

Division 101
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

340-101-0004

Exclusions

- (1) Residue described in 40 C.F.R. § 261.4(b)(9) is exempted from divisions 100-106 and 109.
- (2) Dry cleaning wastewater subject to the requirements in OAR 340 division 124 is not excluded under 40 C.F.R. §§ 261.4(a)(1)(i) and (ii).
- (3) The phrase “or labeled with equivalent wording describing the contents of the container and recognizing the exclusion” is added to the end of the first sentence in 40 C.F.R. § 261.4(a)(26)(i) and 40 C.F.R. § 261.4(b)(18)(i).
- (4) The phrase “To a municipal solid waste landfill regulated under 40 C.F.R. part 258, including 40 C.F.R. § 258.40, or” is deleted from 40 C.F.R. § 261.4(b)(18)(vi)(A).
- (5) The phrase “To a municipal waste combustor or other combustion facility regulated under section 129 of the Clean Air Act or” in 40 C.F.R. 261.4(b)(18)(vi)(B) is deleted.
- (6) The following wastes are excluded under OAR 340-100-0020 and 340-100-0022:
 - (a) [Selmet, Inc., or its corporate successor.](#) Wastewater treatment sludge, EPA Hazardous Waste No. F006, generated at Selmet, Inc., Albany, Oregon, and contained in an on-site surface impoundment, as described in the delisting petition Selmet, Inc. provided on May 22, 2018. This is a one-time exclusion. [This exemption remains in effect only as long as Selmet meets the conditions specified in Appendix 1 to this rule. \[Note: The Selmet petition is attached to this rule as Appendix 2. View appendices by clicking on Tables link at the end of this rule.\]](#)
 - (b) [Selmet, Inc., or its corporate successor.](#) Wastewater treatment sludge, EPA Hazardous Waste No. F006, generated at Selmet, Inc., Albany, Oregon, as described in the delisting petition Selmet, Inc. provided on May 22, 2018. The exemption is limited to a maximum annual rate of 3120 cubic yards per year. Selmet must have the sludge disposed of in a Subtitle D landfill the department licenses, permits, or otherwise authorizes to accept the delisted wastewater treatment sludge. [This exemption remains in effect only as long as Selmet meets the conditions specified in Appendix 1 to this rule. \[Note: The Selmet petition is attached to this rule as Appendix 2. View a PDF of appendices by clicking on the Tables link at the end of this rule.\]](#)
 - (c) [Pacific Cast Technologies, Inc., doing business as ATI Cast Products, or its corporate successor.](#) Wastewater treatment sludge, EPA Hazardous Waste No. F006, generated at Pacific Cast Technologies, Inc., doing business as ATI Cast Products, Albany, Oregon as described in the delisting petition ATI Cast Products provided on April 11, 2019. The exemption is limited to a maximum annual rate of 9,000 cubic yards per year. ATI Cast Products must have the sludge disposed of in a Subtitle D landfill the department licenses, permits, or otherwise authorizes to

[accept the delisted wastewater treatment sludge. This exemption remains in effect only as long as ATI Cast Products meets the conditions specified in Appendix 3 to this rule. \[Note: The ATI petition is attached to this rule as Appendix 4. View a PDF of appendices by clicking on the Tables link at the end of this rule.\]](#)

[NOTE: View a PDF of referenced EPA Method by clicking on "Tables" link below.]

Statutory/Other Authority: ORS 192, 465.009, 466.015, 466.020, 466.075, 466.090, 466.180, 468.020 & 646

Statutes/Other Implemented: ORS 466.015, 466.075 & 466.195

History:

DEQ 13-2019, amend filed 05/16/2019, effective 05/16/2019

DEQ 198-2018, amend filed 11/16/2018, effective 11/16/2018

DEQ 5-2017, f. & cert. ef. 7-12-17

DEQ 7-1984, f. & ef. 4-26-84; Superseded by DEQ 8-1985; DEQ 8-1985, f. & ef. 7-25-85;

DEQ 6-1994, f. & cert. ef. 3-22-94; DEQ 4-1999, f. & cert. ef. 3-19-99; DEQ 10-2000, f. & cert. ef. 7-21-00; DEQ 13-2003, f. & cert. ef. 10-24-03