Title 33
ENVIROMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 1. General Provisions and Definitions

§108. Special Requirements for Hazardous Waste Generated by Conditionally Exempt Small Quantity Generators

A. – E. …

1. a total of one kg of acute hazardous wastes listed in LAC 33:V.4901.B, C, or E; or

2. a total of 100 kg of any residue or contaminated soil, waste, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous wastes listed in LAC 33:V.4901.B, C, or E.

[Comment: Full regulation means those regulations applicable to generators of greater than 1,000 kg or greater of non-acutely hazardous waste in a calendar month.]

F. – F.5. …

G. In order for hazardous waste generated by a conditionally exempt small quantity generator in quantities of less than 100 kg or less of hazardous waste during a calendar month to be excluded from full regulation under this Section, the generator must comply with the following requirements:

1. …
2. the conditionally exempt small quantity generator may accumulate hazardous waste on-site. If it accumulates at any time more than a total of 1000 kg of its hazardous wastes, all of those accumulated wastes are subject to regulation under the special provisions of LAC 33:V.Chapter 11 applicable to generators of between 100 kg and 1000 kg of hazardous waste greater than 100 kg and less than 1000 kg of hazardous waste in a calendar month as well as the requirements of LAC 33:V.Chapters 3-9, 13-37, 41, 43, 51, and 53, and the applicable notification requirements of LAC 33:V.105.A. The time period of LAC 33:V.1109.E for accumulation of wastes on-site begins for a conditionally exempt small quantity generator when the accumulated wastes exceed 1000 kg; and

G.3. – J. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 27:706, 716 (May 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2540 (October 2005), LR 32:606 (April 2006), LR 36:2554 (November 2010), LR 38:0000 (March 2012).

§109. Definitions

For all purposes of these rules and regulations, the terms defined in this Chapter shall have the following meanings, unless the context of use clearly indicates otherwise.

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Empty Container—

1.a. any hazardous waste remaining in either of the following is not subject to regulation under LAC 33:V.Chapters 1-29, 31-38, 41, 43, 49, or to the notification requirements of LAC 33:V.105.A:

i. – ii. …
b. any hazardous waste in either of the following is subject to regulation under LAC 33:V.Chapters 1-38, 41, 43, 49, or to the notification requirements of LAC 33:V.105.A:

   i. – ii. ...

   2.a. a container or an inner liner removed from a container that has held any hazardous waste, except a waste that is a compressed gas or that is identified as an acutely hazardous waste listed in LAC 33:V.4901.B–C or E, is empty if:

   2.a.i.(a) – 2.b. ...

   c. a container or an inner liner removed from a container that has held an acutely hazardous waste listed in LAC 33:V.4901.B–C or E, is empty if:

   i. – iii. ...

   ***

   New Hazardous Waste Management Facility or New Facility—a facility which began operation, or for which construction commenced after August 1, 1979 November 19, 1980.

   ***

   Solid Waste—

   1.a. – 6. ...
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<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
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</tbody>
</table>

### Table 1

| Scrap Metal other than excluded scrap metal (see excluded scrap metal) Scrap metal that is not excluded under LAC 33:V.105.D.1.m. | * | * | * | * |

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[See Prior Text in Spent Materials – Commercial Chemical Products (listed in LAC 33:V.4901.E and F)]

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AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.
Chapter 3. General Conditions for Treatment, Storage, and Disposal Facility Permits

§307. Effect of a Permit

A. – A.4. …

B. A permit may be modified, revoked and reissued, or terminated during its term for cause as set forth in LAC 33:V.323.B.2 and 3, or the permit may be modified upon the request of the permittee as set forth in LAC 33:V.321.C.

B.C. The issuance of a permit does not authorize any injury to persons or property, or invasion of other private rights, or any infringement of state or local law or regulations.

C.D. The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.


