



Regulatory Compliance

## Benefits of Converting Liquid Hazwaste to Solid Non-Hazwaste

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According to the Environmental Protection Agency (EPA), hazardous waste generators can treat their waste in a number of ways. In many cases, hazardous waste treatment requires a RCRA permit and compliance with regulations applicable to a hazardous waste Treatment, Storage and Disposal Facility (TSDF).

Acquiring a RCRA permit and complying with the regulations of a TSDF can be a significant burden and the reason why many hazardous waste generators avoid treating their waste. However, the EPA allows for some forms of hazardous waste treatment by generators that are not subject to the permitting requirements of a TSDF.

One of the excluded treatment methods that could benefit your facility is adding absorbent material to waste in a container.

### Applicability

The exclusion applies to any *person* who performs the act of adding absorbent material to waste in a container. That person may be a generator, transporter or TSDF. The exclusion refers to "waste," not just "hazardous waste," and is applicable to any type of discarded material. While no reference is made to the type of absorbent material here (later we will see that the absorbent material must not react violently with the waste), it is recommended that it be non-biodegradable. New PIG carries many types of non-biodegradable absorbent materials. The absorbent material may not be added to any waste accumulation unit other than a container. A tank, drip pad or containment building may not be used for this purpose. The exclusion makes specific reference to "a container as defined in 40 CFR 260.10."

In this situation, a container means any portable device in which a material is stored, transported, treated, disposed of or otherwise handled.

### Conditions of Treatment

Absorbent material may be added to the waste already in a container or waste may be added to

absorbent material that is in the container before the waste. However, the combination of absorbent material and waste must occur when the waste is first placed in the container. No timeframe is specified other than "at the time waste is first placed in the container" [40 CFR 270.1(c)(2)(vii)]. While it is certainly preferable that absorbent material be added when the waste is first placed in the container, your state environmental regulatory agency may allow for some flexibility in this practice. Check with your state to determine their interpretation of this exclusion.

## Container Condition

In order to take advantage of this treatment exclusion, the container you use to combine your waste and absorbent material must meet certain specifications:

- Container must be in good condition with solid structural integrity
- Waste, absorbent material and the container must be compatible
- Generator must take precautions to prevent reactions which may be flammable or violent, may damage the container or the facility or may threaten human health or the environment

## Why Bother?

The primary reason a generator may wish to combine absorbent material and waste is to remove any free liquids that are able to pass through a filter (i.e. ***the paint filter test***). In that case, the hazardous waste determination may change from a hazardous waste to a non-hazardous waste.

By taking advantage of this exclusion you can convert a hazardous waste into a non-hazardous waste. Two examples of this are outlined below.

## The Characteristic of Ignitability (D001)

The determination of the hazardous ***characteristic of ignitability*** is based on any of the following:

- A liquid with a flash point of <140°F
- A solid that is able to spontaneously combust under normal conditions and keeps burning
- An ignitable compressed gas
- An oxidizer

If a waste does not contain a free liquid, it is not possible to analyze for flash point. Further, the solid mixtures created by the waste and absorbent material may very well lack the volatility to spontaneously combust and continue burning vigorously. In this way a liquid hazardous waste with the characteristic of ignitability (D001) may become a solid non-hazardous waste.

## The Characteristic of Corrosivity (D002):

The determination of the ***characteristic of corrosivity*** is based on either of the following:

- A liquid with a pH of 2 or less or 12.5 or greater

OR

- A liquid that corrodes steel at a rate of ¼ inch per year

Quite simply, a solid waste cannot display the characteristic of corrosivity. In this way a liquid hazardous waste with the characteristic of corrosivity (D002) may become a solid non-hazardous waste.

So, the simple act of combining absorbent material and hazardous waste in a container may convert a hazardous waste into a non-hazardous waste. This could have a significant impact on your disposal costs and your ***hazardous waste generator status***.

**Note:** Land Disposal Restriction (LDR) treatment standards apply to a waste that exhibits a hazardous characteristic at the point of generation even if it no longer exhibits the characteristic at the point of land disposal due to treatment.

Check with your state to determine their interpretation of this regulation. Some are more restrictive than the EPA. It's also important that your employees performing these and other hazardous waste-related tasks are trained and knowledgeable and have adequate personal protection equipment.

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