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# Hazardous Waste Definitions

**Acceptable Closed Conveyance System:** A system in which waste reclamation operations are literally enclosed, or hard-plumbed with pipe to the unit that generates the waste. A facility may be allowed to consider this as an "in-line/continuous recycling/reclamation system" on a case-by-case basis under 40 CFR 260.31(b). Refer to 51 FR 26442, July 14, 1986 for more discussion.

**Accumulation:** A generator may accumulate hazardous waste for a short period of time before managing it on-site or shipping it off-site. The waste must be accumulated in either tanks, containers or drip-pads; it may not be accumulated in surface impoundments.

Large quantity generators may accumulate their waste for up to 90 days before shipping it off-site.

Small quantity generators may accumulate their waste for up to 180 days before shipping it off-site. If the nearest treatment, storage, disposal, or recycling facility to which they can send their waste is more than 200 miles away, they may accumulate their waste for 270 days.

**Acute Hazardous Waste:** Acute hazardous waste is any hazardous waste with a waste code beginning with the letter "P" or any state-only hazardous waste with a waste code beginning with the letters "P", "ORP" or any of the following "F" codes: F020, F021, F022, F023, F026, and F027. These wastes are subject to stringent quantity standards for accumulation and generation. See also the definition of "Hazardous Waste".

**Closed-Loop Recycling System:** A production system in which secondary materials are reclaimed, returned to, and reused in the original production process or processes from which they were generated, **provided:**

- Only tank storage is involved and the entire process through completion of reclamation is closed by being entirely connected with pipes or comparable means of conveyance.
- Reclamation does not involve controlled flame combustion such as in boilers, industrial furnaces or incinerators.

- The secondary materials are never accumulated in tanks for over twelve months without being reclaimed.
- The reclaimed material is not used to produce a fuel, or used to produce products that are used in a manner constituting disposal.

**Conditionally Exempt Generator (CEG):** You are a conditionally exempt generator, if in every calendar month, you:

- Generate 2.2 pounds or less of acute hazardous wastes, or
- Generate 220 pounds or less of hazardous wastes, or
- Generate 220 pounds or less of spill cleanup debris containing hazardous wastes, or
- Never had on-site more than 2,200 pounds of hazardous wastes.

**DEQ Identification Number:** See definition for RCRA Site Identification Number.

**Demilitarization Residue:** Any solid waste generated by demilitarization processes and activities defined in 340-100-0010(2)(f), except for:

- Waste streams generated from processes or activities prior to the introduction of nerve or blister agent into the treatment unit; and
- Waste streams generated from maintenance or operation of non-agent contaminated process utility systems.

**Designated Facility:** The hazardous waste treatment, storage, disposal or recycling facility that has been designated on a manifest by the generator. The facility must meet one of the following:

- Has received a permit or interim status in accordance with 40 CFR 270 & 124;
- Has received a permit or interim status from an authorized state in accordance with 40 CFR 271;
- Is regulated under 40 CFR 261.6(c)(2); or
- Is regulated under Subpart F of 40 CFR 270.

**Designated Recycling Facility:** A facility designated on a manifest or any other shipping document by a hazardous waste generator that recycles hazardous waste received from

off-site in units that are exempt from the requirements to obtain a Resource Conservation and Recovery Act permit for the management of hazardous waste.

**Disposal:** The discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous waste or hazardous substance into or on any land or water so that the hazardous waste, or hazardous substance or any constituent thereof, may enter the environment or be emitted into the air or discharged into any waters of the state as defined in ORS 468.700.

**Dry Cleaning Wastewater:** Water from the solvent/water separation process of the dry cleaning machine.

**Elementary Neutralization Unit:** A device used for neutralizing wastes that are hazardous only because they exhibit the corrosivity characteristic or are listed because of corrosivity only. The unit must be a tank, tank system, container, transport vehicle or vessel.

**Facility:** For reporting purposes, facility refers to hazardous waste generators; RCRA treatment, storage, and disposal facilities; and designated recycling facilities. The term includes all contiguous land, structures, other appurtenances and improvements on the land, owned or operated by the same person or by any person who controls, is controlled by, or under common control of any person.

**Generator:** A person who, by virtue of ownership, management, or control, is responsible for causing or allowing to be caused the creation of hazardous waste.

