

New Jersey Department of Environmental Protection

Bureau of Release Prevention

Guidance on Changes to Appendix A Resulting
from the Readoption of N.J.A.C. 7:1E

Effective March 28, 2007

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Introduction

The list of hazardous substances contained in Appendix A of N.J.A.C. 7:1E was revised with the readoption of the rules effective March 28, 2007. These changes reflect the composition of the lists specifically cited in the Spill Compensation and Control Act (N.J.S.A. 58:10-23.11a et seq.) as those lists were constituted on July 1, 2005, for Federal lists, and March 1, 2006, for the State Community Right to Know list, as well as the addition of perchlorates. Revisions made to the entries in Appendix A will be set forth in this document. Every effort has been made to ensure the accuracy of the information in this document. However, if any question remains unanswered, please contact the Bureau of Release Prevention at (609) 633-0610.

It should be noted that no de minimis level of concentration has been established for most of the compounds found in Appendix A. If a de minimis does exist, it can be found as part of the listing for the specific chemical. There is a size limitation established for metals in N.J.A.C. 7:1E-1.7(b)1. Pure or alloyed metals with at least one dimensional measurement of 100 micrometers (0.004 inches) or greater are not considered hazardous substances for the purposes of these rules. Also, certain flammable and inert substances, although listed in Appendix A, are not regulated by N.J.A.C. 7:1E.

Deletions

Three entries have been deleted from Appendix A. This list is in alphabetical order. Appendix I contains the deleted substances list in Chemical Abstract Service (CAS) Number order.

Deletions from Appendix A

Name	CAS No.
2,3-Dichloropropanol	616-23-9
Diethylcarbamazine citrate	1642-54-2
Phosmet (concentrations above 20%)	732-11-6

Additions

The following 24 substances and categories have been added to the list of hazardous substances in Appendix A. In some cases, specific substances may have been previously regulated through inclusion in a covered category. This list is alphabetical. Appendix II contains a CAS Number order list of these additions.

Additions to Appendix A

Name	CAS Number
Ammonium perchlorate	7790-98-9
Bis(tributyltin) oxide	56-35-9
Diesel/Fuel or #2 heating oil	68476-34-6
4,6-Dinitro-o-cresol, and salts	534-52-1
F039: Leachate (liquids that have percolated through land disposed waste) resulting from the disposal of more than one restricted waste classified as hazardous under subpart D of 40 CFR part 261. (Leachate resulting from the disposal of one or more of the following EPA Hazardous Wastes and no other hazardous wastes retains its EPA Hazardous Waste Number(s): F020, F021, F022, F026, F027, and/or F028.)	*****
Gasoline	8006-61-9
K149: Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)	*****
K150: Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	*****
K151: Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of waste-waters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	*****
K174: Wastewater treatment sludges from the production of ethylene dichloride or vinyl chloride monomer (including sludges that result from commingled ethylene dichloride or vinyl chloride monomer wastewater and other wastewater), unless the sludges meet the following conditions: (i) they are disposed of in a subtitle C or non-	*****

