

WASTE CLASSIFICATION REQUEST FORM & INSTRUCTIONS

**Bureau of Landfill and Hazardous Waste Permitting
Solid and Hazardous Waste Management Program
New Jersey Department of Environmental Protection
June 22, 2009**

Solid & Hazardous Waste Management Program
Bureau of Landfill and Hazardous Waste Permitting
P.O. Box 414 401 East State Street
Trenton, New Jersey 08625-0414
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<http://www.state.nj.us/dep/dshw/>

June 22, 2009

To Whom it May Concern:

Enclosed is the Solid and Hazardous Waste Management Program's "Waste Classification Request Form" (HWM-009). The form and accompanying directions contain expanded certifications to be used in lieu of certain testing, SAMPLING GUIDANCE as APPENDIX 1 and TESTING/QUALITY ASSURANCE REQUIREMENTS as APPENDIX 2. These appendices represent the minimum sampling and testing requirements that must be met in order to receive a letter of classification from the Department.

The Waste Classification Request form must be submitted as part of all requests for letters of classification. The form must be fully completed and supporting analytical reports attached. Also, the appropriate fee must accompany each request for classification.

Any portion of this package may be reproduced, and copies may be submitted in lieu of NJDEP provided forms, however, submitters are responsible for making submissions on the most current version of the form..

The major changes made in this revision are found between pages 11 and 14 (HWM009 Form) of this document. If you have any questions concerning the proper use of the Waste Classification Request Form, please contact the bureau at (609) 984-6985 for assistance.

Sincerely,

Robert M. Confer, Chief
Bureau of Landfill and Hazardous Waste Permitting

Enclosure
Revised 6/22/09

TABLE OF CONTENTS

1. Directions	1
2. Fee schedule	6
3. Appendix 1: Procedures for obtaining representative samples	7
4. HWM-009 Form	11
5. Appendix 2: Analytical Results and Quality Assurance Deliverables	15
6. Appendix 3: Definition of Liquid	16
7. Appendix 4: Regulatory Levels	17

“Why should I read these directions?”

Please read these directions carefully before completing the accompanying form. They contain important information which will help assure that you fill out the form properly, resulting in an expeditious review of your classification request. The most common reason for a delay in receiving a letter of classification from the New Jersey Department of Environmental Protection (the Department) is the submission of incomplete information.

“Do I really need a letter of classification from the Department?”

The Bureau of Landfill and Hazardous Waste Permitting’s waste classification process functions as support for industry, business, government, and individuals that generate waste and need assistance in determining whether a generated waste is nonhazardous or hazardous (as defined in the New Jersey hazardous waste regulations). These regulations (N.J.A.C. 7:26G-1,3-12 *et seq.*) clearly state that it is the responsibility of the waste generator to determine whether the waste generated is hazardous in accordance with the definition stated in N.J.A.C. 7:26G-5.1 *et seq.* Recognizing the complexity of this responsibility, and the varied backgrounds of persons charged with this task, the Department provides this advisory service to the requester. After reviewing a properly completed request form, the bureau will issue a “letter of classification” stating the Department’s opinion on the hazardous/nonhazardous classification of the waste in question. The hazardous waste regulations do not require generators to obtain a letter of classification from the Department as a standard part of their hazardous/nonhazardous waste determination. Generators most often request a letter of classification for three reasons: 1) the generator is not confident that the decision reached is correct, and would like a second opinion from an “expert”, in this case the Department; 2) one or more companies involved in the management and disposal of the waste (e.g. excavator, transporter, landfill, etc.) is requiring one; or 3) NJDEP, or its authorized agent, is requiring the generator to get a formal classification.

“How much will it cost?”

The appropriate fee must accompany every waste classification request form. The waste classification fee schedule is found at N.J.A.C. 7:26G-3.3(d). The waste classification fees are also printed on page 6 of this document.

“Do I really need to fill out the form?”

All requests for classification must be submitted on a waste classification request form, (HWM-009). A separate classification request form must be completed for each different type of waste for which you are requesting a classification. Requests for the same types of waste from different locations (i.e., off-site) also must be submitted on separate forms. Soils from different on-site locations that are contaminated with different types of waste materials are considered different wastes and must be submitted separately.

“How do I get the information needed to fill out the form?”

With the exception of wastes for which the chemical name and quantity of each component present are determined (e.g. off-specification products, materials that have exceeded their shelf life, pure chemicals, etc.) wastes must be sampled and analyzed.

