



Maryland
Department of
the Environment

FACTS ABOUT: SOLVENT-CONTAMINATED RAGS & WIPES

PURPOSE OF THIS FACT SHEET

This fact sheet is intended to clarify the status of solvent-contaminated rags and wipes under Maryland's hazardous waste regulations in light of recent changes to federal regulations on this topic. Certain elements of the revised federal regulations are considered less stringent than previous requirements. **These less-stringent provisions will not take effect in Maryland unless the Maryland Department of the Environment (the "Department") modifies Maryland's hazardous waste regulations to incorporate the changes.** Other provisions in the revised federal regulations are more stringent than current Maryland requirements. Maryland is required to revise its hazardous waste regulatory program to be consistent with the more stringent provisions.

RECENT CHANGES TO FEDERAL REGULATIONS

On July 31, 2013, the U.S. Environmental Protection Agency (EPA) published, in the Federal Register, a final rule that modified federal hazardous waste regulations concerning solvent-contaminated rags and wipes (78 FR 46477). The rule had an effective date of January 31, 2014.

The rule revised federal regulations by:

- excluding solvent-contaminated rags/wipes that are sent for cleaning and reuse from being regulated as solid waste and hazardous waste if certain conditions are met; and
- excluding some solvent-contaminated rags/wipes that are being sent for disposal from being regulated as hazardous waste if specified conditions are met.

More details on the revisions to the federal regulations are available at

< <https://www.epa.gov/hwgenerators/final-rule-2013-conditional-exclusions-solid-waste-and-hazardous-waste-solvent> >

MARYLAND REGULATORY REQUIREMENTS

Solvent-contaminated rags and wipes being laundered and reused

Previously, Maryland had considered a rag or wipe that was being sent for laundering and reuse to be a commodity rather than a waste, provided that the item was not capable of releasing liquids under typical handling conditions. Under this interpretation, a rag or wipe being sent for laundering and subsequent reuse was not a solid waste, and therefore not a hazardous waste. No special consideration was given to the nature of any contaminants that may have been present on the item.

The revised federal regulations add additional restrictions on the eligibility of laundered, reusable rags and wipes for the exclusion from being regulated as solid waste and hazardous waste. Under



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

- rags/wipes that contain listed hazardous waste other than solvents; and
- rags/wipes that exhibit the characteristic of toxicity, corrosivity or reactivity due to non-listed solvents or contaminants other than solvents.

This is more stringent than the policy that Maryland had been following for solvent-contaminated rags/wipes being laundered for reuse. Consequently, Maryland has changed its previous policy in order to maintain consistency with a basic element of the federal regulatory program.

Maryland now considers rags/wipes that contain listed hazardous waste other than solvents, and rags/wipes that exhibit the characteristic of toxicity, corrosivity or reactivity due to non-listed solvents or contaminants other than solvents to **not** be eligible for the exclusion from being regulated as solid waste and hazardous waste for rags/wipes being laundered and reused. **A person who generates such a rag or wipe would have to characterize the item as hazardous waste and manage it in accordance with Maryland's hazardous waste regulations.**

The revised federal regulations also add some additional conditions regarding such things as packaging and labeling, storage time limits, and record keeping as conditions of the laundering exclusion. Maryland does not believe that it can impose these restrictions as a matter of policy in the absence of implementing regulations formally adopted by the State. As provided in the Federal Register notice of the federal action, these additional requirements will not be effective in Maryland until Maryland revises its regulations to incorporate the provisions. The Department intends to propose a modification to the State's regulations in late 2016.

Solvent-contaminated rags and wipes being disposed

The revised federal regulations are less stringent than the previous federal hazardous waste regulatory program with respect to solvent-contaminated rags and wipes that are being disposed. The revised federal regulations grant an exclusion from being regulated as hazardous waste to some solvent-contaminated rags and wipes if certain conditions are met. **This less-stringent federal regulatory provision is currently not effective in Maryland. A person who generates a solvent-contaminated rag or wipe that is destined for disposal is required to characterize the item as to whether it meets the definition of hazardous waste, and manage the item in accordance with applicable Maryland hazardous waste regulations.**

Maryland is evaluating whether to adopt the less stringent federal provision. A determination will be made as part of the regulatory development process to adopt the more-stringent federal provisions concerning laundered solvent-contaminated rags/wipes.

FOR MORE INFORMATION

Questions concerning the matters discussed in this fact sheet may be addressed to Ed Hammerberg of the Land Management Administration's Resource Management Program at (410) 537-3356 or ed.hammerberg@maryland.gov .