Chapter 11. Generators

Subchapter A. General

§1107. The Manifest System

A. – D.6. …

7. For rejected shipments of hazardous waste or container residues contained in non-empty containers that are returned to the generator by the designated facility, following the procedures of LAC 33:V.1516.C.6, the generator shall:

   a. sign either:

      i. Item 20 of the new manifest, if a new manifest is used for the returned shipment; or

      ii. Item 18c of the original manifest, if the original manifest is used for the returned shipment;

   b. provide the transporter a copy of the manifest;

   c. within 30 days of delivery of the rejected shipment or container residues contained in non-empty containers, send a copy of the manifest to the designated facility that returned the shipment to the generator; and

   d. retain at the generator’s site a copy of each manifest for at least three years from the date of delivery.

E. – E.2. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.
HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984),

§1109. Pre-Transport Requirements

A. – D. …

E. Accumulation Time

1. Except as provided in LAC 33:V.1109.E.7, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:

A generator who generates 1,000 kg or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in LAC 33:V.4901.B or E in a calendar month, may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that:

a. – a.iv.(a). …

   (b).

   (b). documentation that the unit is emptied at least once every 90 days;

b. such a generator is exempt from all generators accumulating hazardous waste on-site for 90 days or less without a permit or without having interim status are exempt from all the requirements in LAC 33:V.Chapter 43.Subchapters F and G, except for LAC 33:V.4379 and 4385;

c. the date upon which each period of accumulation begins is clearly marked on each container and visible for inspection on each container and tank;
d. …

e. the generator complies with the requirements for owners or operators in LAC 33:V.2245, 4319, and Chapter 43.Subchapters B and C, and with all applicable requirements under LAC 33:V.Chapter 22.Subchapter A.

2. A generator of 1000 kg or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in LAC 33:V.4901.B or E in a calendar month, who accumulates hazardous waste or acute hazardous waste for more than 90 days is an operator of a storage facility and is subject to the permitting requirements as specified in LAC 33:V.Subpart 1 unless he has been granted an extension to the 90-day period. Such an extension may be granted by the administrative authority if hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, or uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the administrative authority on a case-by-case basis.

3. …

4. A generator may accumulate as much as 55 gallons of hazardous waste listed in LAC 33:V.4901.B, C, D, F, or LAC 33:V.4903, or one quart of acutely hazardous waste listed in LAC 33:V.4901.E in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with LAC 33:V.1109. Paragraph E.1 or 7 of this Section provided he complies with LAC 33:V.2103, 2105, 2107.A and marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.
5. A generator who accumulates either hazardous waste or acutely hazardous waste listed in LAC 33:V.4901.B, Table 1 or LAC 33:V.4901.E in excess of the amounts listed in Subparagraph E.4.a of this Section at or near any point of generation must, with respect to that amount of excess waste, comply within three days with Paragraph E.1 of this Section or other applicable provisions of this Chapter.

6. – 7.b. …

c. the generator complies with the requirements of LAC 33:V.1109, Subparagraphs E.1.c and d of this Section; the requirements of LAC 33:V. Chapter 43, Subchapter B; and all applicable requirements of LAC 33:V. 2245, E, Chapter 22, Subchapter A;

E.7.d. – F.2. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

§1111. Recordkeeping and Reporting

A. – B.2. …

C. Exception Reporting
1. A generator of greater than 1000 kg or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in LAC 33:V.4901.B or E in a calendar month, who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 35 days of the date the waste was accepted by the initial transporter must contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.