All sampling procedures and methodologies used to obtain waste classification samples, which are not otherwise specified in HWM-009, must be performed in accordance with the latest edition of the “New Jersey Department of Environmental Protection, Field Sampling Procedure Manual (August 2005 and updated April 30, 2009)”. This Manual is available from:

**NJDEP Maps and Publications
P.O. Box 417
Trenton, NJ 08625-0417
(609) 777-1038**

Sampling of wastes for classification purposes must be performed in accordance with "Procedures for Obtaining Representative Samples in Support of Waste Classification Requests" (Appendix 1 of this document). Minimum analytical testing requirements for wastes are specified in Appendix 2. *Any deviations from these sampling and testing requirements (and sampling/testing of wastes not covered by this document) must be approved prior to sampling/testing or your classification request may be rejected.*

Test methods used for the analysis of samples should be chosen in accordance with EPA SW-846

"What if some of this information is confidential?"

The accompanying HWM-009 form requests a variety of information that is necessary to classify waste streams. Some of the information may be considered confidential by the requester. The procedures and associated fees for claiming confidentiality for information submitted to the Department are found in N.J.A.C. 7:26G-17.

"What kind of answer is unacceptable?"

Please answer all questions. **DO NOT ANSWER QUESTIONS BY "SEE ATTACHMENT"**. Attach additional information only when there is not enough space left in the form.

"How do I get a quick review?"

There are at least two determining factors that will speed up the review process: (1) a clear summary of test result, and (2) a clear summary of the number of samples and the size of each sample.

"Who do I call for more information?"

If you have questions concerning the completion of HWM-009, or other waste classification issues, call the bureau at (609) 984-6985. The completed HWM-009 form should be mailed to :

**Bureau of Landfill and Hazardous Waste Permitting
Solid and Hazardous Waste Management Program
NJDEP
P. O. Box 414
401 East State Street
Trenton, NJ 08625-0414**

DIRECTIONS**SECTION 1: GENERAL INFORMATION**

(The numbers identifying each direction correspond to the number of the question on the form for which the direction applies. *Please note : it is not acceptable if a separate document is submitted as an attachment to this submittal (HWM-009) and each question on the form is addressed with the response "see the attachment". If an answer to a certain question is too long to fit in the reserved space on the form, the submitter may refer to a portion of an attached document only when the appropriate page numbers of the attached document are given.*)

GENERATOR

1. **Company Name:** Please enter the name of the company or individual that owns the property, or is otherwise taking responsibility for generating the waste to be classified.
2. **EPA ID Number:** If the site where the waste was generated currently has an EPA hazardous waste generator identification number, please list.
3. **Street Address:** Please enter the address where the waste was generated.
4. **Municipality:** Please enter the city or township where the waste was generated.
5. **County:** Please enter the county where the waste was generated.
6. **State:** Please use the appropriate two-letter state abbreviation.
7. **Zip Code:** Please enter the appropriate five or nine digit zip code.
8. **Contact:** Please list the name of a knowledgeable person associated with the company or individual generating the waste who can be contacted should additional information/clarification be required to complete the waste classification determination.
9. **Phone Number:** Please enter the daytime telephone number of the person identified in question 8.
10. **Regulatory agency:** If the generator's company is currently working with an environmental regulatory agency on issues concerning this waste, or other related issues, please identify under which program this work is being performed ---- ISRA (The Industrial Site Recovery Act), RCRA (The Resource Conservation and Recovery Act) including those portions of the programs delegated to New Jersey and found in the New Jersey hazardous waste regulations, CERCLA (The Comprehensive Environmental Responsibility, Compensation, and Liability Act), UST (The New Jersey underground storage tank regulations), the New Jersey Spill Compensation and Control Act, NJPDES (New Jersey Pollutant Discharge Elimination System), County/local environmental agencies, or other (please list).
11. **Agency contact:** If a regulatory agency is identified in question 10 please list the name of the person at that agency with whom you are dealing on these issues.
12. **Date of classification request:** Please enter the date when you completed this form for submission.

SUBMITTER

13. **Company Name:** Please enter the name of the company, (e.g. consultant, lawyer, laboratory, etc.), if any, who is submitting this classification request on behalf of the generator. Also complete this section if a second party is not submitting the request, but the generator's mailing address is different from the address where the waste was generated. All Departmental correspondence will be addressed to the submitter, if one is indicated. *If a second party is not submitting this request on behalf of the generator, please go to question 20.*
14. **Mailing Address:** Please enter the mailing address of the submitter.
15. **Municipality:** Please enter the city where the submitter is located.
16. **State:** Please use the appropriate two letter state abbreviation.
17. **Zip Code:** Please enter the zip code for the submitter.
18. **Contact:** Please enter the name of the person within the company identified in question 13 who should be contacted should additional information be required.
19. **Phone Number:** Please enter the daytime telephone number of the person identified in question 18.

