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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 11@ Identification and Listing of Hazardous Waste

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Article 5@ Categories of Hazardous Waste

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Section 66261.111@ Hazardous Waste of Concern Criteria

66261.111 Hazardous Waste of Concern Criteria

(a)

A hazardous waste of concern is a hazardous waste that originated from a material with a label placed by the manufacturer with one of the following hazard class divisions, or a hazardous waste that is identified on the Uniform Hazardous Waste Manifest with one of the following hazard divisions within the U.S. DOT description, or otherwise known as: (1) An explosive material, hazard division 1.1, 1.2, or 1.3, as defined under 49 Code of Federal Regulations section 173.50 (as revised October 1, 2002); or (2) A poisonous material, hazard division 6.1, packing group I or II, as defined under 49 Code of Federal Regulations section 173.132 (as revised October 1, 2002); or (3) A poisonous gas, hazard division 2.3, as defined under 49 Code of Federal Regulations section 173.115 (as revised October 1, 2002).

(1)

An explosive material, hazard division 1.1, 1.2, or 1.3, as defined under 49 Code of Federal Regulations section 173.50 (as revised October 1, 2002); or

(2)

A poisonous material, hazard division 6.1, packing group I or II, as defined under 49 Code of Federal Regulations section 173.132 (as revised October 1, 2002); or

(3)

A poisonous gas, hazard division 2.3, as defined under 49 Code of Federal Regulations

section 173.115 (as revised October 1, 2002).

(b)

"Missing hazardous waste of concern" is a hazardous waste of concern that has been lost, stolen, is unaccounted for, or a difference in type has been identified when it is received at the designated facility. It does not include the unintentional release of a hazardous waste of concern within the meaning of 49 Code of Federal Regulations section 171.16 (as revised October 1, 2002).

(c)

Specified reporting requirements for missing hazardous wastes of concern apply in instances where the missing waste represents a reportable quantity or a reportable difference in type. (1) Reportable quantities of missing hazardous waste of concern are: (A) for bulk waste, variations greater than 3 percent in weight or volume; and (B) for containerized waste, any variation in piece count, such as a discrepancy of one drum in a truckload. (2) Reportable differences in type of a hazardous waste of concern are obvious differences that can be discovered by observation of the physical properties of the waste through inspection or waste analysis (e.g., mineral spirits substituted for waste carbon tetrachloride, or waste that contains hazardous constituents not reported on the manifest that would change the shipping name or waste code).

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(2)

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