Name	CAS Number
<p>hazardous landfill licensed or permitted by the state or federal government; (ii) they are not otherwise placed on the land prior to final disposal; and (iii) the generator maintains documentation demonstrating that the waste was either disposed of in an on-site landfill or consigned to a transporter or disposal facility that provided a written commitment to dispose of the waste in an off-site landfill. Respondents in any action brought to enforce the requirements of subtitle C must, upon a showing by the government that the respondent managed wastewater treatment sludges from the production of vinyl chloride monomer or ethylene dichloride, demonstrate that they meet the terms of the exclusion set forth above. In doing so, they must provide appropriate documentation (e.g., contracts between the generator and the landfill owner/operator, invoices documenting delivery of waste to landfill, etc.) that the terms of the exclusion were met.</p>	
K175: Wastewater treatment (T) sludges from the production of vinyl chloride monomer using mercuric chloride catalyst in an acetylene-based process.	*****
K176: Baghouse filters from the production of antimony oxide, including filters from the production of intermediates (e.g. antimony metal or crude antimony oxide).	*****
K177: Slag from the production of antimony oxide that is speculatively accumulated or disposed, including slag from the production of intermediates (e.g. antimony metal or crude antimony oxide).	*****
K178: Residues from manufacturing and manufacturing-site storage of ferric chloride from acids formed during the production of titanium dioxide using the chloride ilmenite process.	*****
Kerosene	8008-20-6
Lithium perchlorate	7791-03-9
Motor oil	*****
Perchlorate ion	14797-73-0
Petroleum oil/motor oil	*****
Picric acid, dry or wetted with less than 30% water by mass	88-89-1
Polychlorinated diphenyl ethers	*****
Potassium perchlorate	7778-74-7
Sodium perchlorate	7601-89-0
Used Petroleum oil	*****

Revisions to Listings

A number of listings in Appendix A have been revised. The revisions include addition of text, and revisions to CAS Numbers. The following is an alphabetical list of the changes made to listings in Appendix A. Appendix IV contains these revised listings in CAS Number order.

Revised Listings

Name	CAS Number
F001: The following spent halogenated solvents used in degreasing; all spent solvent mixtures/blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the halogenated solvents listed below or those solvents listed in F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures: (a) tetrachloroethylene; (b) trichloroethylene; (c) methylene chloride; (d) 1,1,1-trichloroethane; (e) carbon tetrachloride; (f) chlorinated fluorocarbons	*****
F002: The following spent halogenated solvents; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the halogenated solvents listed below or those solvents listed in F001, F004, or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures: (a) tetrachloroethylene; (b) methylene chloride; (c) trichloroethylene; (d) 1,1,1-trichloroethane; (e) chlorobenzene; (f) 1,1,2-trichloro-1,2,2-trifluoroethane; (g) o-dichlorobenzene; (h) trichlorofluoromethane; (i) 1,1,2-trichloroethane	*****
F024: Process wastes, including but not limited to, distillation residues, residues, heavy ends, tars, and reactor cleanout wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewater, wastewater treatment sludges, spent catalysts, and wastes listed in 40 CFR 261.31 or 261.32.)	*****
F034: Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	*****

Name	CAS Number
<p>F037: Petroleum refinery primary oil/water/solids separation sludge - Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludge generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in 40 CFR 261.31(b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing. This listing does not include residuals generated from processing or recycling oil-bearing hazardous secondary materials excluded under 40 CFR 261.4(a)(12)(i), if those residuals are to be disposed of.</p>	*****
<p>K064: Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production.</p>	*****
<p>K083: Distillation bottoms from aniline production.</p>	*****
<p>K118: Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.</p>	*****
<p>K132: Spent absorbent and wastewater separator solids from the production of methyl bromide.</p>	*****
<p>K136: Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.</p>	*****
<p>K141: Process residues from the recovery of coal tar, including but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations.)</p>	*****
<p>K144: Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.</p>	*****
<p>K171: Spent hydrotreating catalyst from petroleum refining operations. (This listing does not include inert support media.)</p>	*****

Appendix I
Deleted Substances in CAS Number Order

CAS Number	Name
616-23-9	2,3-Dichloropropanol
732-11-6	Phosmet (concentrations above 20%)
1642-54-2	Diethylcarbamazine citrate