SECTION 2: WASTE TYPE INFORMATION

20. **Waste Type:** Please check off the box next to the type of waste for which you are requesting a classification. If the type of waste is not identified by any of the description, check off the box next to letter V. "other waste".
- 21 **Waste Volume:** Please state the quantity of waste for which you are requesting classification, and circle the appropriate units. Units should be converted to, and reported in, cubic yards for solids and semi-solid, and gallons for liquids. Also circle the appropriate disposal frequency. (Circle "once" if this request is for a one-time disposal. Also circle "once" if this request is for a portion of an ongoing cleanup, or when the time between disposal events is greater than 1 year).
22. **Waste Description:** (*Improper completion of this question may result in delayed response or return of your request.*) Please describe in detail the waste to be classified in terms of its major components, origins, homogeneity and contaminants of concern. Examples would be: "soil contaminated with gasoline from the removal of underground storage tanks at a gas station" or "lagoon sludge from our wastewater treatment plants, consisting of 2 layers, and contaminated with nickel and lead compounds" or "drums of well development water from a former coal gasification site" or "construction debris, consisting of concrete and wood which is coated with lead paint" or "soil which is contaminated with solvents from the cleaning of spray guns."
23. **Other uses of hazardous materials on the same site:** Indicate any other processes, including storage, which involve the use of hazardous materials, which have taken place on the site. Of special importance are those compounds and wastes listed in 40 C.F.R. 261.31, 261.32, and 261.33 as incorporated by reference at N.J.A.C. 7:26G-5.1. If these materials could have contributed contamination to the waste to be classified, please list them.

SECTION 3: SAMPLING INFORMATION

Note: Sampling of excavated/stockpiled waste must be performed in accordance with the approach listed in Appendix 1 of this form. Failure to do so will result in the return of your request. Sampling of all other wastes (e.g. drummed waste, process wastes, etc. must be approved by the bureau prior to sampling).

24. **Sampling plan approval:** Please indicate whether a site specific sampling plan was pre-approved by the bureau. If a plan was approved, attach to form HWM-009: the proposed sampling plan; the Bureau's letter of approval; and an addendum describing any deviation from the approved plan which occurred during sampling.
25. **Sampling methodology:** Please check the appropriate box for the method of sampling used. If the method is not identified by any of the descriptions, check box "I." and explain the methods used.
26. **Sampling approach:** Please indicate whether samples were collected using a random approach (where any portion of the waste had an equal possibility of being sampled) or a positive bias approach (where samples were collected from areas known to be the most contaminated)
27. **Site Diagram:** A site diagram showing the location of the waste to be classified, sampling locations (and depths if applicable), the locations of any nearby process, storage, or waste disposal areas, and the location of any nearby electrical transformers should be drawn in the space provided, or attached. Failure to submit a site diagram may result in processing delays or return of your request.
28. **Compositing scheme:** Please list the laboratory identification number for each composite and the number of discrete samples comprising each composite. Attach additional sheets if necessary.

CERTIFICATIONS

29. The certification statement must be completed and signed by an official of the company that is generating the waste. This official must be familiar with the waste to be classified, and the information submitted in the form HWM-009.

Waste composition certification: Generators who, through knowledge of the waste to be classified, can certify that certain compounds are not present in the waste may check the corresponding boxes and sign the certification. The reduced testing requirements for certifying generators, as outlined in Appendix 2, may then be followed. Please note that checking off a certification box allows for reduced testing and not total elimination of testing. For instance, checking off the TCLP pesticides and herbicides box would still require the generator to sample 10 percent of the samples for these compounds. Generators who have ever used, stored or disposed of these compounds in such a manner that there is a potential for them to be present in the waste must not sign the form and, therefore must do the full testing outlined in Appendix 2.

SECTION 4: ANALYTICAL RESULTS AND QUALITY ASSURANCE

The minimum testing and quality assurance requirements specified in Appendix 2 must be performed and the results/documentation submitted with form HWM-009. The Department reserves the right to require additional testing and information if deemed necessary for issuance of a letter of classification. For more information, see Appendix 2.

