

3745-51-20

Characteristics of hazardous waste- general.

- (A) A "waste," as defined in rule 3745-51-02 of the Administrative Code, which is not excluded from regulation as a hazardous waste under paragraph (B) of rule 3745-51-04 of the Administrative Code, is a hazardous waste if the waste exhibits any of the characteristics identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code.

[Comment: Rule 3745-52-11 of the Administrative Code provides the generator's responsibility to determine whether his waste exhibits one or more of the characteristics identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code.]

- (B) A hazardous waste which is identified by a characteristic identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code is assigned every EPA hazardous waste number that is applicable as identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code. This number shall be used in complying with the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity and all applicable recordkeeping and reporting requirements of Chapters 3745-52, 3745-53, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270, and rules 3745-50-40 to 3745-50-235 of the Administrative Code.
- (C) For the purposes of rules 3745-51-20 to 3745-51-24 of the Administrative Code, the director will consider a sample obtained using any of the applicable sampling methods specified in the appendix to this rule to be a representative sample within the meaning of Chapter 3745-50 of the Administrative Code.

[Comment 1: Since the sampling methods in the appendix to this rule are not ~~being~~ formally adopted by Ohio EPA, a person who wishes to employ an alternative sampling method, including previously approved equivalent ASTM methods, is not required to demonstrate the equivalency of ~~his~~that method under the procedures in 40 CFR 260.20 and 40 CFR 260.21.]

[Comment 2: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

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APPENDIX

1

Appendix to rule 3745-51-20 of the Administrative Code

Representative Sampling Methods

The methods and equipment used for sampling waste materials ~~will~~ vary with the form and consistency of the waste materials to be sampled. Samples collected using the sampling protocols listed below, for sampling waste with properties similar to the indicated materials, ~~will be~~ are considered by Ohio EPA to be representative of the waste.

The following are newer approved equivalent methods:

Standard Guide for Representative Sampling for Management of Waste and Media,
ASTM Standard D6044-96(2009)

Extremely viscous liquid- ASTM Standard D140/D140M-14

Crushed or powdered material- ASTM Standard D346/D346M-11

Practice for Sampling Soils and Contaminated Media with Hand Operated Bucket
Auger, D6907-2005(2010)

The following are older approved equivalent methods:

Extremely viscous liquid- ASTM Standard D140-70

Crushed or powdered material- ASTM Standard D346-75

Soil or rock-like material- ASTM Standard D420-69

Soil-like material- ASTM Standard D1452-65

Fly ash-like material- ASTM Standard D2234-76

Containerized liquid wastes- "COLISWA"

Liquid waste in pits, ponds, lagoons, and similar reservoirs- "Pond Sampler"

This manual also contains additional information on application of these protocols.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]