

Record of Hazardous Waste Determination for Solid Waste Disposal

A Hazardous Waste Determination (HWD) IAW 40 CFR 262.11 is required for all Solid Wastes. The 40 CFR 262.11 procedure can be summarized by answering these four questions.

Contract Name: _____ Contract Number: _____
Company Name: _____ Building Number: _____
Description of Waste being determined: _____

1. Is this material a Solid Waste? Yes No
 - a. A Solid Waste is and material or waste that one decides to discard.
 - b. The physical state of the material is insignificant regarding the answer to whether a Solid Waste has been generated because the EPA has defined any material that the decision has been made to discard is a Solid Waste.

2. Is the material Exempt by EPA rule? Yes (Rule: _____) No
 - a. The EPA has made many exemptions from the Hazardous Waste Regulations regarding specific wastes.
 - b. Recycling is an example of using EPA's exceptions. The material in question and the manner in which it is recycled dictates what the rules that need to be followed. As indicated in Table 1 of 40 CFR 261.2, most materials are Solid Wastes even if they are recycled.

3. Is the Solid Waste listed by the EPA as a Hazardous Waste? Yes No
 - a. The EPA has created four lists that impose Hazardous Waste Disposal by any waste generated by the processes described on each of the lists.
 - b. The listed Hazardous Waste is as follows:
 - i. Waste from Non-Specific Sources (F List)
 - ii. Waste from Specific Sources (K List)
 - iii. Commercial Chemical Products that are Acutely Hazardous (P List)
 - iv. Commercial Chemical Products (U List)

4. Does the waste have any Hazardous Characteristics? Yes No
 - a. The EPA has created four characteristics that impose Hazardous Waste Disposal by any waste generated that exhibit the characteristics of Ignitability, Corrosivity, Reactivity, or Toxicity.
 - i. The majority of Ignitable Hazardous Waste is those liquids that have a flash point of less than 140 degrees Fahrenheit. Flammable Solids, Flammable Gases or Oxidizers are also ignitable characteristics.
 - ii. The Characteristic of Corrosivity (COC) is for aqueous liquids that have a pH of less than 2.0 or greater than 12.5. Liquids can also have the COC if the waste can corrode steel at a rate greater than one quarter inch per year.
 - iii. The Reactive Characteristic are those waste that would undergo a violent chemical reaction that may cause harm to human health or the environment.
 - iv. A waste has the Toxicity Characteristic when the results of a representative sample of the Toxicity Characteristic Leaching Procedure (TCLP) are greater than any chemical in 40 CFR 261.24 Table 1.

Waste Generator Signature

Waste Generator Name (Print)

Date