2. A generator of greater than 1000 kg or greater of hazardous waste in a calendar month, or greater than 1 kg of acute hazardous waste listed in LAC 33:V.4901.B or E in a calendar month, must submit an Exception Report to the Office of Environmental Services if he has not received a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 45 days of the date the waste was accepted by the initial transporter. The Exception Report must include:

   2.a. – 3. Note. …

4. For rejected shipments of hazardous waste or container residues contained in non-empty containers that are forwarded to an alternate facility by a designated facility using a new manifest (following the procedures of LAC 33:V.1516.C.5.a.-vi.), the generator must comply with the requirements of Paragraph C.1 or 3 of this Section, as applicable, for the shipment forwarding the material from the designated facility to the alternate facility instead of for the shipment from the generator to the designated facility. For purposes of Paragraph C.1 or 2 of this Section for a shipment forwarding such waste to an alternate facility by a designated facility:
a. the copy of the manifest received by the generator must have the hand written signature of the owner or operator of the alternate facility in place of the signature of the owner or operator of the designated facility; and

b. the 35/45/60-day time frames begin the date the waste was accepted by the initial transporter forwarding the hazardous waste shipment from the designated facility to the alternate facility.

D. – E.3. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

Chapter 15. Treatment, Storage, and Disposal Facilities

§1513. Contingency Plan and Emergency Procedures

A. – B.1. …

2. If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with 40 CFR Part 112 or 40 CFR Part 300, or some other emergency or contingency plan, he need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with these requirements. The owner or operator may develop one contingency plan that meets all regulatory requirements. EPA recommends that the plan be based on the National Response Team’s Integrated Contingency Plan Guidance (“One Plan”). When modifications are made to non-RCRA
provisions in an integrated contingency plan, the changes do not trigger the need for a RCRA permit modification.

B.3. – F.9.g. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.


§1516. Manifest System for Treatment, Storage, and Disposal (TSD) Facilities

A. – C.5.a.v. …

vi. Sign the generator’s/offeror’s certification to certify that the waste has been properly packaged, marked, and labeled, and is in condition for transportation, and mail a signed copy of the manifest to the generator identified in Item 5 of the new manifest.

5.b. – 6.a. …

i. Write the facility’s EPA ID number in Item 1 of the new manifest. Write the generator’s/facility’s name and mailing address in Item 5, unless the generator’s site mailing address is different, then write the facility’s site address in the designated space for Item 5 of the new manifest.

ii. – vi. …

b. For full load rejections made while the transporter remains at the facility, the facility may return the rejected shipment to the generator with the original manifest
by completing Items 18a and 18b of the original manifest and supplying the generator’s information in the Alternate Facility block. The facility must retain a copy of this manifest for its records and give the remaining copies of the manifest to the transporter to accompany the shipment. If the original manifest is not used, then the facility must use a new manifest and comply with Clauses C.6.a.i-vi and Subparagraph C.6.c of this Section.

c. For full or partial load rejections and container residues contained in non-empty containers that are returned to the generator, the facility must also comply with the exception reporting requirements in LAC 33:V.1111.C.

C.7. – D.7.Comment. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

Chapter 22. Prohibitions on Land Disposal

Subchapter B. Hazardous Waste Injection Restrictions

§2299. Appendix-Tables 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12

<table>
<thead>
<tr>
<th>Table 2. Treatment Standards for Hazardous Wastes</th>
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<td>Waste Code</td>
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[See Prior Text in D001\(^9\) – K151]
### Table 2. Treatment Standards for Hazardous Wastes

<table>
<thead>
<tr>
<th>Waste Code</th>
<th>Waste Description and Treatment/Regulatory Subcategory</th>
<th>Regulated Hazardous Constituent</th>
<th>Common Name</th>
<th>CAS Number</th>
<th>Concentration in mg/L (^2) or Technology Code(^3)</th>
<th>Wastewaters</th>
<th>Non-Wastewaters</th>
<th>Concentration in mg/kg (^2) unless noted as &quot;mg/L TCLP&quot; or Technology Code(^3)</th>
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<td>K156</td>
<td>Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.(^{10}) (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)</td>
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Table 2. Treatment Standards for Hazardous Wastes

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<th>Waste Code</th>
<th>Waste Description and Treatment/Regulatory Subcategory</th>
<th>Regulated Hazardous Constituent</th>
<th>Common Name</th>
<th>CAS(^2) Number</th>
<th>Concentration in mg/L (^3); or Technology Code(^4)</th>
<th>Concentration in mg/kg (^5) unless noted as &quot;mg/L TCLP&quot; or Technology Code(^4)</th>
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<tr>
<td>K157</td>
<td>Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl (n)-butylcarbamate.)</td>
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<td>K158</td>
<td>Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl (n)-butylcarbamate.)</td>
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<th>Non-Wastewaters</th>
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***
[See Prior Text K159 – U411]

Footnote 1. – Footnote 12. …

[NOTE: NA means Not Applicable.]

