

Hazardous Waste Determinations and Documentation

Technical Guidance

Businesses, government agencies, institutions, and others generate many types of waste and are required to determine if any of their waste is hazardous. Only household hazardous waste is exempt from this requirement. This technical guidance document explains the steps involved in making a waste determination and the associated documentation requirements. This guidance is not designed for every waste stream and should not be used without consulting the regulations. The Federal Regulations referred to in this document have been incorporated by reference in [Pima County Code \(PCC\) Title 7, Chapter 7.09](#).

Making Waste Determinations

Hazardous waste determinations can be complicated, and must be done for every waste stream generated at a facility. Generally, the only waste stream that is not required to have a documented waste determination is office trash. Separating the waste determination into steps can make it easier to complete the process.

Step 1

Make a list of all waste streams being generated at the facility. List what process generates each waste stream, and document how many pounds of each waste stream are generated each month (don't average over months).

Step 2

Check to see if each waste meets the definition of "solid waste" as found in the [40 Code of Federal Regulations \(CFR\) 261.2](#). Waste is considered solid waste if it:

- Is a solid or a liquid (or in some cases a gas) that is discarded, abandoned, recycled, or considered inherently waste-like; and
- Is not otherwise exempt from the definition of solid waste under [40 CFR 261.4](#).

One common way materials become exempt from the definition of solid waste is when they are discharged to a sewer or drain that is regulated under the Clean Water Act, for example an NPDES discharge point, a pre-treatment system, or a Publicly Owned Treatment Works (POTW).

Step 3

For each waste that meets the definition of "solid waste", check to see if the waste meets the definition of "hazardous waste" as found in [40 CFR 261.3](#). Use knowledge of how the waste was generated (process knowledge) and/or have the waste analyzed at an Arizona Department of Health Services (ADHS) certified laboratory using EPA approved test methods. Some wastes may need to be evaluated using both process knowledge and analysis, while others can be evaluated using one or the other alone.

Hazardous waste is divided into two broad categories: listed waste and characteristic waste. A hazardous waste can be both listed and characteristic. For more details on listed and characteristic hazardous wastes and determining waste codes, please refer to the "Identifying Your Waste" section of the ADEQ Managing Hazardous Waste Handbook available on the ADEQ and PDEQ websites.

Step 4

Prepare a document stating whether or not the waste is hazardous. If it is hazardous, list the applicable waste codes (D001, F003, U183, etc.). This is an important final step in the hazardous waste determination process.

Documenting Waste Determinations

Maintain documentation of Steps 1 through 4. This documentation must be kept for 3 years from the last date the waste was shipped off-site.

Adequate documentation will include a statement about whether or not the waste is hazardous as well as copies of all documents used in Steps 1 through 3. Documentation is required for all wastes, both non-hazardous and hazardous. Some examples of documentation that may be included are:

- Safety Data Sheets (SDSs);
- Process flow diagrams;
- Analytical results from a ADHS certified laboratory; and
- Chemical reaction diagrams.

None of these documents are acceptable as an adequate waste determination by itself, as none of them will state conclusively whether or not the waste is hazardous or non-hazardous.

Another document that is inadequate by itself is a Waste Profile from a contractor. These forms are often filled out by hazardous waste transporters and contractors through interviews with generators and frequently are not supported by any real investigation into the process generating the waste. In addition, they may be supported using analytical tests done in laboratories that are not certified by ADHS. Always ask the contractor to use an ADHS-certified laboratory for all analytical testing to ensure that repeat analysis is not required.

Also, if a Waste Profile is used as part of the hazardous waste determination, all supporting documentation, including those documents previously listed, must be attached.

Adequately documenting waste determinations can be difficult. To assist with this process, PDEQ has created the attached Waste Determination Documentation Form example document that may be used. This specific form is not required and may be modified to meet the specific needs of individual facilities.

Summary

Conducting an adequate determination for each waste stream and properly documenting that determination will help facilities stay in compliance and avoid costly mistakes. Adequate determinations are the foundation of any good hazardous waste management program and will help reduce management and disposal costs.

Certified Laboratories

A list of ADHS-certified laboratories can be found at:

<https://app.azdhs.gov/BFS/LABS/ELBIS/ArizonaCertifiedLabs/LabSearchContentPage.aspx>

For additional information regarding proper management of solid or hazardous waste in Pima County, you may contact the Pima County Department of Environmental Quality (PDEQ) at (520) 724-7400, at the address at the beginning of this document, or visit the PDEQ website at <http://www.deq.pima.gov/waste/index.html>.

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