All laboratories performing analyses in support of waste classification requests must be certified under either the New Jersey Laboratory Certification Program, or another state certification program. (For states, including New Jersey, which do not have a certification for hazardous waste analysis, the certification should cover the types of analyses performed (e.g. A.A., G.C./M.S., limited chemistry, etc.).

=====

If separate analyses were performed by different laboratories, copies of the original laboratory reports and all other applicable information must be submitted for each laboratory.

SECTION 5: WASTE CLASSIFICATION FEES

1. Fee for wastes with a total volume less than 200 cubic yards of solids or less than 500 gallons of liquids, per classification: **\$239.00;**
2. Fee for wastes with a total volume more than or equal to 200 cubic yards of solids or 500 gallons of liquids, per classification: **\$477.00;**
3. Fee for review of sampling plans submitted in support of waste classification request, for each plan submitted: **\$275.00.**

APPENDIX 1

PROCEDURES FOR OBTAINING REPRESENTATIVE SAMPLES IN SUPPORT OF WASTE CLASSIFICATION REQUEST

Persons wishing to obtain a letter of classification from the Department may be required to sample their waste in support of their request. This section explains the Department's requirements for obtaining representative samples of wastes. The procedures presented below, except section IA., follow a statistical approach outlined in Chapter 7 of EPA's guidance document 230/02-89-042 (Methods for Evaluating the Attainment of Cleanup Standards). The method should be used for waste piles, wastes in roll-off containers, and sludges in lagoons. The guidance is not appropriate for wastes in small containers (e.g. drums, small tanks, etc.), liquids, and wastes being continuously produced. Also, because of the greater potential for "hot spots" when performing *in situ* sampling, all pre-excavation waste classification sampling must be approved prior to initiation. For guidance on sampling these other types of wastes, please contact the bureau at (609) 984-6985.

DEFINITION OF TERMS

"Grid" is defined as a unit of waste designated for sampling, the boundary of which extends to three dimensions.

"Grid composite" is defined as a sample obtained by compositing the required number of samples from a grid on an equal weight basis (either in the field or at the laboratory). "Grid composites" are sent to laboratory for analysis in some cases, or may be combined with other "grid composites", at the laboratory, to form an "area composite" under other scenarios.

"Area composite" is defined as a sample obtained by compositing two or more "grid composites", on an equal weight basis at the laboratory, resulting in a sample representing multiple grids.

NOTES ON COMPOSITING SAMPLES

Compositing of samples is allowed only if the waste area(s) from which samples will be taken are relatively homogeneous in physical appearance and anticipated concentration of the contaminant(s). The types of contaminants present in the areas to be composited also must be the same. Otherwise, the waste must be subdivided into smaller areas that are relatively homogeneous and the following sampling plan used for each area. Wastes for which there are areas differing in the types of contaminants must not be composited, and must be treated as separate wastestreams. Separate wastestreams must be submitted separately for classification.

Grid compositing may be performed either in the field or at the laboratory. Compositing must be done on an equal weight basis. Compositing of samples in the field must be done in such a way as to minimize volatilization of compounds (e.g. storage on ice, adequate shade, expeditious handling). Management of soils destined for laboratory compositing must be in accordance with the procedures outlined for "area composites" below.

Area compositing must be performed at the testing laboratory. As samples are collected at the site, they should be preserved (if applicable) and immediately stored at 4 degrees C (e.g. put in a cooler with ice). Samples should be maintained at 4 degrees C until opened for compositing. The compositing should be performed as quickly as possible to minimize volatilization of compounds.

I. Determining the Proper Number of Samples.**A. For Waste Volume Less Than 900 Cubic Yards:**

1. Divide the waste into grids representing no more than 20 cubic yards.
2. Collect 1 sample from each grid.
3. If the waste appears relatively homogeneous, up to 5 adjacent grid samples may be composited on an equal weight basis, **at the laboratory**, to make an “area composite”.

B. For waste Volumes between 900 and 9,000 Cubic Yards:

1. Divide the waste into 45 equal grids.
 - a. If the volume of each individual grid is less than 100 cubic yards, collect a “grid composite” by taking 1 sample for each 20 cubic yards within the grid.
 - b. If the individual grid is greater than or equal to 100 cubic yards, collect a “grid composite” by taking and compositing 5 random samples within the grid.
2. If the waste appears relatively homogeneous, composite up to 5 adjacent “grid composites” on an equal weight basis, **at the laboratory** to make each “area composite”.

C. For Waste Volume between 9,000 and 45,000 Cubic Yards:

1. Divide the waste into 45 equal grids and collect a “grid composite” by taking and compositing 5 random samples within the grid.
2. **Do not** composite the “grid composites”.