Table 3. – 12. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.


Chapter 25. Landfills

§2519. Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab Packs)

A. – A.1. …
2. the inside containers must be overpacked in an open head LDPS specification metal shipping container LAC 33:V.Subpart 2.Chapter 101 of no more than 416-liter (110-gallon) capacity and surrounded by, at a minimum, a sufficient quantity of sorbent material, determined to be nonbiodegradable in accordance with LAC 33:V.2515.E, to completely sorb all of the liquid contents of the inside containers. The metal outer container must be full after packing with inside containers and sorbent material;

3. – 6. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

Chapter 26. Corrective Action Management Units and Special Provisions for Cleanup

§2603. Corrective Action Management Units (CAMUs)

A. – A.3.a. …

b. The requirements in LAC 33:V.2515.CB for placement of containers holding free liquids in landfills apply to placement in a CAMU except when placement facilitates the remedy selected for the waste.

c. …

d. The absence or presence of free liquids in either a containerized or a bulk waste must be determined in accordance with LAC 33:V.2515.BC. Sorbents used to treat free liquids in CAMUs must meet the requirements of LAC 33:V.2515.DE.

A.4. – E.4.d.v. …
vi. Alternatives to TCLP. For metal-bearing wastes for which metals removal treatment is not used, the administrative authority may specify a leaching test other than the TCLP (Method 1311, EPA Publication SW-846, as incorporated by reference in LAC 33:V.110.C.3.e) to measure treatment effectiveness, provided the administrative authority determines that an alternative leach testing protocol is appropriate for use and that the alternative more accurately reflects conditions at the site that affect leaching.

E.4.e. – K. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.
HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 28:1192 (June 2002), amended LR 29:323 (March 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 34:627 (April 2008), LR 34:1014 (June 2008), LR 38:0000 (March 2012).

Chapter 41. Recyclable Materials

§4105. Requirements for Recyclable Material

A. …

1. The following recyclable materials are not subject to regulation under this Section LAC 33:V.Subpart 1, and are not subject to the notification requirements of LAC 33:V.105 or Section 3010 of RCRA:

   a. – d.iii. …

2. The following recyclable materials are not subject to the requirements of this Section but are regulated under LAC 33:V.4139, 4141, 4143, and 4145, and all applicable provisions as provided in LAC 33:V.Chapters 1, 3, 5, 7, 22, 27, 31, 42, and 43:

   a. …
b. hazardous wastes burned for energy recovery, as defined in LAC 33:V.3001.A, in boilers and industrial furnaces that are not regulated under LAC 33:V.Chapter 31 or 43.Subchapter N;

A.2.c. – E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

§4139. Recyclable Materials Used in a Manner Constituting Disposal

A. – B.1. ...

2. such products meet the applicable treatment standards in LAC 33:V.Chapter 22.Subchapter A (or applicable prohibition levels in LAC 33:V.2209 or 2215, where no treatment standards have been established), or Section 3004(d) of RCRA for each recyclable material (i.e., hazardous waste constituent) that they contain and the recycler complies with LAC 33:V.2247.E.

C. – D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.
amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1684 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 32:610 (April 2006), LR 38:0000 (March 2012).

