

The following wastes are NOT counted:

| Materials/Wastes  | Reference/citation         | Summary   |
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| Excluded recyclable materials   | HSC 25143.2(b) & (d)       | Recyclable materials excluded from classification as a waste under subdivision (b) or (d) of section 25143.2 and managed in accordance with Section 25143.9 are not counted.  |
| Materials which are not wastes  | Title 22, 66261.4(a)       | The following materials are not counted:<br>Industrial wastewater discharges (regulated under the federal Clean Water Act);<br>Source specific nuclear or by-product material;<br>Spent sulfuric acid that is reclaimed;<br>Pulping liquors that are reclaimed;<br>Secondary materials that are reclaimed and returned to the original process or processes in which they were generated.   |
| Wastes which are not hazardous wastes   | Title 22, 66261.4(b)       | The following wastes are not counted:<br>Infectious wastes;<br>Wastes that are excluded under 40 CFR 261.4 and do not exhibit a characteristic of a hazardous waste;<br>Used oil re-refining distillation bottoms;<br>Used chlorofluorocarbon refrigerants;<br>Waste (and residues) from the extraction, beneficiation, and processing of ores and minerals.  |
| Hazardous wastes which are exempted from certain regulations                                      | Title 22, 66261.4(c)       | Hazardous waste which is generated in one of the following is not counted until it exits the unit or remains in the unit 90 days after the unit ceases to operate:<br>(1) A product or raw material storage tank;<br>(2) A product or raw material transport vehicle or vessel;<br>(3) A product or raw material pipeline;<br>(4) A manufacturing process unit; or in<br>(5) An associated non-waste-treatment-manufacturing unit |
| Samples   | Title 22, 66261.4(d)       | Samples collected for the sole purpose of testing them to determine its characteristics are not counted because they are not subject to any requirements of division 4.5 of Title 22 or to the notification requirements of Health and Safety Code section 25153.6  |
| Treatability study samples, including samples undergoing treatability studies at laboratories and | Title 22, 66261.4(e) & (f) | Any person who generates a treatability study sample need not count them as hazardous waste because the samples are not subject to Chapter 6.5 of Division 20 of the Health and Safety Code or  |

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| testing facilities.  |                            | division 4.5 of Title 22. This includes any treatability study sample undergoing a treatability study, and those activities of the laboratory or testing facility, including the use of transportable treatment units   |
| Controlled substances  | Title 22, 66261.4(g)       | A controlled substance that meets the definition in section 11007 of Health and Safety Code and meets the conditions in paragraphs (B) and (C) of subsection (g) of section 66261.4 is not counted because it is not a waste for purposes of division 4.5 of Title 22 or Health and Safety Code, division 20, chapter 6.5.  |
| Wastewaters containing listed hazardous wastes   | Title 22, 66261.3(a)(2)(F) | Generators that can demonstrate that their mixture does not exhibit a characteristic of a hazardous waste and consists of wastewater, the discharge of which is subject to the Clean Water Act (including wastewater at facilities which have eliminated the discharge of wastewater), and any of the listed wastes found in section 66261.3(a)(2)(F) 1 – 7 are not counted because they are not considered hazardous wastes. |
| Wastewater mixtures containing only listed hazardous waste for ignitibility, reactivity, or corrosivity.                               | Title 22, 66261.3(a)(2)(E) | If the generator can ensure the wastewater mixture does not exhibit a characteristic of a hazardous waste, the wastewater mixture is not counted.   |
| Waste streams or wastes containing hazardous constituents listed in Appendix X that do not exhibit a characteristic of hazardous waste | Title 22, 66261.3(a)(2)(C) | A generator may use knowledge or testing to determine a presumed hazardous waste listed in Appendix X does not exhibit a characteristic of a hazardous waste. Wastes listed in Appendix X that do not exhibit a characteristic are not counted because they are not considered hazardous waste.   |
| An intermediate manufacturing process stream   | HSC 25124(c)(1)            | An intermediate manufacturing process stream that meets the conditions in section 25116.5 is not counted because it is not a discarded material and thereby not a waste.  |
| Coolant, lubricant or cutting fluid  | HSC 25124(c)(2)            | Coolant, lubricant or cutting fluid necessary for the operation of manufacturing equipment that is processed for reuse and meets the conditions in paragraph (2)(A) and (B) of subsection (c) are not counted because they are not considered discarded material.   |
| Cementitious material  | HSC 25143.8                | Cement, cement kiln dust, clinker, and clinker dust generated at a cement manufacturing facility meeting the conditions in subsection (b) and (c) of section 25143.8 are not counted because they are   |

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|  |                     | excluded from classification as a hazardous waste.   |
| Substances that are hazardous only due to the characteristic of acute oral toxicity  | HSC 25141.5(b)(2)   | The substances (and their common uses) listed in paragraph (2)(B) of subsection (b) are not counted because they are not classified as hazardous waste when they are hazardous solely due to acute oral toxicity.  |
| Equipment removed and cleaned for continued use.                                     | HSC 25143.14        | Equipment removed and stored onsite, containing residue that is a hazardous waste is not counted as hazardous waste when being stored for cleaning and subsequent reuse. Only the residue, once removed from the equipment for the purposes of continued use, is counted if the residue is discarded.  |
| Certain treatment residuals generated from the treatment of listed hazardous wastes. | 22, CCR, 66261.3(c) | The following treatment residuals are not hazardous and therefore are not counted if they do not exhibit a characteristic of hazardous waste: (1) Pickle liquor sludge; (2) Slag from HTMR (F006, K061, and K062); (3) Biological treatment sludge (K156 and K157); and (4) wastes derived from the treatment or recycling of hazardous wastes in Article 4.1 (Mercury containing products) of Chapter 11. |