II. Sample Collection

Sample collection, preservation and handling must be performed in accordance with the latest edition of “New Jersey Department of Environmental Protection, Field Sampling Procedure Manual (August 2005 and updated April 30, 2007)” mentioned above.

III. Interpreting the Results

- A. For analytical results from samples collected and composited in accordance with section IA. above:
 1. If the values are less than the regulatory limit, the waste will be deemed nonhazardous.
 2. If the values are greater than the regulatory limit, the entire portion of the waste represented by the “area composite” must be managed as hazardous.
- B. For analytical results from samples collected and composited in accordance with section IB. above:

1. Multiply the results by the number of “grid” composites” within the “area composite” (as a check on possible masking).
 - a. If the multiplied values are less than the regulatory limit, the waste will be deemed nonhazardous.
 - b. If the multiplied values are greater than the regulatory limit, retained portions of each “grid composite” comprising the “area composite” must be analyzed for the parameter(s) of concern to determine whether any of them exceed the regulatory limits (and therefore the waste represented by that “grid composite” must be managed as hazardous). *Please note: if the holding times for the parameter(s) of concern has been exceeded for the retained samples, new samples must be collected for each grid and analyzed separately.*

If 2 or more grids are determined to be hazardous waste, the sampling event can not be used for classification of the entire waste (because the level of certainty that no more hazardous waste is present drops below levels acceptable to the Department) and the bureau must be contacted for further guidance.

- C. For analytical results from samples collected and composited in accordance with section IC. Above:

Compare the analytical results to the regulatory limits.

1. If the results are below the regulatory limits, the waste is deemed to be nonhazardous.
2. If the results exceed the regulatory limits, the waste must be managed as hazardous waste.

IV. Statistical Evaluation of Sampling Event

The sampling program outlined in section IA. above is not based upon a statistical approach. It is based upon the concept of evaluating analytical results for the amount of waste that would be contained in each truckload being shipped for disposal (approximately 20 cubic yards).

The sampling programs outlined in sections IB., and IC. above are based upon a statistical approach. The approach is discussed in, “**Methods for Evaluating the Attainment of Cleanup Standards, Volume 1: Soils and Solid Media** (EPA 230/02-89-042)”. For soil quantities between 900 and 45,000 cubic yards, the sampling program outlined allows the Department to be 99% certain that at least 90% of the waste in question is below the regulatory limit if no analytical results exceed that limit. This approach also allows the Department to be at least 94% certain that at least 90% of the waste in question is below the regulatory limit if one individual sample or grid composite (not area composite) exceeds the regulatory limit (a level of certainty considered acceptable for this purpose).

As with smaller quantities the exceedance of a regulatory limit by only one sample will still produce an acceptable level of certainty for the remaining waste. Anytime an “area composite”, or more than one “grid composite” exceeds the regulatory limit, the level of certainty drops below acceptable criteria, and the Department will not comment upon the regulatory status of the waste based upon the sampling event. In these cases, additional sampling will be required; the design of which must be addressed on a case by case basis, and agreed upon by the Department prior to the next round of sampling.

WASTE CLASSIFICATION REQUEST FORM

Office Use Only

Checked By _____

Submit this form for all waste classification requests. Please read directions before completing this form. Mail the completed form to the address on page 3.

(Please type or print clearly)
SECTION 1: General Information

Generator

GENERATOR

1-2

1. Company Name _____ 2. EPA ID Number _____

3-4

3. Street Address _____ 4. Municipality _____
(where the waste was generated)

5-8

5. County _____ 6. State _____ 7. Zip Code _____ 8. Contact _____

9-10

9. Phone Number () _____ 10. Regulatory Program: ISRA __ RCRA __ CERCLA __ UST __

NJ Spill Act __ County/Local __ Other _____

11-12

11. Agency Contact _____ 12. Date of Request _____

Submitter

SUBMITTER (Complete if someone else is submitting this request on behalf of the generator or if the generator's mailing address is different from above -- All correspondence will be addressed to this company.)

13-14

13 Company Name _____ 14. Mailing Address _____

15-17

15. Municipality _____ 16. State _____ 17. Zip Code _____

18-19

18. Contact _____ 19 Phone Number: () _____

SECTION 2: WASTE TYPE INFORMATION

Waste Type Information

20

20. Waste Type: (Check the appropriate box for the types of waste to be classified. If the waste can not be identified by any of the descriptions, check box "V".)

