

Resource Conservation & Recovery Act

HAZARDOUS WASTE
DETERMINATIONS

Hazardous Waste Determinations

- The Resource Conservation and Recovery Act regulates the disposal of Solid Waste and Hazardous Waste

Solid Waste is regulated under RCRA Subtitle D. Subtitle D requires that solid waste after a hazardous waste determination is made, can be disposed in a permitted landfill. Landfills are regulated under 40 CFR 258.

Hazardous Waste Determinations

- RCRA regulates Hazardous Waste under Subtitle C (42 U.S.C. Subsection 6901 et seq. (1976))
- Subtitle C gives USEPA the authority to control hazardous waste from “cradle to grave.” This includes generation, transportation, treatment, storage and disposal of hazardous waste.

Hazardous Waste Determination

- The Federal Hazardous and Solid Waste Amendments (HSWA) of 1984 focus on waste minimization and phasing out land disposal of hazardous waste as well as corrective actions for releases.
- RCRA defines hazardous waste in various ways. But first, in order to be considered a hazardous waste, a material must be classified as a solid waste.

Hazardous Waste Determination

- Solid waste is defined as garbage, refuse, sludge, or other discarded waste materials.
- It can be semi solid, solid, liquids and contained gaseous material.
- Solid waste must be evaluated to determine if it has the characteristics listed under 40 CFR 261, Subpart D.

Hazardous Waste Determination

- RCRA defines Hazardous Waste as waste products if they are specifically listed on one of four lists in Subpart D, part 261 or if they exhibit one of the characteristics found in Subpart C of 261 (characteristic wastes).
- The “F” list waste, the “K” list, the “P” list and the “U” list.

Hazardous Waste Determination

- “F” listed wastes are designated hazardous particular wastes for certain industrial and manufacturing processes. These wastes are from non specific sources (40 CFR 261.31).
- “K” listed wastes are designated as hazardous particular waste streams from certain industries. These waste are know waste from specific sources. (40 CFR 261.32)

Hazardous Waste Determination

- “P” and “U” listed waste (Discarded Commercial Chemical Products). These two are similar in that both list pure or commercial formulations of specific chemicals as hazardous waste. Both “P” and “U” lists are found in 40 CFR 261.33. If the product is pure then use of a waste code can be applied.

Hazardous Waste Determination.

- Waste Characteristics are another way to define Hazardous Waste. These are:
- Ignitability create fire under certain conditions
- Corrosively acids or bases of PH less than or equal to 2 or equal to 12.5 and are capable of corroding metal containers
- Reactivity These waste are unstable under normal conditions. They can cause explosions, fumes, gases and vapors when mixed with water.
- Toxicity is harmful or fatal when ingested or absorbed (mercury and lead, etc.)

Determinations

- Hazardous waste determinations can also be made by two methods.
- Use of Material Safety Data Sheets (MSDS)
- Testing using using the methods under Subpart c of 40 CFR 261.

