

Environmental Protection Agency

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of his method under the procedures set forth in §§ 260.20 and 260.21.]

[45 FR 33119, May 19, 1980, as amended at 51 FR 40636, Nov. 7, 1986; 55 FR 22684, June 1, 1990; 56 FR 3876, Jan. 31, 1991]

§ 261.21 Characteristic of ignitability.

(a) A solid waste exhibits the characteristic of ignitability if a representative sample of the waste has any of the following properties:

(1) It is a liquid, other than a solution containing less than 24 percent alcohol by volume and at least 50 percent water by weight, that has a flash point less than 60 °C (140 °F), as determined by using one of the following ASTM standards: ASTM D93-79, D93-80, D3278-78, D8174-18, or D8175-18 as specified in SW-846 Test Methods 1010B or 1020C (all incorporated by reference, see § 260.11 of this subchapter).

(2) It is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a hazard.

(3) It is an ignitable compressed gas.

(i) The term "compressed gas" shall designate any material or mixture having in the container an absolute pressure exceeding 40 p.s.i. at 70 °F or, regardless of the pressure at 70 °F, having an absolute pressure exceeding 104 p.s.i. at 130 °F; or any liquid flammable material having a vapor pressure exceeding 40 p.s.i. absolute at 100 °F as determined by ASTM Test D-323.

(ii) A compressed gas shall be characterized as ignitable if any one of the following occurs:

(A) Either a mixture of 13 percent or less (by volume) with air forms a flammable mixture or the flammable range with air is wider than 12 percent regardless of the lower limit. These limits shall be determined at atmospheric temperature and pressure. The method of sampling and test procedure shall be the ASTM E 681-85 (incorporated by reference, see § 260.11 of this subchapter), or other equivalent methods approved by the Associate Administrator, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation.

(B) It is determined to be flammable or extremely flammable using 49 CFR 173.115(1).

(4) It is an oxidizer. An oxidizer for the purpose of this subchapter is a substance such as a chlorate, permanganate, inorganic peroxide, or a nitrate, that yields oxygen readily to stimulate the combustion of organic matter.

(i) An organic compound containing the bivalent -O-O- structure and which may be considered a derivative of hydrogen peroxide where one or more of the hydrogen atoms have been replaced by organic radicals must be classed as an organic peroxide unless:

(A) The material meets the definition of a Division 1.1, 1.2, or 1.3 explosive, as defined in § 261.23(a)(8), in which case it must be classed as an explosive,

(B) The material is forbidden to be offered for transportation according to 49 CFR 172.101 and 49 CFR 173.21,

(C) It is determined that the predominant hazard of the material containing an organic peroxide is other than that of an organic peroxide, or

(D) According to data on file with the Pipeline and Hazardous Materials Safety Administration in the U.S. Department of Transportation, it has been determined that the material does not present a hazard in transportation.

(b) A solid waste that exhibits the characteristic of ignitability has the EPA Hazardous Waste Number of D001.

[45 FR 33119, May 19, 1980, as amended at 46 FR 35247, July 7, 1981; 55 FR 22684, June 1, 1990; 70 FR 34561, June 14, 2005; 71 FR 40259, July 14, 2006; 85 FR 40608, July 7, 2020]

§ 261.22 Characteristic of corrosivity.

(a) A solid waste exhibits the characteristic of corrosivity if a representative sample of the waste has either of the following properties:

(1) It is aqueous and has a pH less than or equal to 2 or greater than or equal to 12.5, as determined by a pH meter using Method 9040C in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter.

(2) It is a liquid and corrodes steel (SAE 1020) at a rate greater than 6.35 mm (0.250 inch) per year at a test temperature of 55 °C (130 °F) as determined by Method 1110A in "Test Methods for

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Evaluating Solid Waste, Physical/Chemical Methods,” EPA Publication SW-846, and as incorporated by reference in §260.11 of this chapter.

(b) A solid waste that exhibits the characteristic of corrosivity has the EPA Hazardous Waste Number of D002.

[45 FR 33119, May 19, 1980, as amended at 46 FR 35247, July 7, 1981; 55 FR 22684, June 1, 1990; 58 FR 46049, Aug. 31, 1993; 70 FR 34561, June 14, 2005]

§ 261.23 Characteristic of reactivity.

(a) A solid waste exhibits the characteristic of reactivity if a representative sample of the waste has *any* of the following properties:

(1) It is normally unstable and readily undergoes violent change without detonating.

(2) It reacts violently with water.

(3) It forms potentially explosive mixtures with water.

(4) When mixed with water, it generates toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment.

(5) It is a cyanide or sulfide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment.

