



County of San Diego

DEPARTMENT OF ENVIRONMENTAL HEALTH HAZARDOUS MATERIALS DIVISION

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TO: GENERATORS OF WASTE MATERIAL

FROM: HAZARDOUS MATERIALS DIVISION

WASTE DETERMINATION FOR GENERATORS

It is the generator's responsibility to determine whether or not a waste must be stored, transported and disposed of as a hazardous or non-hazardous waste.

A generator may determine that the waste from his/her particular facility or operation is not a hazardous waste by either:

- I. Testing the waste according to the methods set forth in the regulations; and/or
- II. Applying knowledge of the hazardous characteristic(s) or properties of the waste in light of the materials or the processes used and the criteria set forth in the hazardous waste regulations.

The testing criteria are specified in Title 22, Division 4.5, of the California Code of Regulations (CCR).

A non-hazardous designation will apply only under the following conditions when testing is performed:

- 1) Representative sampling of the material is conducted in accordance with procedures specified in Section One of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" SW-846, 3rd Edition, U.S. Environmental Protection Agency, 1986.
- 2) The samples are delivered to the lab with a "Chain of Custody" type document which indicates the sample type, date/time sample was taken, sample size, source of the waste, quantity of the waste, the type of sample container, place and address of collection, and the name and signature of collector.
- 3) The analysis is conducted by a laboratory following the analytical procedures outlined in CCR Title 22, Division 4.5. The generator certifies in writing that the analytical procedures used are consistent with those specified in CCR Title 22 and that the waste is categorized as non-hazardous by the criteria specified in CCR Title 22. The laboratory is to be certified to perform the specific waste analysis by the State of California Department of Environmental Health.

The landfill operators must also be contacted for their approval prior to disposal to a landfill. In many cases they require the submittal of a "Special Waste" or "Non-hazardous Waste" form(s) before disposing of the waste at a local landfill.

If materials or processes change once a material is classified, a recertification must be completed. Random sampling will be conducted at the landfills to ensure that the composition of the waste has not changed. Enough samples should be taken of the waste to ensure that a thorough assessment of the properties of the waste is conducted by the waste producer. Sample analysis results often vary because the waste is not homogenous in nature. In many cases, more than one sample must be analyzed in order to ensure the validity of the waste determination.

Waste material that is determined to be hazardous must be disposed of as a hazardous waste. The improper disposal of a hazardous waste will be subject to provisions of the California Health and Safety Code, Chapter 6.5, Section 25189.5 (Disposal Of A Hazardous Waste At An Unauthorized Point).

The Hazardous Materials Division recommends you obtain the services of a qualified and experienced environmental consultant who can assist you in the sampling of the waste and laboratory analysis of the samples.

If you have any questions, call the Hazardous Materials Duty Specialist at (858) 505 - 6880.

Attachment

DATE: _____

UPFP# _____
For Office Use Only

Please Print or Type All Information

I. CLASSIFICATION OF WASTE

Facility Name: _____

Facility Address/Zip Code: _____

Facility Phone: _____

Facility Representative's Name: _____

Job Title: _____

A. Waste Information:

1. Describe the Type of Waste (Example: Water soluble cutting oil from machine shop containing trace amounts of heavy metals):

2. Description of Waste:

a. Physical description of waste (Example: Dry sandblast grit and other debris):

b. Present method of waste disposal:

c. Dates and locations of collected samples (Fill in the box below with applicable information):

TYPE OF SAMPLE COLLECTED	LOCATION	DATE COLLECTED	FIELD SAMPLE # (sample label # or ID #)
Example: Dry sandblast grit	Sandblast grit stockpile grid location: #01	September 4, 1992	#001

d. Description of sampling methodology (**NOTE-IMPORTANT:** For wastes stored in roll-off boxes; in a stockpile; in large containers; or disposed of onto the ground surface, you must attach a plot plan map detailing the exact sample locations/coordinates demonstrating where the samples were collected.):

(1) Describe the sampling technique used at site or facility:

(2) Describe sampling handling and preservation methods used prior to laboratory analysis:

(3) Waste produced per unit time (Example: 500 pounds/day):

(4) Describe the process used to generate waste:

B. Certification by person(s) who is/are the responsible managers of the establishment.

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this notification and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I certify that the waste is non-hazardous based on testing of the waste and applying knowledge of the characteristics of the waste in light of the materials or the processes used. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Signature: _____

Printed Name: _____

Job Title: _____

Date: _____

II. SAMPLING INFORMATION

A. Sampler's Name: _____
Facility Address/Zip Code: _____
Facility Phone: _____
Facility Contact Person: _____
Job Title: _____

"I certify under penalty of law that I have personally conducted all sampling in accordance with the procedures specified in Section One of 'Test Methods for Evaluating Solid Waste, Physical/Chemical Methods', SW-846, 3rd Edition, U.S. Environmental Protection Agency, 1986. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

Signature: _____
Printed Name: _____
Job Title: _____
Date: _____

SW846 Section One, Regulatory and Scientific Objectives states in part "that enough samples...be collected over a period of time to address the variability of the waste."

III. LABORATORY INFORMATION To be completed by Lab Technician:

- A. Waste samples are to be transported with a Chain-of-Custody to a laboratory certified to perform that specific analysis by the State of California Department of Environmental Health (Pursuant to Section 67440.1 CCR).

(Attach a copy of Chain-of-Custody form)

Laboratory: _____

Address: _____

Phone #: _____

Contact Person: _____

Job Title: _____

- B. Laboratory shall have a Quality Assurance Manual which is used as a normal part of operations by the laboratory staff.

1. Cite the reference(s) for the extraction and analytical methods used on the analysis report.
2. "I certify under penalty of law that I have conducted all analysis in accordance with the analytical procedures specified in California Code of Regulations, Title 22, Division 4.5, Chapter 11. (Identification and Listing of Hazardous Waste).

(Attach Laboratory Results)

Signature: _____

Printed Name: _____

Job Title: _____

Date: _____

NOTE: YOU MUST ATTACH A COPY OF THE LABORATORY RESULTS AND CHAIN-OF-CUSTODY DOCUMENT TO THIS FORM.

IMPORTANT FOOTNOTES
*** Please Read***

1. Maintain a completed copy of this document in your files available for review at all times.
2. Do **NOT** commingle or mix different samples into one composite sample.
3. Transport the samples directly to the laboratory as soon as possible. Maintain the samples cold (4°C or below) while in storage and during transport.
4. Enough samples should be taken of the waste to ensure that a thorough assessment of the properties of the waste is conducted by the waste producer. Sample analysis results often vary because the waste is not homogenous in nature. In many cases, more than one sample must be analyzed in order to ensure the validity of the waste determination.
5. The Hazardous Materials Division recommends you obtain the services of a qualified and experienced environmental consultant who can assist you in the sampling of the waste and laboratory analysis of the samples.
6. In accordance with Section 66260.200 of the California Code of Regulations, Title 22, Division 4.5, the waste generator may petition Cal-EPA, Department of Toxic Substances Control, for their concurrence with the results of the waste determination.
7. A waste generator who incorrectly determines that a hazardous waste is nonhazardous, and fails to mandate the waste in a lawful manner, is in violation of the regulations and is subject to enforcement action (Section 66260.200of the California Code of Regulations, Title 22).