

Focus on: Special Waste Exclusion



Special wastes such as sand blast grit can fall under the special waste exclusion.
 Photo credit: Jason Woodhead on Flickr.

Contact information

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ADA accessibility

To request an ADA accommodation, contact Ecology by phone at 360-407-6700 or email at hwtrpubs@ecy.wa.gov, or visit ecology.wa.gov/accessibility. For Relay Service or TTY call 711 or 877-833-6341.

Special waste poses a relatively low hazard to human health and the environment. If you follow specific conditions, you may be able to exclude your special waste from the dangerous waste requirements.

What is special waste?

Special waste¹ is any state-only dangerous waste that is a solid (nonliquid, nonaqueous, nongaseous) **and** designate for one or more of the following:

- Corrosive.²
- Toxic with an equivalent concentration calculation equal to or greater than 0.001 percent **and** less than 0.01 percent.³
- Polychlorinated biphenyls (PCBs).⁴
- Persistent and doesn't meet the definition of extremely hazardous waste (EHW).⁵
- Some of the most common special wastes generated in Washington state include:
 - Sand blast grit containing copper, nickel, or zinc.
 - Coal tar pitch.

Any solid waste regulated as hazardous waste by the U.S. Environmental Protection Agency (EPA), like lead, cannot be a special waste.

¹ See special waste definition at <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-040>.

² As defined in WAC 173-303-090(6)(b)(ii): <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-090>.

³ As defined in WAC 173-303-100(5): <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-100>.

⁴ As defined in WAC 173-303-9904 (under state sources): <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-9904>.

⁵ As defined in WAC 173-303-100(6): <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-100>.



Figure 1: You may dispose of special waste in solid waste landfills permitted to accept it. Photo credit: dmitri_66 on Flickr.



Figure 2: You may transport special waste off site on a bill of lading.



Figure 3: You must follow special waste requirements when managing waste from sandblasting.

Special waste conditional exclusion

You can choose to manage special waste under the [conditional exclusion requirements](#)⁶ or as fully regulated dangerous waste.

To take advantage of the conditional exclusion, you must do one of the following:

- Dispose of the waste in hazardous waste or municipal solid waste landfills as specified in the exclusion requirements.
 - Call your local solid waste landfill to find out if they're permitted to and willing to accept your special waste.
 - If you dispose of it out of state, the receiving facility must meet 40 CFR Part 258 or Part 270 requirements.
- Recycle the waste on or off site.
- Treat the waste in accordance with [WAC 173-303-170\(2\)\(b\)\(v\)](#).⁷ Thermal treatment isn't allowed.

Requirements for the special waste exclusion

One benefit of the special waste exclusion is you don't need to use a uniform hazardous waste manifest or a dangerous waste transporter for waste shipments. However, there are general and specific requirements you must follow for this type of waste.

General requirements

All generators must follow these general requirements when managing special waste:

- Obtain an active EPA/State ID Number.
 - Comply with notification and reporting requirements.⁸
 - Use the Site ID Form to [notify Ecology](#)⁹ that your facility is managing special waste under the conditional exclusion.
 - Report your special waste generation. This must be included in the Dangerous Waste Annual Report for pollution prevention planning and fee purposes.¹⁰
- Meet special requirements if burning for energy recovery.¹¹

⁶ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-073>.

⁷ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-170>

⁸ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-060>

⁹ <https://ecology.wa.gov/DWNnotification>

¹⁰ See Chapter 173-307 WAC (<https://apps.leg.wa.gov/WAC/default.aspx?cite=173-307>) and Chapter 173-305 WAC (<https://apps.leg.wa.gov/wac/default.aspx?cite=173-305>).

¹¹ See WAC 173-303-510: <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-510>.

- Follow land disposal restrictions.¹²
- Follow spill and discharge requirements.¹³

We recommend recycling over disposal.

Specific management requirements

The conditional exclusion¹⁴ also has specific management requirements for special waste. You must:

- Store special waste in a way that safeguards against releases to the environment.
- Accumulate special waste on site for no more than 180 days from the date the quantity of waste exceeds 2,200 lbs.¹⁵
- Inform employees who could come into contact with special waste of the potential hazards.¹⁶
- Ship your special waste with a document (such as a bill of lading) that identifies specific information.¹⁷ See an example shipping form in [WAC 173-303-9906](#)¹⁸ and in Figure 5.
- Maintain records of excluded waste disposal for five years, whether you are a generator or a receiving facility. An invoice from the receiving facility is an adequate record for the generator.¹⁹

If you are a solid waste transfer station, you may only manage special waste if your station operator arranges to segregate the waste to ensure that workers and the public are not exposed.

If you are a facility receiving special waste for disposal, you must meet the requirements of [WAC 173-351](#)²⁰ and have an engineered liner. If the waste is disposed out of state, the receiving facility must meet the requirements of 40 CFR Part 258 or Part 270.



Figure 4: You must store special waste in a way that prevents releases to the environment.

