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Office of Solid Waste

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# Environmental Fact Sheet

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## PAINT WASTES NOT LISTED AS HAZARDOUS WASTE

*EPA makes a final determination not to add two paint production wastes to the list of hazardous waste.*

### **Action**

EPA proposed concentration-based listings for certain paint waste solids (K179) and liquids (K180) on February 13, 2001 (66 FR 10060). Following a review of public comments and supplemental analyses based on public comments, EPA determined that these paint wastes should not be listed as hazardous waste.

Since the two paint production wastes are not being listed as hazardous waste, EPA is also not promulgating Land Disposal Restriction treatment standards for these wastes; designating these wastes as Comprehensive, Environmental Response, Compensation, and Liability Act hazardous substances with reportable quantities; or designating any of the constituents in these wastes as new Appendix VIII constituents.

This final determination does not, in any way, affect the status of these wastes under existing hazardous waste listings. Also, these wastes remain subject to a determination on whether or not they exhibit any of the hazardous waste characteristics (see 40 CFR 261.21 through 261.24).

## **Background**

On February 13, 2001, EPA proposed concentration-based listings for certain paint production waste solids and liquids (66 FR 10060).

The Resource Conservation and Recovery Act (RCRA) requires EPA to determine if a waste is hazardous. The 1984 Hazardous and Solid Waste Amendments (HSWA) to RCRA require EPA to make listing determinations for paint production wastes (see RCRA section 3001 (e)(2)). EPA lists a waste as hazardous when it poses unacceptable risks to human health or the environment.

## **For More Information**

The Federal Register notice, this fact sheet, and related documents are available on the Internet at <http://www.epa.gov/epaoswer/hazwaste/id/paint/index.htm>. For additional information, or to order paper copies of any documents, call the RCRA Call Center. If you live within the Washington Metropolitan Area, call 703-412-9810 or TDD 703-412-3323 (hearing impaired). If you live out of the area, call 800-424-9346 or TDD 800-553-7672. The RCRA Call Center operates weekdays, 9 am to 5 pm.