



Impact of the solvent wipe rule in Ohio

February 20, 2014

On July 31, 2013, U.S. EPA issued a new rule to clarify the handling and disposal of wipes or shop rags contaminated with solvents. ([78 Fed. Reg. 46448](#)). This new rule became effective on January 31, 2014, but is only effective in states that do not have Resource Conservation and Recovery Act (RCRA) authorization. Since Ohio is a RCRA-authorized state, the rule does not currently apply in Ohio.

The rule essentially excludes most solvent-contaminated wipes from the definition of "hazardous waste" if the wipes (e.g., reusable shop rags, towels) are cleaned and reused or disposed of in a landfill. Wipes contaminated with trichloroethylene (TCE) or a listed hazardous waste other than a solvent are not eligible for the exception. The rule requires that wipes be stored in closed, labeled containers and not stored for more than 180 days. Certain recordkeeping requirements are also contained in the rule.

The rule provides that RCRA-authorized states can adopt their own solvent-contaminated wipes rule provided they are not less stringent than the U.S. EPA's rule. The rule notes that U.S. EPA "encourages states to adopt this rule as soon as possible to reduce regulatory burden on businesses." Ohio EPA has indicated that it expects to issue a draft solvent-contaminated wipes rule in the spring of 2014 with final adoption expected in August or September 2014.

On February 20, 2014, Ohio EPA issued an interim guidance document ("Options for the Management of Solvent Contaminated Rags and Wipes") to cover this area until final regulations are adopted later this year. Under this interim policy, Ohio EPA will allow the generator to choose to follow either the new federal rule or Ohio EPA's existing guidance document on the subject. The generator must choose one or the other and may not select conditions from both. A comparison of the conditions contained in the federal rule and Ohio EPA's existing guidance document can be found in [Ohio EPA's interim guidance document](#).

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