SPECIAL WASTE
BILL OF LADING
EXAMPLE

1) Receiving Facility Name: _____ phone: _____
Address: _____ fax: _____

2) Customer Name: _____ phone: _____
Address: _____ fax: _____

3) Property Owner Name (where waste originated): _____ phone: _____
Address: _____ fax: _____

4) Hauler Name: _____ phone: _____
Address: _____ fax: _____

5) Consultant Name: _____ phone: _____
Address: _____ fax: _____

6) Amount of waste: _____

7) Original Location of Special Waste: _____

8) Activity Which Generated Waste: _____

9) Description of Waste. Include any Applicable Dangerous Waste Code: _____

10) Does Waste Have Potential to Create Fugitive Dust? Yes _____ No _____
If Yes, What is your Plan to Mitigate Dust? _____

11) Amount of wastes in pounds or tons: _____

SPECIAL WASTE
WASTE ANALYSIS

Customer Must Initial the Appropriate Item.
____ 1. Wastes were designated through testing
____ 2. Wastes were designated by other means

Customer Certifies That:
1. The Waste sampled and intended for disposal under this Certification is special waste as defined in WAC 173 303 040
2. The Waste has no free liquids per WAC 173-303-110 (3)(c)(i).

Signature _____ Date _____

Figure 5: You must include a bill of lading in your special waste shipments.

¹² See WAC 173-303-140(4)(c): <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-140>

¹³ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-145>

¹⁴ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-303-073>

¹⁵ See WAC 173-303-073(2)(a).

¹⁶ See WAC 173-303-073(2)(d).

¹⁷ Shipping documents must identify the type and amount of special waste, its place of origin, the identity of the generator, and the facility to which it is directed.

¹⁸ <https://apps.leg.wa.gov/Wac/default.aspx?cite=173-303-9906>

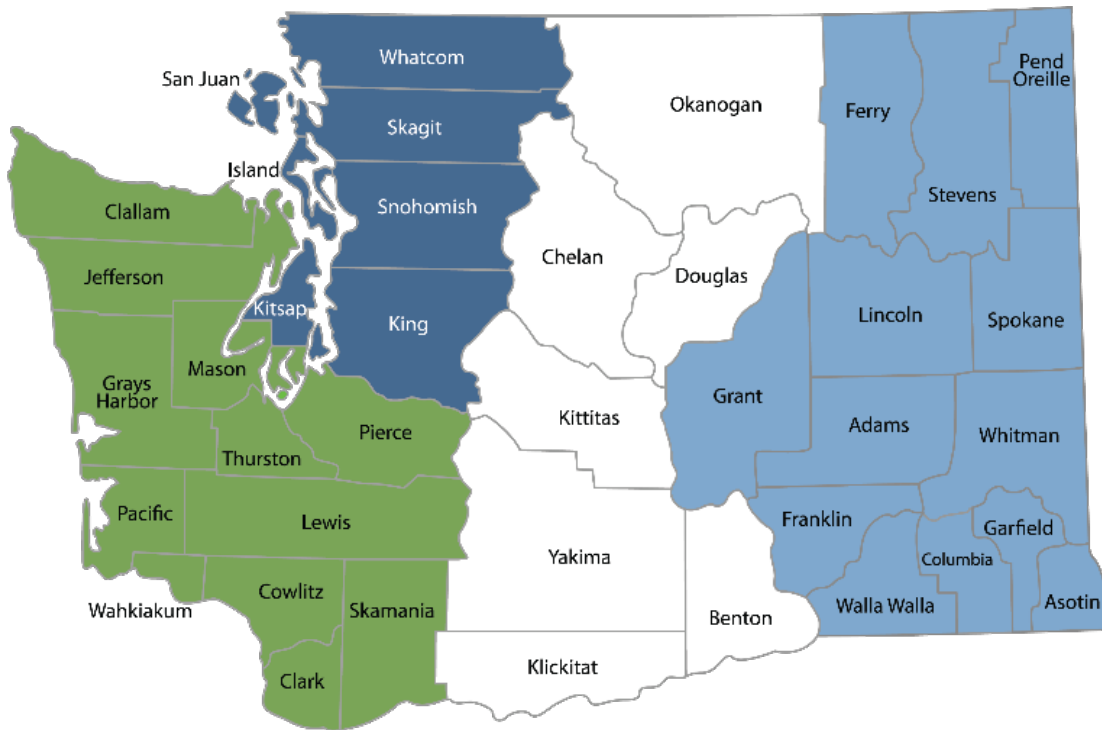
¹⁹ See WAC 173-303-073(2)(f).

²⁰ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-351>

Find out more

For more information about the special waste conditional exclusion, contact your nearest [Ecology regional office](#).²¹

Department of Ecology Regional Offices



Southwest Regional Office: 360-407-6300

Counties: Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum

Northwest Regional Office: 206-594-0000

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Eastern Regional Office: 509-329-3400

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²¹ <https://ecology.wa.gov/contact>