 2, 4; WH2P-00036, 2, 3 WH2P-00045, 2, 2
CMA10	Mixed waste incinerators have special concerns associated with sampling, testing, and handling mixed waste combustion residues	WH2P-00007, 3, 3
CMA11	General comments on expanding the de minimis exemption to F and K listed wastes	WH2P-00005, 15, 1; WH2P-00009, 2, 4 WH2P-00014, 9, 2; WH2P-00015, 7, 1 WH2P-00017, 3, 1; WH2P-00019, 1, 2 WH2P-00019, 2, 2; WH2P-00027, 1, 3 WH2P-00029, 3, 1; WH2P-00030, 3, 3 WH2P-00033, 29, 3; WH2P-00034, 3, 4 WH2P-00035, 24, 1; WH2P-00037, 1, 2 WH2P-00041, 2, 3; WH2P-00042, 2, 1 WH2P-00046, 15, 6

Code	Comment Issue	Comment ID, Page #, Paragraph #
CMA12	Relationship of LDRs to CMA proposal	WH2P-00001, 3, 1; WH2P-00015, 2, 4 WH2P-00033, 18, 4; WH2P-00046, 7, 4
<b>Other Possible Exemptions to MDF rules</b>		
OTH1	Exemption for GAC (granular activated carbon) from MDF rules	WHWP-00131, 2, 1
OTH2	Exemption for wastes that are discharged to Clean Water Act-Equivalent disposal facilities	WHWP-00177, 2, 3
OTH3	Concentration-based conditional exemption from the mixture rule for wastewaters discharged under the CWA	WHWP-00182, 4, 2
OTH4	Exemption for Subtitle D leachate and gas condensate from the retroactive application of the derived-from rule	WHWP-00139, 40, 3; WH2P-00006, 1, 2
OTH5	Exemption for Personal Protective Equipment (PPE) associated with waste that was identified as hazardous waste solely because of the mixture and derived-from rule	WHWP-00072, 47, 1
OTH6	Expand mixture exemption for used oil to include antifreeze	WHWP-00019, 1, 1; WHWP-L0005, 12,1
OTH7	EPA should identify wastes and waste management scenarios appropriate for exclusion from the MDF rules, including exclusion based on contingent management, recycling or reuse scenarios, or upon recognition that the waste is sufficiently different to no longer warrant automatic application of a waste code under MDFs.	WHWP-00220, 3, 4; WH2P-00014, 2, 2 WH2P-00033, 4, 2; WH2P-00035, 1, 3 WH2P-00035, 6, 2; WH2P-00035, 7, 1 WH2P-00035, 13, 5; WH2P-00035, 14, 4 WH2P-00035, 16, 2; WH2P-00035, 18, 1 WH2P-00035, 19, 3; WH2P-00046, 2, 4; WHWP-00100, 4,3; WHWP-00201, 20,1

Code	Comment Issue	Comment ID, Page #, Paragraph #
OTH8	Exemption for waste that does not exhibit a hazardous characteristic and that is disposed in a municipal landfill that complies with EPA's regulations at 40 C.F.R. Part 258	WH2P-00004, 7, 1
OTH9	EPA should develop and implement a vision for hazardous waste identification that eventually abolishes listings and replaces them with a characteristic.	WHWP-00193, 2, 1
OTH10	Exemption for wastes that meet LDR requirements	WHWP-00197, LTR
OTH11	Exemption for combustion residues that meet EPA established generic exclusion levels	WH2P-00015, 3, 2; WH2P-00015, 5, 2 WH2P-00015, 6, 2
OTH12	EPA Should Establish a Threshold Level Below Which Subtitle C Would not Apply for Wastes Properly Disposed of in a Subtitle C Facility by Small-scale Generators	WHWP-00084, 5,2
OTH13	EPA Should Develop a Special MDF for Acutely Toxic Wastes streams	WH2P-00024, 5, 2
<b>Miscellaneous Comments Not Directly Related to Revising the MDF Rules</b>		
MISC1	The supplemental LDR Phase IV proposal 61 Fed. Reg. 2338 (Jan. 25, 1996) would modify 261.3(a)(2)(iii) to state that nonwastewater mixtures are still subject to LDRs.	WHWP-L0004, 13, 2; WHWP-L0004, 14, 1
MISC2	The point at which residues are generated should be their point of generation.	WHWP-00078, 8, 2