**Hazardous Waste:** Hazardous waste is a solid waste (solid waste includes solids, liquids and compressed gases) that possesses at least one of four characteristics (ignitibility, corrosivity, reactivity, or toxicity), or that appears on federal or state official lists of hazardous wastes. A solid waste is a hazardous waste if is:

- Defined by Title 40 of the Code of Federal Regulations (CFR), Part 261 as a hazardous waste; or
- A “state-only” waste defined as hazardous in the State of Oregon. Oregon includes six categories of waste in OAR 340-101- 0033.

**Hazardous Waste Code:** A four character code identifying wastes defined as hazardous under 40 CFR, or a five character code identifying wastes defined as Oregon state-only hazardous waste.

**Hazardous Waste Minimization:** The reduction, to the extent feasible, of hazardous waste that is generated or subsequently treated, stored, or disposed of as long as the reduction is consistent with the goal of minimizing present and future threats to human health and the environment. It includes any source reduction or recycling activity undertaken by a generator that results in:

- The reduction of total volume or quantity of hazardous waste;
- The reduction of toxicity of hazardous waste; or
- Both

**Hazardous Waste Reduction:** Any recycling or other activity applied after hazardous waste is generated that is consistent with the general goal of reducing present and future threats to public health, safety, and the environment. Reduction may be proportional to the increase or decrease in production or other business changes. The recycling or other activity shall result in:

- The reduction of total volume or quantity of hazardous waste generated that would otherwise be treated, stored or disposed;
- The reduction of toxicity of hazardous waste that would otherwise be treated, stored, or disposed; or
- Both

Hazardous waste reduction does not result in: (1) the transfer of hazardous constituents from one environmental medium to another; (2) concentration of waste solely for the purposes of reducing volume; or (3) dilution as a means for reducing toxicity.

On-site or off-site treatment may be included where it can be shown that such treatment confers a higher degree of protection of the public health, safety, and the environment than other technically and economically practicable waste-reduction alternatives.

**Hazardous Waste Transporter:** A person engaged in the off-site transportation of hazardous waste by air, rail, highway, or water.

**Incinerator, Hazardous Waste:** A device using controlled flame combustion to burn hazardous waste for treatment or disposal. Incinerators are regulated as treatment, storage and disposal facilities, and are

subject to RCRA permit requirements. Incinerators do not include boilers or industrial furnaces.

**Investigation Derived Waste (IDW):** A subset of remediation wastes that are generated from field investigation activities, that are approved and overseen by DEQ or the federal EPA, and are specifically designed to determine the nature and extent of contamination. IDW will normally be generated during the remedial investigation and feasibility study stage of a cleanup project. See DEQ Hazardous Waste Remediate Fee Directive.

**In-Line Continuous Recycling/Reclamation System:** A system in which the process that generates the waste is hard-plumbed into the unit that recycles/reclaims the material.

**Lab packs:** Small containers of hazardous waste in over-packed drums.

**Land Disposal Restrictions (LDR):** A specific set of regulations designed to reduce the amount and/or toxicity of hazardous substances being placed in or on the land. The regulations identify certain wastes that are restricted, and the standards to which they must be treated before being placed in a landfill. LDR regulations also require analysis and recordkeeping (See 40 CFR 268).

**Large Quantity Generator (LQG):** You are a large quantity generator, if in any one calendar month, you:

- Generate 2, 200 or more pounds of hazardous waste, or
- Generate 2, 200 or more pounds of spill cleanup debris containing hazardous waste, or
- Generate more than 2.2 pounds of acute hazardous waste, or
- Generate more than 220 pounds of spill cleanup debris containing an acute hazardous waste, or
- Have on-site more than 2.2 pounds of acute hazardous waste.

**LDR Certification:** Paperwork required to accompany some shipments of hazardous waste subject to Land Disposal Restrictions (see above). The certification informs the receiving facility that the waste is subject to LDR standards and explains what the appropriate treatment standards are.

**Management:** The treatment, storage, disposal, or recycling of hazardous waste. For the purpose of annual reporting, management refers only to the final disposition of the waste, i.e., whether it is recycled, landfilled, etc.

**Management Facility:** A facility that treats, stores, disposes of, or recycles hazardous waste.

**Manifest:** The shipping document, EPA Form 8700-22 and, if necessary, EPA Form 8700-22A, originated and signed by the generator in accordance with the instructions included in the Appendix to CFR Part 262 as modified in OAR 340-102-0060.

**Manifest Document Number:** A unique five-digit document number assigned to the manifest by the generator for recording and reporting purposes.

**Material Safety Data Sheet:** Manufacturers are required by law to provide material safety data sheets on all products they manufacture and sell. These data sheets provide information on the physical, chemical, and toxic properties of a product.

