



## Hazardous Waste Determination Documentation Policy

At all Clemson University operated/owned/leased facilities, when any chemical/hazardous material/hazardous substance/dangerous good is ready for disposal, that chemical/hazardous material/hazardous substance/dangerous good will be managed as Hazardous Waste and only shipped via a Clemson University approved Hazardous Waste Disposal and/or Remediation Contractor for proper disposal. All Hazardous Waste will be managed under the Hazardous Materials Program within the Clemson University Occupational and Environmental Safety by those annually trained in Hazardous Materials Management. Occupational and Environmental Safety trained personnel can approve and sign Hazardous Waste Manifests.

Hazardous Waste at Clemson will be managed in two categories:

- 1) Hazardous Waste (RCRA)
- 2) Hazardous Waste (Non-RCRA Regulated)

### Hazardous Waste (RCRA):

Any chemical/hazardous material that meets the definition of Characteristic or Listed under the South Carolina Hazardous Waste Management Regulation (SCHWMR) 61-79. EPA Waste codes can be found in the sections of the SCHWM regulation noted below.

- 1) Ignitable (Flammables/Oxidizers) – R.61-79.261.21
- 2) Corrosive ( $\text{pH} \leq 2$  or  $\geq 12.5$ ) –R.61-79.261.22
- 3) Reactivity –R.61-79.261.23
- 4) Toxic (D list) –R.61-79.261.24
- 5) Listed –R.61-79.261.30:
  - a. F list (Non-source specific) –R.61-79.261.31
  - b. K list (Source Specific) –R.61-79.261.32
  - c. P and U list (Discarded commercial chemical products, off-specification species, container residues and spill residues thereof) –R.61-79.261.33

### Hazardous Waste (Non-RCRA Regulated):

All other chemicals/hazardous materials/hazardous substances/dangerous goods that do not meet the above RCRA characteristics and/or listed wastes but are required to carry any GHS hazard pictogram, Department of Transportation Hazard Class or any other materials deemed hazardous by Clemson University.

#### SCHWMR 262.11 Hazardous Waste Determination and Recordkeeping

A person who generates a solid waste, as defined in R.61-79.261.2 must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations. A hazardous waste determination is made using the following steps:

- (a) The hazardous waste determination for each solid waste must be made at the point of waste generation, before any dilution, mixing, or other alteration of the waste occurs, and at any time in the course of its management that it has, or may have, changed its properties as a result of exposure to the environment or other factors that may change the properties of the waste such that the RCRA classification of the waste may change.

#### 262.11(f)

Recordkeeping for small and large quantity generators. A small or large quantity generator must maintain records supporting its hazardous waste determinations, including records that identify whether a solid waste is a hazardous waste, as defined by R.61-79.261.3. Records must be maintained for at least three (3) years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal. These records must comprise the generator's knowledge of the waste and support the generator's determination, as described at paragraphs (c) and (d) of this section. The records must include, but are not limited to, the following types of information: the results of any tests, sampling, waste analyses, or other determinations made in accordance with this section; records documenting the tests, sampling, and analytical methods used to demonstrate the validity and relevance of such tests; records consulted in order to determine the process by which the waste was generated, the composition of the waste, and the properties of the waste; and records which explain the knowledge basis for the generator's determination, as described at R.61-79 paragraph (d)(1) of this section. The periods of record retention referred to in this section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Department.

262.11(d) The person then must also determine whether the waste exhibits one or more hazardous characteristics as identified in subpart C of R.61-79.261 by following the procedures in paragraph (d)(1) or (2) of this section, or a combination of both.

- (1) The person must apply knowledge of the hazard characteristic of the waste in light of the materials or the processes used to generate the waste. Acceptable knowledge may include process knowledge (e.g., information about chemical feedstocks and other inputs to the production process); knowledge of products, by-products, and intermediates produced by the manufacturing process; chemical or physical characterization of wastes; information on the chemical and physical properties of the chemicals used or produced by the process or otherwise contained in the waste; testing that illustrates the properties of the waste; or other reliable and relevant information about the properties of the waste or its constituents. A test other than a test method set forth in subpart C of R.61-79.261, or an equivalent test method approved by the Department under R.61-79.260.21, may be used as part of a person's knowledge to determine whether a solid waste exhibits a characteristic of hazardous waste. However, such tests do not, by themselves, provide definitive results. Persons testing their waste must obtain a representative sample of the waste for the testing, as defined at R.61-79.260.10.

- (2) When available knowledge is inadequate to make an accurate determination, the person must test the waste according to the applicable methods set forth in subpart C of R.61-79.261 or according to an equivalent method approved by the Department under R.61-79.260.21

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