A. [] Soil contaminated with virgin petroleum fuel only	G. [] Ash from fossil fuel combustion	M. [] Waste oil	S. [] Construction/ demo debris
B. [] Soil contaminated with waste oil	H. [] Ash from waste incineration	N. [] Grit and screenings	T. [] Product/raw materials
C. [] Soil contaminated with process waste	I. [] Dredge spoils	O. [] Contaminated water	U. [] Process waste, N.O.S.
D. [] Soil contaminated with virgin chemicals	J. [] Sewage sludge	P. [] Municipal waste	V. [] Other waste
E. [] Soil, N.O.S.*	K. [] Process waste sludge	Q. [] Empty containers	
F. [] Spill cleanup waste (non-soil)	L. [] Sludge, N.O.S.	R. [] Household exempt waste	

* Not Otherwise Specified

21

21. Volume _____ cubic yards. gals.(circle one). Disposed: once, weekly, monthly, annually, other ways. (Please note: the volume to be classified is the volume represented by the samples only.)

22

22. Waste Description: Describe in detail the waste to be classified. [If the waste is contaminated soil, describe how the soil become contaminated (See Number 22, under Directions). If the waste is off-specification, contaminated, or otherwise unusable product, or empty containers, describe the product, the reason the material is being disposed of, and (for empty containers) how the containers were emptied and/or cleaned. If the waste is process waste, or contains process waste, describe all of the processes that generate, or contribute to the waste. For all other wastes, describe the type of waste to be classified and how the waste was generated. **Please DO NOT ANSWER THIS QUESTION BY "SEE ATTACHMENT"]**

(check box if additional sheets are attached) []

23

23. Other uses of hazardous materials on the same site: Indicate any other processes, including storage, which involve the use of hazardous materials, which have taken place on the site. Of special importance are those wastes listed in 40 C.F.R. 261.31, 271.32, 261.33 as incorporated by reference at N.J.A.C. 7:26G-5.1. If these materials could have contributed to the waste to be classified, please list them here.

(check box if additional sheets are attached) []

**Sampling
Informat
ion**

SECTION 3: SAMPLING INFORMATION

Note: Sampling of excavated/stockpiled waste must be performed in accordance with the approach listed in Appendix 1 of this document. Sampling of other wastes (e.g. drummed waste, process wastes, *in situ* sampling of soil, etc.) must be approved prior to sampling.

24

24. Was a site specific sampling plan pre-approved by the Bureau of Landfill and Hazardous Waste Permitting?

(Y/N) __ (If no, and you have not followed the sampling guidance in Appendix 1, your waste classification request may be returned due to inadequate sampling.)

If yes, the following items must be attached:

i. the proposed sampling plan;

ii. the Bureau's letter of approval;

iii. an addendum describing any deviation from the approved plan which occurred during sampling.

25

25. Sampling Methodology: (check the appropriate box for the method of sampling used. if the method is not identified by any of the descriptions, check box "I." and explain methods used.)

A. <input type="checkbox"/> split spoon	B. <input type="checkbox"/> boring	C. <input type="checkbox"/> dredge	D. <input type="checkbox"/> wipe
E. <input type="checkbox"/> test pits	F. <input type="checkbox"/> grab	G. <input type="checkbox"/> liquid sampler	H. <input type="checkbox"/> chip
I. <input type="checkbox"/> other (explain)			

26

26. Sampling approach: random positive bias (circle one)

27

27. Site Diagram: A site diagram (showing the location of the waste to be classified, sampling locations, the locations of any nearby process, storage, or waste disposal areas, and the present or past location of any nearby electrical transformers) is necessary for most classifications and should be submitted. The diagram may be drawn in the space below, or submitted as a separate attachment. If one is not supplied, and found to be necessary, the processing of your request will be suspended pending receipt of the diagram.

Diagram drawn by _____

28. Compositing Scheme: Indicate the number of discrete samples comprising each laboratory sample composite.

28

Lab Sample (composite) ID	Sample Size (CY)	No of discrete samples	Lab Sample (composite) ID	Sample Size (CY)	No. of discrete samples

(Check box if additional sheets are attached)

SECTION 4: ANALYTICAL RESULTS AND QUALITY ASSURANCE DELIVERABLES

Quality Assurance

The minimum testing and quality assurance requirements specified in Appendix 2 must be performed and the results/documentation submitted with this form. The Department reserves the right to require additional testing and information if deemed necessary for issuance of a letter of classification.