Chapter 43. Interim Status

Subchapter M. Landfills

§4511. Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab Packs)

A. – A.1. …

2. The inside containers must be overpacked in an open head LDPS specification metal shipping container (LAC 33:V.Subpart 2.Chapter 101) of no more than 416-liter (110-gallon) capacity and surrounded by, at a minimum, a sufficient quantity of sorbent material, determined to be nonbiodegradable in accordance with LAC 33:V.2515.E, to completely sorb all of the liquid contents of the inside containers. The metal outer container must be full after packing with inside containers and sorbent material.

3. – 6. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.


Chapter 49. Lists of Hazardous Wastes

[Comment: Chapter 49 is divided into two sections: Category I Hazardous Wastes, which consist of Hazardous Wastes from nonspecific and specific sources (F and K
wastes), Acute Hazardous Wastes (P wastes), and Toxic Wastes (U wastes) (LAC 33:V.4901); and Category II Hazardous Wastes, which consist of wastes that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).]

§4901. Category I Hazardous Wastes

A. …

* * *

1. Each hazardous waste listed in this Chapter is assigned an EPA Hazardous Waste number, which precedes the name of the waste. This number must be used in complying with the notification requirements of Section 3010 or 105.A of the Act and certain recordkeeping and reporting requirements under LAC 33:V.Chapters 3-29, 31-38, 41, and 43.


B. – F.Comment. …

<p>| Table 4. Toxic Wastes                                          |
| (Alphabetical Order by Substance)                             |</p>
<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Chemical Abstract Number</th>
<th>Hazardous Waste (Substance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>[See Prior Text in U394 – A2213 – U249 – Zinc phosphide Zn₃P₂, when present at concentrations of 10 percent or less]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>¹CAS Number given for parent compound only.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 4. Toxic Wastes
(Numerical Order by EPA Hazardous Waste Number)

<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Chemical Abstract Number</th>
<th>Hazardous Waste (Substance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>U239</td>
<td>1330-20-7</td>
<td>Benzene, dimethyl-(I,T)</td>
</tr>
</tbody>
</table>

***
[See Prior Text in U001 – Acetaldehyde (I) – U238 – Ethyl Carbamate (urethane)]

1CAS Number given for parent compound only.

Table 6. Table of Constituents that Serve as a Basis for Listing Hazardous Waste

<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Constituents</th>
</tr>
</thead>
<tbody>
<tr>
<td>K062</td>
<td>Hexavalent chromium; lead</td>
</tr>
<tr>
<td>K064</td>
<td>Lead; cadmium</td>
</tr>
<tr>
<td>K065</td>
<td>Do</td>
</tr>
<tr>
<td>K066</td>
<td>Do</td>
</tr>
<tr>
<td>K069</td>
<td>Hexavalent chromium; lead; cadmium</td>
</tr>
</tbody>
</table>

***
[See Prior Text in U239 – Xylene(I) – See F027 – 2,4,6-Trichlorophenol]
## Table 6. Table of Constituents that Serve as a Basis for Listing Hazardous Waste

<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Constituent</th>
</tr>
</thead>
<tbody>
<tr>
<td>K088</td>
<td>Cyanide (complexes)</td>
</tr>
<tr>
<td>K090</td>
<td>Chromium</td>
</tr>
<tr>
<td>K091</td>
<td>Do</td>
</tr>
<tr>
<td>K093</td>
<td>Phthalic anhydride; maleic anhydride</td>
</tr>
</tbody>
</table>

[See Prior Text in EPA Hazardous Waste Number K094 – EPA Hazardous Waste Number K181]

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2001 et seq. and specifically 2180.


### §4903. Category II Hazardous Wastes

A. – D.7. ...

8. It is a forbidden explosive as defined in LDPS Regulation LAC 33:V.Subpart 2.Chapter 101, or a Class A explosive as defined in LDPS Regulation LAC 33:V.Subpart 2.Chapter 101 or a Class B explosive as defined in LDPS Regulation LAC 33:V.Subpart 2.Chapter 101 or a Class C explosive as defined in LDPS Regulation LAC 33:V.Subpart 2.Chapter 101.
33 V. Subpart 2. Chapter 10

149 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.

E. – F. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.