**Mixed Waste:** Waste that contains both hazardous waste and source, special nuclear, or by-product material subject to the Atomic Energy Act (e.g., waste that is both hazardous and radioactive). This waste is regulated under RCRA as well as the Nuclear Regulatory Act and must be reported on the annual reporting forms.

#### **North American Industry Classification System**

**(NAICS) Code:** A six-digit coding system, developed by the United States Census Bureau and the Office of Management and Budget, that categorizes the principal product or group of products produced or distributed, or services rendered at a site's physical location.

#### **NPDES (National Pollutant Discharge Elimination**

**System):** A provision of the Clean Water Act which prohibits discharge of pollutants into waters of the United States unless a special permit is issued by EPA, a State, or where delegated, a tribal government on an Indian reservation.

**Off-site:** Any location hazardous waste originated from or is destined to, for which a hazardous waste manifest is required for shipment.

**On-site:** The location where hazardous waste is located and all of the adjacent parts of that location to which the waste can be transported without requiring a hazardous waste manifest.

**Open-Loop Recycling System:** A recycling system that does not meet the criteria for "closed-loop recycling" or "in-line/continuous recycling/reclamation."

**Operator:** The person responsible for the overall operation of the facility.

**Owner:** The person who owns the facility or part of the facility.

**Pesticide:** Any substance or combination of substances intended for the purpose of defoliating plants or for preventing, destroying, repelling, or mitigating insects, fungi, weeds, rodents, or predatory animals; including but not limited to defoliants, desiccants, fungicides, herbicides, insecticides, and nematocides.

**Pesticide Residue:** A hazardous waste that is generated from pesticide operations and pesticide management, such as, from pesticide use (except household use), manufacturing, repackaging, formulation, bulking and mixing, and spills. Pesticide residue includes, but is not limited to, 1) unused commercial pesticides, 2) tank or container bottoms or sludges, 3) pesticide spray mixture, container rinsings and pesticide equipment washings, and 4) substances generated from pesticide treatment, recycling, disposal, and rinsing spray and pesticide equipment. Pesticide residue does not include pesticide-containing materials that are used according to label instructions, and substances such as, but not limited to treated soil, treated wood, foodstuff, water, vegetation, and treated seeds where pesticides were applied according to label instructions.

**Point Of Generation:** The point where a waste first becomes hazardous.

**POTW (Publicly Owned Treatment Works):** Wastewater treatment works owned by a state, unit of local government, or Indian tribe and usually designed to treat domestic wastewaters.

**RCRA (Resource Conservation and Recovery Act):** The federal law regulating hazardous waste, as amended by Oregon law.

**RCRA Permit:** The Oregon hazardous waste management facility permit that is required to operate a hazardous waste treatment, storage or disposal facility.

**Reclamation:** A process to recover a usable product, or to regenerate a usable material.

Examples include recovery of lead from spent batteries and regeneration of spent solvents.

**Recycling:** The use, reuse, or reclamation of a waste material (40 CFR 261.2).

**Remediation Waste:** Means all solid and hazardous waste, and all media (including groundwater, surface water, soils and sediments) and debris that contain listed hazardous wastes or that themselves exhibit a hazardous waste characteristic and are managed for implementing cleanup. For clarification of reporting remediation wastes generated under state approved cleanup authority see DEQ Hazardous Waste Remediation Fee Directive.

**RCRA Site Identification Number:** The number assigned by DEQ to each generator, transporter, and treatment, storage, and disposal facility. This ID number begins with "OR" and is followed by a letter or number and nine digits. EPA ID numbers assigned to facilities in other states have the same format.

**SARA 313:** Title III, Section 313, of the Superfund Amendments and Reauthorization Act (SARA) of 1986. Establishes the Toxic Chemical Release Inventory. (See also TRI).

**Site:** The land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

**Small Quantity Generator (SQG):** You are a small quantity generator, if in any one calendar month, you:

- Generate more than 220 pounds but less than 2,200 pounds of hazardous waste, or
- Generate more than 220 pounds but less than 2,200 pounds of spill cleanup debris containing hazardous wastes, or
- Have on-site more than 2,200 pounds of hazardous waste.

**Solid/Sludge Residual:** Any solid or semi-solid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treatment effluent from a wastewater treatment plant.

**Source Reduction:** The reduction or elimination of waste at the source of generation, usually within a process. Source reduction activities include process modifications, feedstock substitutions, improvements in feedstock purity, housekeeping and management practices, increases in the efficiency of machinery, and recycling within a process. Source reduction implies any

action that reduces the toxicity or the amount of waste exiting a process.