Quality Assurance Requirement Checklist

Item	Date	Initial	Included	Complete	Retain
Chain of custody					
Lab name & address					
Nonconformance summary					
Lab certification					
Lab chronicles & date of report					
Lab batch spikes & duplicates as required by SW-846					

The requester is strongly advised to present an overall summary of results at the front page of the laboratory report. This will aid in expediting the review process.

29

29. **Generator certification:** I certify that I have examined and am familiar with the information submitted in this form and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that omission of information or submission of false information could render the Department's opinion on this waste null and void, and that illegal disposal of nonhazardous and/or hazardous waste could subject me and my company to both civil and criminal penalties. I am also aware that the Department's opinion on the hazardous/nonhazardous status of the material/waste represented by the information presented on this form, in no way relieves my responsibility to properly determine whether the waste generated is a hazardous waste in accordance with provisions of 7:26G-1,3-12 *et seq.*

I am _____ and am employed by _____
(Print first, middle, and last name) (Company name)

in the capacity of _____ on this day of _____, 20____.
(job title or position) (month, date)

(signature)

Waste
Compositi
on
Certificati
on

WASTE COMPOSITION CERTIFICATION

(Generators who, through knowledge of the waste to be classified, can certify that certain compounds are not present in the waste, may sign the following certification in lieu of performing the required number of testing as listed in Appendix 2. However, even by signing this certification, the requester is still required to perform one or 10% of the required tests as a verification of the certification. Furthermore, if the verification tests therefore conducted show a result, which is below the regulatory limit, but is nonetheless detectable, then the full number of tests must be performed because the certification that certain compounds are not present is not verified.)

I hereby certify, to the best of my knowledge, and after diligent searching and examination of all pertinent records, including personal interviews with all persons who may have knowledge on the subject, that none of the following chemicals for which the boxes are checked ever have been used, stored, spilled, or disposed of in such a way that they may potentially be present in the waste to be classified. (check the box(es) for those chemicals which you are certifying **are not present** in the waste.)

- [] Wastes listed in 40 C.F.R. 261.31- 261.33 as incorporated by reference at N.J.A.C. 7:26G- 5.1.
- [] Toxicity Characteristic pesticides and herbicides.
- [] Toxicity Characteristic volatile and semivolatile compounds.
- [] Sulfide and cyanide bearing compounds (including naturally occurring).
- [] Polychlorinated biphenyls (PCBs).

I am _____ and am employed by _____
(print first, middle, and last name) (company name)

in the capacity of _____ on this day of _____, 20____.
(job title or position) (month, date)

I am certifying based upon knowledge/information that covers the time period from _____
to _____.
(date) (date)

(signature)

Completed forms and copies of laboratory reports for all required analytical work must be mailed to the address listed on page 3 of this document.

APPENDIX 2

ANALYTICAL RESULTS AND QUALITY ASSURANCE DELIVERABLES

All waste classification request forms submitted to the Department must be accompanied by the appropriate supporting information. In most cases this information would either be one copy of the laboratory testing report and quality assurance information, or material safety data sheets (MSDS). The specific information required depends upon the type of waste to be classified. The minimum testing requirements listed below assume that no listed hazardous waste is present in the waste to be classified. Wastes that contain, or are, hazardous waste listed in 40 C.F.R. 261.31, 261.32, 261.33 as incorporated by reference at N.J.A.C. 7:26G-5.1 are, in most cases, automatically hazardous and would not require testing. If you are unsure about the need to test your waste, contact the bureau at (609) 984-6985.

Box letter checked in Question 20	Minimum test requirement (TC = Toxicity Characteristic by Toxicity Characteristic Leaching Procedures)
A., B., C., D., E.	TC metals, full TCLP analysis , reactive characteristic (including quantitative results for reactive sulfide and cyanide), total petroleum hydrocarbons, total PCBs, ignitability characteristic**, corrosivity characteristic***. all compounds identified in question 22.
G.	TC metals, total petroleum hydrocarbons, ignitability characteristic**, corrosivity characteristic***.
H.	TC metals, full TCLP analysis , total petroleum hydrocarbons, ignitability characteristic**, corrosivity characteristic***. tetra-, penta-, and hexa-chlorinated dibenzo-dioxins, tetra-, penta-, and hexa-chlorinated dibenzo-furans
I., J., L., N.	TC metals, full TCLP analysis , reactive characteristic (including quantitative results for reactive sulfide and cyanide), total petroleum hydrocarbons, total PCBs, ignitability characteristic**, corrosivity characteristic***. all compounds identified in question 22
Q., R., T.	Testing not usually required.
F., K., P. S., U., V.	contact the bureau at (609) 984-6985.
M.	TC metals, full TCLP analysis, total PCBs, ignitability characteristic**, corrosivity characteristic***. all compounds identified in question 22.
O.	TC metals, full TCLP analysis, reactive characteristic (including quantitative results for reactive sulfide and cyanide), total petroleum hydrocarbons, total PCBs, ignitability characteristic**, corrosivity characteristic***. all compounds identified in question 22.
Notes	** If the waste contains liquids, as defined by the method specified at 40 C.F.R. Part 261, Appendix II, steps 7.1 through 7.1.8 of TCLP.
	***Performed on wastes containing liquids, as defined by the method specified at 40 C.F.R. Part 261, Appendix II, steps 7.1 through 7.1.8 of TCLP.