Code	Comment Issue	Comment ID, Page #, Paragraph #
MISC3	Mixed wastewaters collected for treatment at a wastewater treatment facility should not be considered impermissible dilution	WHWP-00202, 43, 3; WHWP-00073, 76,2
MISC4	Comments on the contained-in rule	WHWP-00074, 4, 3; WHWP-00145, 2, 5 WHWP-00148, 6, 4; WHWP-00149, 7, 1 WHWP-00150, 12, 3; WHWP-00172, 45, 1 WHWP-00193, 23, 2; WHWP-00177, 2, 1 WH2P-00017, 11, 1;
MISC5	Bevill mixture rule should be re-addressed	WHWP-00243, 3, 2
MISC6	Need to be able to remove “pass-through” codes from wastes	WHWP-00053, 1, 4
MISC7	Epinephrine should not be regulated as hazardous waste	WHWP-00160, 8, 1; WHWP-00160, 2,2; WHWP-00160, 13,2; WHWP-00160, 21,1; WHWP-00160, 22,2; WHWP-00188, 1,1
MISC8	Totals LDR standard for arsenic in K088 cannot be met in treated waste, even when the untreated waste did meet the standard	WH2P-00006, 3, 3; WH2P-00015, 3, 1
MISC9	EPA should develop risk-based LDRs	WHWP-00191, 16, 2; WHWP-00191, 18, 2 WHWP-00141, 5, 3; WHWP-00017, 2, 3 WH2P-00007, 6, 2
MISC10	Proposal does not create incentives for recycling	WHWP-00034, 3,6
MISC11	EPA should renounce its position on the application of the mixture rule to K170 listing	WH2P-00031, 2, 6
MISC12	EPA Should Revise the Test Method for Cyanide	WHWP-00192, 9, 1
MISC13	EPA Should Modify their Rules to Make their Intent Clear	WHWP-00035, A2,2; WHWP-00053, 2,1; WHWP-00035, 2,3; WHWP-00084, 5,3

Code	Comment Issue	Comment ID, Page #, Paragraph #
MISC14	PCBs Should be Regulated Exclusively Within the TSCA Program	WHWP-00079, 2,2; WHWP-00079, 3,2; WHWP-00220, 7,1; WHWP-00239, 9,2; WHWP-00108, 23,3; WHWP-00193, 24,3; WHWP-00199, 3,4
MISC15	EPA Should Promulgate Conditional Exclusions for Recyclable Materials	WHWP-00124, 3,2; WHWP-00120, 10,1 WH2P-00023, 2, 2 WH2P-00035, 21, 1;
MISC16	EPA Should Use of the Higher of the Two Numerical LDR Values	WHWP-00073, 101,4
MISC17	EPA Should Exclude Distilled Spirits from RCRA Regulation	WHWP-00016, 1,2
MISC18	Biological Toxins May or May not be Medical Wastes if they Occur Naturally	WHWP-00054, Cvr
MISC19	EPA should Exempt Wipers Containing De Minimis Amounts of Listed Solvents from the Subtitle C Regulatory System	WHWP-00012, 1,5; WHWP-00114, 4,2
MISC20	EPA Should Exempt Printed Wiring Board Wastewater Sludge	WHWP-00083, 5,1
MISC21	EPA Should Exempt Spill-related Wastes from Train Derailments	WHWP-00085, 30,4
MISC22	Remediation Wastes Should Not Be Treated the Same as Process Wastes	WHWP-00084, 5,5
MISC23	EPA Should Address Mercury Contaminated Soil	WHWP-00224, 2,5
MISC24	EPA Should Develop Exclusions Based on Risk for Characteristic Wastes	WHWP-00030, 2,3
<b>HWIR Exemption Comments</b>		

Code	Comment Issue	Comment ID, Page #, Paragraph #
HWIR	All comments related to the possible HWIR exemption	see Appendix G