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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 66261.100@ RCRA Hazardous Waste

66261.100 RCRA Hazardous Waste

(a)

A hazardous waste is a RCRA hazardous waste if it meets any of the following criteria: (1) it exhibits any of the characteristics of ignitability, corrosivity, reactivity, or toxicity identified in sections 66261.21, 66261.22(a)(1), 66261.22(a)(2), 66261.23, and 66261.24(a)(1); (2) it is listed as a hazardous waste in article 4 of this chapter and has not been excluded by the USEPA Administrator from 40 CFR Part 261, Subpart D pursuant to 40 CFR sections 260.20 and 260.22. Wastes excluded by the USEPA Administrator pursuant to 40 CFR sections 260.20 and 260.22 are listed in 40 CFR Part 261, Appendix IX; (3) it is identified as a hazardous waste pursuant to section 66261.3(a)(2)(B), section 66261.3(a)(2)(D), section 66261.3(a)(2)(E), or section 66261.3(c)(2).

(1)

it exhibits any of the characteristics of ignitability, corrosivity, reactivity, or toxicity identified in sections 66261.21, 66261.22(a)(1), 66261.22(a)(2), 66261.23, and 66261.24(a)(1);

(2)

it is listed as a hazardous waste in article 4 of this chapter and has not been excluded by the USEPA Administrator from 40 CFR Part 261, Subpart D pursuant to 40 CFR sections 260.20 and 260.22. Wastes excluded by the USEPA Administrator pursuant to 40 CFR sections 260.20 and 260.22 are listed in 40 CFR Part 261, Appendix IX;

(3)

it is identified as a hazardous waste pursuant to section 66261.3(a)(2)(B), section 66261.3(a)(2)(D), section 66261.3(a)(2)(E), or section 66261.3(c)(2).

(b)

A hazardous waste is presumed to be a RCRA hazardous waste unless or until the generator determines that the waste is non-RCRA hazardous waste pursuant to section 66261.101.