(6) It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement.

(7) It is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure.

(8) It is a forbidden explosive as defined in 49 CFR 173.54, or is a Division 1.1, 1.2 or 1.3 explosive as defined in 49 CFR 173.50 and 173.53.

(b) A solid waste that exhibits the characteristic of reactivity has the EPA Hazardous Waste Number of D003.

[45 FR 33119, May 19, 1980, as amended at 55 FR 22684, June 1, 1990; 75 FR 13002, Mar. 18, 2010]

§ 261.24 Toxicity characteristic.

(a) A solid waste (except manufactured gas plant waste) exhibits the characteristic of toxicity if, using the Toxicity Characteristic Leaching Procedure, test Method 1311 in “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” EPA

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Publication SW-846, as incorporated by reference in §260.11 of this chapter, the extract from a representative sample of the waste contains any of the contaminants listed in table 1 at the concentration equal to or greater than the respective value given in that table. Where the waste contains less than 0.5 percent filterable solids, the waste itself, after filtering using the methodology outlined in Method 1311, is considered to be the extract for the purpose of this section.

(b) A solid waste that exhibits the characteristic of toxicity has the EPA Hazardous Waste Number specified in Table 1 which corresponds to the toxic contaminant causing it to be hazardous.

TABLE 1—MAXIMUM CONCENTRATION OF CONTAMINANTS FOR THE TOXICITY CHARACTERISTIC

| EPA HW No. ¹ | Contaminant | CAS No. ² | Regulatory Level (mg/L) |
|-------------------------|------------------------------------|----------------------|-------------------------|
| D004 | Arsenic | 7440-38-2 | 5.0 |
| D005 | Barium | 7440-39-3 | 100.0 |
| D018 | Benzene | 71-43-2 | 0.5 |
| D006 | Cadmium | 7440-43-9 | 1.0 |
| D019 | Carbon tetrachloride | 56-23-5 | 0.5 |
| D020 | Chlordane | 57-74-9 | 0.03 |
| D021 | Chlorobenzene | 108-90-7 | 100.0 |
| D022 | Chloroform | 67-66-3 | 6.0 |
| D007 | Chromium | 7440-47-3 | 5.0 |
| D023 | o-Cresol | 95-48-7 | ⁴ 200.0 |
| D024 | m-Cresol | 108-39-4 | ⁴ 200.0 |
| D025 | p-Cresol | 106-44-5 | ⁴ 200.0 |
| D026 | Cresol | | ⁴ 200.0 |
| D016 | 2,4-D | 94-75-7 | 10.0 |
| D027 | 1,4-Dichlorobenzene | 106-46-7 | 7.5 |
| D028 | 1,2-Dichloroethane | 107-06-2 | 0.5 |
| D029 | 1,1-Dichloroethylene | 75-35-4 | 0.7 |
| D030 | 2,4-Dinitrotoluene | 121-14-2 | ³ 0.13 |
| D012 | Endrin | 72-20-8 | 0.02 |
| D031 | Heptachlor (and its epoxide) | 76-44-8 | 0.008 |
| D032 | Hexachlorobenzene | 118-74-1 | ³ 0.13 |
| D033 | Hexachlorobutadiene | 87-68-3 | 0.5 |
| D034 | Hexachloroethane | 67-72-1 | 3.0 |
| D008 | Lead | 7439-92-1 | 5.0 |
| D013 | Lindane | 58-89-9 | 0.4 |
| D009 | Mercury | 7439-97-6 | 0.2 |
| D014 | Methoxychlor | 72-43-5 | 10.0 |
| D035 | Methyl ethyl ketone | 78-93-3 | 200.0 |
| D036 | Nitrobenzene | 98-95-3 | 2.0 |
| D037 | Pentachlorophenol | 87-86-5 | 100.0 |
| D038 | Pyridine | 110-86-1 | ³ 5.0 |
| D010 | Selenium | 7782-49-2 | 1.0 |
| D011 | Silver | 7440-22-4 | 5.0 |
| D039 | Tetrachloroethylene | 127-18-4 | 0.7 |
| D015 | Toxaphene | 8001-35-2 | 0.5 |
| D040 | Trichloroethylene | 79-01-6 | 0.5 |
| D041 | 2,4,5-Trichlorophenol | 95-95-4 | 400.0 |
| D042 | 2,4,6-Trichlorophenol | 88-06-2 | 2.0 |
| D017 | 2,4,5-TP (Silvex) | 93-72-1 | 1.0 |
| D043 | Vinyl chloride | 75-01-4 | 0.2 |

¹ Hazardous waste number.
² Chemical abstracts service number.