



Definition of Solid Waste Adoption Table

Hazardous Waste Rules 2022

Mandatory Rule Adoption	Optional	Proposed Oregon Modification	Notes
Non-waste determinations and variances CFR 260.31 and CFR 260.33			Changes affecting all non-waste determinations and variances. More stringent for all state programs that did not adopt January 13, 2015, DSW Rule. DEQ did not adopt the 2015 DSW Rule.
Legitimacy related provisions CFR 260.43 Prohibition of Sham Recycling CFR 261.2(b)(4) Definition of Contained CFR 260.10	*Defining Sham Recycling CFR 261.2(g) * Definition of Hazardous Secondary Material CFR 260.10	Definition of contained: Remove land-based units from the definition of contained.	Legitimacy-related provisions, including the prohibition of sham recycling, definition of legitimacy, definition of contained. More stringent for all state programs that did not adopt the 2015 DSW rule. DEQ did not adopt the 2015 DSW Rule.
Speculative Accumulation CFR 261.1(c)(8)			Speculative accumulation More stringent for all state programs.
	*Definition of Hazardous Secondary Material Generator CFR 260.10		2008 DSW exclusions and non-waste determinations, including revisions from the 2015 DSW final rule and 2018 DSW final rule. Less stringent for states not operating under 2008 DSW rule. DEQ did not adopt the 2008 DSW Rule.

*Denotes non-mandatory portions of rule adoption to maintain state authorization. DEQ recommends adding these parts for clarity in this rule.