

Note: The publications containing these regulations may be obtained from:

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The publications containing these regulations are available for inspection at the offices of the department, the secretary of state and the revisor of statutes.

(b) A solid waste that exhibits the characteristic of reactivity has the hazardous waste number of D003.

(5) TOXICITY CHARACTERISTIC. (a) A solid waste exhibits the characteristic of toxicity if, using the toxicity characteristic leaching procedure, EPA method 1311 in SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", third edition, September, 1986, as amended by update I in July, 1992, the extract from a representative sample of the waste contains any of the contaminants listed in table I at a concentration equal to or greater than the respective value given in that table. Where the waste contains less than 0.5% filterable solids, the waste itself, after filtering using the methodology in method 1311, is considered to be the extract for the purpose of this subsection.

Note: Publication SW-846 may be obtained from:

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(b) A solid waste that exhibits the characteristic of toxicity has the hazardous waste number specified in table I which corresponds to the toxic contaminant causing it to be hazardous.

Table I
Maximum Concentration of Contaminants for the Toxicity Characteristic

EPA HW No. ¹	Contaminant	CAS No. ²	Regulatory Level (mg/L)
D004	Arsenic	7440-38-2	5.0
D005	Barium	7440-39-3	100.0
D018	Benzene	71-43-2	0.5
D006	Cadmium	7440-43-9	1.0
D019	Carbon tetrachloride	56-23-5	0.5
D020	Chlordane	57-74-9	0.03
D021	Chlorobenzene	108-90-7	100.0
D022	Chloroform	67-66-3	6.0
D007	Chromium	7440-47-3	5.0
D023	o-Cresol	95-48-7	⁴ 200.0
D024	m-Cresol	108-39-4	⁴ 200.0
D025	p-Cresol	106-44-5	⁴ 200.0
D026	Cresol	⁴ 200.0
D016	2,4-D	94-75-7	10.0
D027	1,4-Dichlorobenzene	106-46-7	7.5
D028	1,2-Dichloroethane	107-06-2	0.5
D029	1,1-Dichloroethylene	75-35-4	0.7

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EPA HW No. ¹	Contaminant	CAS No. ²	Regulatory Level (mg/L)
D030	2,4-Dinitrotoluene	121-14-2	³ 0.13
D012	Endrin	72-20-8	0.02
D031	Heptachlor (and its epoxide)	76-44-8	0.008
D032	Hexachlorobenzene	118-74-1	³ 0.13
D033	Hexachlorobutadiene	87-68-3	0.5
D034	Hexachloroethane	67-72-1	3.0
D008	Lead	7439-92-1	5.0
D013	Lindane	58-89-9	0.4
D009	Mercury	7439-97-6	0.2
D014	Methoxychlor	72-43-5	10.0
D035	Methyl ethyl ketone	78-93-3	200.0
D036	Nitrobenzene	98-95-3	2.0
D037	Pentachlorophenol	87-86-5	100.0
D038	Pyridine	110-86-1	³ 5.0
D010	Selenium	7782-49-2	1.0
D011	Silver	7440-22-4	5.0
D039	Tetrachloroethylene	127-18-4	0.7
D015	Toxaphene	8001-35-2	0.5
D040	Trichloroethylene	79-01-6	0.5
D041	2,4,5-Trichlorophenol	95-95-4	400.0
D042	2,4,6-Trichlorophenol	88-06-2	2.0
D017	2,4,5-TP (Silvex)	93-72-1	1.0
D043	Vinyl chloride	75-01-4	0.2

¹ Hazardous waste number.

² Chemical abstracts service number.

³ Quantitation limit is greater than the calculated regulatory level. The quantitation limit therefore becomes the regulatory level.

⁴ If o-, m-, and p-Cresol concentrations cannot be differentiated, the total cresol (D026) concentration is used. The regulatory level of total cresol is 200 mg/l.

History: Cr. Register, February, 1991, No. 422, eff. 3-1-91; am. (1) (b), (2) (a) 1., (b), (3) (b), (4) (a) 8., (b), (5) (a) and (b), r. and recr. (5) table 1, Register, August, 1992, No. 440, eff. 9-1-92; am. (5) (a), Register, April, 1994, No. 460, eff. 5-1-94.

NR 605.09 Lists of hazardous wastes. (1) **GENERAL.** (a) A solid waste is a hazardous waste if it is listed in this section, unless it has been excluded from the lists under s. NR 605.10.

(b) The department has indicated the basis for listing the classes or types of wastes listed in this section by employing one or more of the following hazard codes:

1. Ignitable waste (I)
2. Corrosive waste (C)
3. Reactive waste (R)
4. Toxicity characteristic waste (E)
5. Acute hazardous waste (H)
6. Toxic waste (T)

Note: Appendix III identifies the constituent which caused the department to list the waste as a toxicity characteristic waste (E) or toxic waste (T) in sub. (2) (a) and (b).

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