**Standard Industrial Classification (SIC) Code:**

The SIC coding system was replaced by the North American Industry Classification System (NAICS). See definition above.

**State-Only Hazardous Waste:** Waste that is defined as hazardous in the State of Oregon. Oregon includes six categories of waste in its definition of state-only hazardous wastes in OAR 340-101-0033.

**Storage:** The holding of hazardous waste for a temporary period at the end of which the hazardous waste is treated, disposed or stored elsewhere.

**System:** A process or series of processes acting together to perform a single operation on a hazardous waste stream. May consist of a number of units, or single pieces of equipment, e.g., individual tanks, surface impoundments, or distillation systems.

**Toxic Substance:** Any substance in a gaseous, liquid, or solid state listed pursuant to Title III, Section 313 of the Superfund Amendments and Reauthorization Act of 1986, or any substance added by the Commission under the authority of ORS 465.009 and OAR 340-135-0040. This does not include a substance when used as a pesticide or herbicide in routine commercial agriculture applications, or any substance deleted by the Commission under the authority of ORS 465.009 and OAR 340-135-0040.

**Toxics Use:** Use or production of a toxic substance as defined above.

**Toxics Use Reduction:** In-plant changes in production or other processes or operations, products or raw materials that reduce, avoid or eliminate the use or production of toxic substances without creating substantial new risks to public health, safety, and the environment. Reduction may be proportional to increases or decreases in production or other business changes. Reduction means application of any of the following techniques:

- Input substitution, by replacing a toxic substance or raw material used in a production or other process or operation with a non-toxic or less toxic substance.

- Product reformulation, by substituting for an existing end product, an end product which is non-toxic or less toxic upon use, release, or disposal.
- Production or other process or operation modernization, by upgrading or replacing existing equipment and methods with other equipment and methods.
- Production or other process or operation redesign or modifications.
- Improved operation and maintenance of production processes or equipment or methods, and modifications or additions to existing equipment or methods, including techniques such as improved housekeeping practices, system adjustments, product and process inspections, or production or process changes.
- Recycling, reuse, or extended use of toxics by using equipment or methods that become an integral part of the production or other process or operation of concern, including but not limited to filtration and other methods.

**Trade Secrets:** Information submitted in any report or form you believe should be held confidential by DEQ because it contains a “trade secret” as defined by Oregon Revised Statutes. Refer to OAR 340-100-0003 for specific information on Hazardous Waste Confidential Business Information Rule. Refer to ORS 465.031 for the definition of trade secret applicable to DEQ's Toxics Use Reduction (TUR) program.

**Transfer Facility:** Any transportation-related facility, including loading docks, parking areas, storage areas, and other similar areas where shipments of hazardous waste are held for no longer than 10 days during the normal course of transportation.

**Treatment:** Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to:

- Neutralize such waste;
- Recover energy or material resources from the waste;
- Render such waste non-hazardous or less hazardous;
- Make it safer for transport, storage, or disposal; or
- Make it amenable for recovery, amenable for storage, or reduce its volume.

**Treatment, Storage and Disposal Facility:** A facility that treats, stores or disposes of hazardous waste and is subject to RCRA permit requirements.

**TRI:** Toxic Chemical Release Inventory, a data-collection system for toxic chemical releases established under SARA Title III, Section 313.

**TRI Constituent:** The specific toxic chemical(s) identified by a Chemical Abstracts Service (CAS) number, which was reported on the TRI report (Form R).

**TRI Report Form:** Form R, The Toxic Chemical Release Inventory Form, is required under SARA 313, and consists of information submitted to EPA for each toxic chemical released by any facility required to report under the provisions of SARA 313. If you have questions about SARA 313 reporting requirements, call the State Fire Marshal at (503) 378-6835.

**Used or Reused:** A material that is:

- Employed as an ingredient (including use as an intermediate) in an industrial process to make a product. For example, distillation bottoms from one process used as a feedstock in another process. However, a material will not satisfy this condition if distinct components of the material are recovered as separate end products, such as when metals are recovered from metal-containing secondary materials.
- Employed in a particular function or application as an effective substitute for a commercial product. For example, spent pickle liquor used as phosphorous precipitant and sludge conditioner in wastewater treatment.

**Waste Management Unit:** A contiguous area of land which there is a significant likelihood of mixing of waste constituents in the same area.