QUALITY ASSURANCE REQUIREMENTS PER ALL DATA SUBMISSIONS

- Chain of custody forms.
- Laboratory name and address
- Nonconformance summary.
- Laboratory certification statement.
- Laboratory chronicles and date of the report.
- Laboratory batch spikes and duplicates as required by SW-846.

APPENDIX 3**DEFINITION OF LIQUID**

The USEPA in an October 24, 1989 memorandum from David Freeman, Chief of the Methods Section within the Office of Solid Waste (OSW), defined the term “liquid” in this way:

“OSW used the term liquid in the characteristic tests to refer to the fluid which would be released from the waste under landfill conditions and which would migrate through soil under the influence of gravity. In developing Method 1310 (the Extraction Procedure), the OSW determined that under landfill conditions, waste would be subject to an overburden pressure of 50 psi and that soil would allow fluids that pass through a 0.5 micron filter to migrate. Therefore, a “liquid” is that material, called the liquid phase, that is expressed from the waste in step 2 of method 1310. This liquid phase can then be tested to determine whether it exhibits any of the hazardous waste characteristic.”

NJDEP agrees with this interpretation and will consider the term liquid to mean the above description [with the replacement of Method 1310 with Method 1311, the Toxicity Characteristic Leaching Procedure (TCLP).] Laboratories, therefore should determine the presence of liquids, and to obtain sufficient sample size of any liquids present for ignitability and corrosivity testing.

APPENDIX 4

REGULATORY LEVEL

1. General Chemistry

EPA Waste No.	Parameter	Hazardous Level
D001	Ignitability	<= 140 degrees F
D002	Corrosivity	<= PH 2 and >= PH 12.5
D003	Reactive Sulfide	500 ppm (Total)
D003	Reactive Cyanide	250 ppm(Total)

2. TCLP metals

EPA Waste No.	Parameter	Hazardous Level (mg/l)
D004	Arsenic	5.0
D005	Barium	100.0
D006	Cadmium	1.0
D007	Chromium	5.0
D008	Lead	5.0
D009	Mercury	0.2
D010	Selenium	1.0
D011	Silver	5.0

3. TCLP Pesticides/Herbicides

EPA Waste No.	Parameter	Hazardous Level (mg/l)
D020	Chlordane	0.03
D012	Endrin	0.02
D031	Heptachlor	0.008
D013	Lindane	0.4
D014	Methoxychlor	10.0
D015	Toxaphene	0.5
D016	2,4-D	10.0
D017	2,4,5-TP	1.0

4. TCLP volatiles

EPA Waste No.	Parameter	Hazardous Level (mg/l)
D018	Benzene	0.5
D019	Carbon tetrachloride	0.5
D021	Chlorobenzene	100.0
D022	Chloroform	6.0
D028	1,2-Dichloroethane	0.5
D029	1,1-Dichloroethylene	0.7
D035	Methyl ethyl ketone	200.0
D039	Tetrachloroethylene	0.7
D040	Trichloroethylene	0.5
D043	Vinyl chloride	0.2

5. TCLP Semi-volatiles

EPA Waste No.	Parameter	Hazardous Level (mg/l)
D023-D026	o,m,p-(total)Cresol	200.0
D027	1,4-Dichlorobenzene	7.5
D030	2,4-Dinitrotoluene	0.13
D032	Hexachlorobenzene	0.13
D033	Hexachlorobutadiene	0.5
D034	Hexachloroethane	3.0
D036	Nitrobenzene	2.0
D037	Pentachlorophenol	100.0
D038	Pyridine	5.0
D041	2,4,5-Trichlorophenol	400.0
D042	2,4,6-Trichlorophenol	2.0

6/22/2009