

June 19, 2001

Mr. Ken Rota
EPA New England, Region 1
1 Congress Street, Suite 1100 (SER)
Boston, Massachusetts 02114-2023

Re: *Household Hazardous Waste*

Dear Mr. Rota:

I am writing to request clarification on the applicability of the exemption for household hazardous wastes in 40 CFR 261.4(b)(1).

Specifically, does this exemption apply to wastes generated in dormitories and other housing facilities owned and operated by colleges and universities? The answer to this question impacts several of our New England clients. Our research to date (gained from RCRA Hotline staff and certain state agencies) indicates that dormitory wastes are generally interpreted to meet the definition of household hazardous waste, and therefore are exempt from the hazardous waste regulations. I would like written confirmation from the EPA of this interpretation to ensure that these wastes are being correctly classified.

I have included specific details of scenarios I have encountered:

- A student completes homework assignments in his/her private room in a dormitory or other housing facility. Some assignments, such as art and modeling projects, result in generation of spent solvents, paints, and other wastes that would meet the definition of listed hazardous waste and/or characteristic hazardous wastes. Are these wastes exempt under the household waste exemption?
- A university provides a workroom within a dormitory or other housing facility for students to complete homework assignments, including art and modeling projects. The workroom is equipped with a sink and collection containers for wastes generated from student projects. The university provides these collection containers as a good management practice to promote proper handling of these wastes. Periodically, these collection containers are brought to one of the university's hazardous waste storage areas. Is the waste collected in the workroom exempt from RCRA regulation under the household waste exemption? Can the university bring this waste to one of its waste storage areas as a generator without being classified as a treatment, storage, and disposal facility (TDSF)?

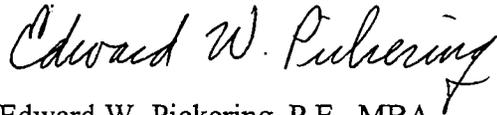


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If you require any clarification on my questions or would like to discuss them further prior to preparing your written response, please call me at (781) 431-0500, Extension 141. I appreciate your assistance.

Sincerely,

ENVIRONMENTAL SCIENCE SERVICES, INC.



Edward W. Pickering, P.E., MBA
Senior Project Manager