

**Oregon Administrative Rule
Chapter 837, Division 90
Hazardous Substance Possession Fees
(Excerpt Only)**

1 **837-090-1020**

2 **Hazardous Classification**

3 (1) Hazardous substances shall be classified according to the hazard(s) they present.

4 (2) Hazardous substances shall be classified as generally hazardous unless they meet the criteria
5 for classification as minimally hazardous, very hazardous or are subject only to a registration fee.

6 (3) For purposes of the Hazardous Substance Possession Fee, the most hazardous classification
7 that can be assigned to a substance will be used.

8 (4) A hazardous substance shall be classified as subject only to a registration fee if, under normal
9 or reasonably expected conditions:

10 (a) Its primary hazard is that only of a nuisance dust and/or minor irritant; and

11 (b) It has no other hazard that would classify it as a minimally, generally or very hazardous
12 substance; or

13 (c) It is classified as such by the Office of State Fire Marshal.

14 (5) A hazardous substance may be classified as minimally hazardous if, under normal or reason-
15 ably expected conditions:

16 (a) It has a National Fire Protection Association (NFPA) 704 rating of 1 or less; and

17 (b) It is not required to have either the signal Words Danger or Warning on container labels; and

18 (c) It does not have a Threshold Limit Value (TLV), Permissible Exposure Limit (PEL) or
19 Recommended Exposure (REL) less than 10 mg/m³ of total particulate, 5,000 ppm of gas or
20 vapor or 10 fibers/cc; and

21 (d) There has been not one reliable animal or human study showing that it is a hepatoxin,
22 nephrotoxin, neurotoxin, carcinogen, sensitizer, corrosive, hematopoietic toxin, respiratory
23 hazard, reproductive toxin, mutagen, eye hazard, or cutaneous hazard; and

24 (e) It is not a hazardous waste; and

- 25 (f) It is not an aerosol, blasting agent, combustible liquid, compressed gas, corrosive, corrosive
26 liquid, cryogenic fluid, explosive, fire hazard, fireworks, fissile materials, flammable anesthetic
27 flammable gas, flammable liquefied gas, flammable liquid, flammable solid or metal, highly
28 toxic material, highly toxic pesticide, hypergolic material, liquefied petroleum gas, natural gas,
29 organic peroxide, oxidizer, peroxide, peroxide-forming chemical, pesticide, pyrometric,
30 radioactive material, reactive material, sensitizer, toxic material, unstable (reactive) liquid,
31 unstable material or water-reactive material; or
- 32 (g) It is classified as such by the Office of State Fire Marshal.
- 33 (6) A hazardous substance will be classified as very hazardous if, under normal or reasonably
34 expected conditions:
- 35 (a) It has a National Fire Protection Association (NFPA), 704 health and/or reactivity rating of 4;
36 or
- 37 (b) It is required to have the signal word Danger on container labels; or
- 38 (c) It is a highly toxic material, human carcinogen, high explosive, highly combustible dust or
39 metal, Class 4 oxidizer, Class I organic peroxide, pyrophoric, Class 4 unstable (reactive)
40 material, Class 3 water-reactive material, radioactive material, hypergolic; or
- 41 (d) It is classified as such by the Office of State Fire Marshal.