Appendix II
Additions in CAS Number Order

CAS No.	Name
*****	F039: Leachate (liquids that have percolated through land disposed waste) resulting from the disposal of more than one restricted waste classified as hazardous under subpart D of 40 CFR part 261. (Leachate resulting from the disposal of one or more of the following EPA Hazardous Wastes and no other hazardous wastes retains its EPA Hazardous Waste Number(s): F020, F021, F022, F026, F027, and/or F028.)
*****	K149: Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)
*****	K150: Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.
*****	K151: Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of waste-waters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.
*****	K174: Wastewater treatment sludges from the production of ethylene dichloride or vinyl chloride monomer (including sludges that result from commingled ethylene dichloride or vinyl chloride monomer wastewater and other wastewater), unless the sludges meet the following conditions: (i) they are disposed of in a subtitle C or non- hazardous landfill licensed or permitted by the state or federal government; (ii) they are not otherwise placed on the land prior to final disposal; and (iii) the generator maintains documentation demonstrating that the waste was either disposed of in an on- site landfill or consigned to a transporter or disposal facility that provided a written commitment to dispose of the waste in an off-site landfill. Respondents in any action brought to enforce the requirements of subtitle C must, upon a showing by the government that the respondent managed wastewater treatment sludges from the production of vinyl chloride monomer or ethylene dichloride, demonstrate that they meet the terms of the exclusion set forth above. In doing so, they must provide appropriate documentation (e.g., contracts between the generator and the landfill owner/operator, invoices documenting delivery of waste to landfill, etc.) that the terms of the exclusion were met.
*****	K175 Wastewater treatment (T) sludges from the production of vinyl chloride

CAS No.	Name
	monomer using mercuric chloride catalyst in an acetylene- based process.
*****	K176: Baghouse filters from the production of antimony oxide, including filters from the production of intermediates (e.g. antimony metal or crude antimony oxide).
*****	K177: Slag from the production of antimony oxide that is speculatively accumulated or disposed, including slag from the production of intermediates (e.g. antimony metal or crude antimony oxide).
*****	K178: Residues from manufacturing and manufacturing-site storage of ferric chloride from acids formed during the production of titanium dioxide using the chloride ilmenite process.
*****	Motor oil
*****	Petroleum oil/motor oil
*****	Polychlorinated diphenyl ethers
*****	Used Petroleum oil
56-35-9	Bis(tributyltin) oxide
88-89-1	Picric acid, dry or wetted with less than 30% water by mass
534-52-1	4,6-Dinitro-o-cresol, and salts
7601-89-0	Sodium perchlorate
7778-74-7	Potassium perchlorate
7790-98-9	Ammonium perchlorate
7791-03-9	Lithium perchlorate
8006-61-9	Gasoline
8008-20-6	Kerosene
14797-73-0	Perchlorate ion
68476-34-6	Diesel/Fuel or #2 heating oil

Appendix III
Revised Listings in CAS Number Order

CAS No.	Name
*****	F001: The following spent halogenated solvents used in degreasing; all spent solvent mixtures/blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the halogenated solvents listed below or those solvents listed in F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures: (a) tetrachloroethylene; (b) trichloroethylene; (c) methylene chloride; (d) 1,1,1-trichloroethane; (e) carbon tetrachloride; (f) chlorinated fluorocarbons
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*****	F024: Process wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. (This listing does not include wastewater, wastewater treatment sludges, spent catalysts, and wastes listed in 40 CFR 261.32.)
*****	F034: Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.
*****	F037: Petroleum refinery primary oil/water/solids separation sludge - Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludge generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in 40 CFR 261.31(b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in

CAS No. Name

aggressive biological treatment units) and K051 wastes are not included in this listing. This listing does not include residuals generated from processing or recycling oil-bearing hazardous secondary materials excluded under 40 CFR 261.4(a)(12)(i), if those residuals are to be disposed of.

- ***** K064: Acid plant blowdown slurry/sludge resulting from thickening of the blowdown slurry from primary copper production.
- ***** K083: Distillation bottoms from aniline production.
- ***** K118: Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
- ***** K132: Spent absorbent and wastewater separator solids from the production of methyl bromide.
- ***** K136: Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
- ***** K141: Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations.)
- ***** K144: Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.
- ***** K171: Spent hydrotreating catalyst from petroleum refining operations. (This listing does not include inert support media.)