**Waste Minimization:** See the definition for "Hazardous Waste Minimization" above.

**Wastewater Treatment Unit:** A tank or tank system that receives, treats or stores before treating, an influent wastewater that is a hazardous waste, or that generates and accumulates wastewater treatment sludges that are hazardous wastes. These units are regulated under either section 402 or 307(b) of the Clean Water Act and release to a POTW/sewer or surface water.

## Universal Waste Definitions

**Large Quantity Handler of Universal Waste:** A universal waste handler who accumulates a total of 5,000 kilograms (11,000 pounds) or more of all universal wastes (batteries, pesticides, hazardous waste lamps, or thermostats, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more of universal wastes are accumulated.

**Off-site Collection Site:** A site that receives and accumulates universal waste from off-site.

**Pesticide Collection Program:** A program that collects waste pesticides for subsequent treatment or disposal. A pesticide collection program may be operated by federal, state or local municipal entities as well as by persons in private industry. Pesticide collection programs are required to notify the Department of their activities prior to the collection of pesticides.

**Small Quantity Handler of Universal Waste:** A universal waste handler who does not accumulate more than 5,000 kilograms total of universal waste (batteries, pesticides, hazardous waste lamps, or thermostats, calculated collectively) at any time.

**Universal Waste:** Hazardous waste that is subject to a specific set of streamlined management standards for the purpose of encouraging the collection for proper recycling or disposal of the waste. Universal waste types are listed in 40 CFR 273.1 and OAR 340-113-0010 and presently include batteries, mercury-containing thermostats, certain pesticide wastes (pesticide wastes collected during a ban or recall activity or by a pesticide collection program), and hazardous waste lamps.

**Waste Pesticide:** Pesticide residues (as defined above) which are managed according to universal waste rule management standards prior to treatment or disposal.

## Used Oil Definitions

**"Do-it-yourselfer" used oil collection center:** Any site or facility that accepts, aggregates and/or stores used oil collected only from household do-it-yourselfers.

**Household "do-it-yourselfer" used oil:** Oil that is derived from households, such as used oil generated by individuals who generate used oil through the maintenance of their personal vehicles.

**Household "do-it-yourselfer" used oil generator:** An individual who generates household "do-it-yourselfer" used oil.

**Person:** An individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or any interstate body.

**Processing:** Chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived product. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation and re-refining.

**Used oil aggregation point:** Any site or facility that accepts, aggregates, and/or stores used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point, from which used oil is transported to the aggregation point in shipments of no more than 55 gallons. Used oil aggregation points may also accept used oil from household do-it-yourselfers.

**Used oil burner:** A facility where used oil not meeting the specification requirements in 40 CFR 279.11 is burned for energy recovery in devices identified in 40 CFR 279.61(a). Mixtures of used oil and non-hazardous solid waste shall have a minimum energy value of 5,000 BTUs per pound when burned as a fuel for energy recovery. See OAR 340-111-0010(3).

**Used oil collection center:** Any site or facility that is registered, licensed, permitted or recognized by a state, county or municipal government to manage used oil and accepts, aggregates and/or stores used oil collected from used oil generators who bring used oil to the collection center in shipments of no more than 55 gallons under the provisions of 40 CFR 279.24. Used oil collection centers may also accept used oil from household do-it-yourselfers.

**Used oil fuel marketer:** Any person who conducts either of the following activities:

- Directs a shipment of off-specification used oil from their facility to a used oil burner; or
- First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11.

**Used oil generator:** Any person, at a single location, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.

**Used oil mixture:** Any mixture of used oil as generated and another waste.

**Used oil processor/re-refiner:** A facility that processes used oil.

**Used oil transfer facility:** Any transportation related facility including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days.

**Used oil transporter:** Any person who transports used oil, any person who collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil derived products or used oil fuel.

**Used oil:** Any oil that has been refined from crude oil, or any synthetic oil, that has been used as a lubricant, coolant (non-contact heat transfer fluids), hydraulic fluid or for similar uses and as a result of such use is contaminated by physical or chemical impurities. Used oil includes, but is not limited to, used motor oil, gear oil, greases, machine cutting and coolant oils, hydraulic fluids, brake fluids, electrical insulation oils, heat transfer oils and refrigeration oils. Used oil does not include used oil mixed with hazardous waste except as allowed in 40 CFR 279.10(b), oil (crude or synthetic) based products used primarily as solvents, antifreeze, wastewaters from which the oil has been recovered, and oil contaminated media or debris.