



Special Waste Regulations in Texas

Special waste is any solid waste that requires special handling and disposal because of its quantity, concentration, physical or chemical characteristics, or biological properties. Special waste is defined in Title 30 Texas Administrative Code (30 TAC), Chapter 330, 330.3. Special waste that is not specifically identified in 30 TAC 330.171(c) or (d), or 330.173 requires prior written authorization by the TCEQ for disposal. Written authorization for the disposal of a special waste can be obtained in two ways:

1. The generator, with written concurrence from a landfill willing to accept the special waste, may submit a Request for Authorization for Disposal of a Special Waste, agency form TCEQ-0152, along with any supporting documentation, to the Municipal Solid Waste (MSW) Permits Section for review; or
2. the generator may request approval to dispose of a special waste directly from an MSW landfill operator that has an approved Waste Acceptance Plan identified in 330.61(b) that authorizes the acceptance of the specific special waste as set out in 330.171(b)(2).

Special wastes identified in, and meeting the requirements of, 30 TAC 330.171(c) and (d) do not require prior written authorization before disposal, provided the MSW landfill is permitted to accept these wastes. These include:

- Municipal hazardous waste from conditionally exempt small-quantity generators may be accepted at a Type I or Type IAE landfill provided the amount of waste does not exceed 220 lb (100 kg) per month per generator.
- Municipal wastewater treatment plant sludges, other types of domestic sewage treatment plant sludges, and water-supply treatment plant sludges.
- Liquid wastes from municipal sources that are treated or processed to eliminate free liquids and tested in accordance with 30 TAC 330.171(c)(7).
- Grease-trap and grit-trap wastes.
- Slaughterhouse wastes.
- Dead animals.
- Empty pesticide (insecticide, herbicide, fungicide, or rodenticide) containers that have been triple rinsed and rendered unusable.

- Certain discarded materials containing asbestos as detailed in 30 TAC 330.171(c)(3) and (4). Regulated asbestos-containing material may be accepted for disposal at a Type I or Type IAE landfill. Nonregulated asbestos-containing materials (non-RACM) may be accepted for disposal at a Type I, Type IAE, Type IV, or Type IVAE landfill. For further information regarding asbestos abatement, contact the Asbestos Programs Branch of the Texas Department of State Health Services Toxic Substance Control Division at 512-834-6600 or 800-572-5548.

Special wastes that do require prior written authorization include:

- Untreated medical waste may be approved for disposal by the executive director when necessary to protect human health and the environment from the effects of a natural or man-made disaster.
- Class 1 nonhazardous industrial solid waste not routinely collected with municipal solid waste. (Also see the requirements of 30 TAC 330.173.)
- Wastes from commercial or industrial wastewater treatment plants; air pollution control facilities; and tanks, drums, or containers used for shipping or storing any material that has been listed as a hazardous constituent in 40 CFR, Part 261, Appendix VIII but has not been listed as a commercial chemical product in 40 CFR, 261.33(e) or (f).
- Drugs, contaminated foods, or contaminated beverages, other than those contained in normal household waste.
- Incinerator ash.
- Soil contaminated by petroleum products, crude oil, or chemicals in concentrations of greater than 1,500 milligrams per kilogram total petroleum hydrocarbons; or contaminated by constituents of concern that exceed the concentrations listed in Table 1 of 335.521(a)(1) of this title (relating to Appendices). Such contaminated soil must be disposed of in accordance with 330.171(b)(4).
- Waste from oil, gas, and geothermal activities subject to regulation by the Railroad Commission of Texas when those wastes are to be processed, treated, or disposed of at a municipal solid waste management facility permitted under Chapter 330.
- Waste generated outside the boundaries of Texas that contains:
 - Any industrial waste;
 - Any waste associated with oil, gas, or geothermal exploration, production, or development activities; or
 - Any item listed as a special waste in 30 TAC 330.3.

The following special wastes are prohibited from disposal in an MSW landfill:

- Used oil filters from internal combustion engines. Used oil filters are prohibited from disposal at MSW landfills by non-household generators by 30 TAC 330.171(d).
- Lead-acid storage batteries. Lead-acid storage battery disposal is prohibited at MSW landfills by 30 TAC 330.15(e).

Management and disposal options for special waste:

1. **Asbestos:** There are two types of asbestos waste—regulated (friable) and non-regulated (not friable) asbestos-containing material (RACM and non-RACM) as defined in 40 CFR Part 61 Section 141. Also, the amount of asbestos in the material contributes to the type of asbestos waste. Non-RACM may become RACM if subject to sanding, grinding, cutting, or abrading, or it has a high probability of being reduced to powder during demolition or renovation.
 - a. RACM is friable asbestos-containing material that contains greater than 1 percent asbestos. Friable is defined as asbestos-containing material that, when dry, can be crushed to a powder by hand pressure. RACM may be disposed of at a Type I or Type I arid exempt (AE) MSW landfill in accordance with 30 TAC 330.171(c)(3).
 - b. Non-RACM is material containing less than one percent asbestos or non-friable asbestos-containing material not identified as regulated. Non-RACM may be disposed of at any MSW landfill provided the facility is authorized to accept the waste in accordance with 30 TAC 330.171(c)(4).
2. **Grease-trap waste:** Material collected in and from a grease interceptor in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing establishment, including the solids resulting from dewatering processes. Grease-trap waste may be from municipal sources and regulated under 30 TAC Chapter 330 or from industrial sources and regulated under 30 TAC Chapter 335. Industrial-waste generators must classify their waste in accordance with Subchapter R of 30 TAC Chapter 335. Grease-trap waste must be transported to an authorized facility which can be a processing or treatment facility, a liquid waste transfer station, or an MSW landfill. Grease-trap waste may also be processed on-site by mobile treatment or processing units. In order for grease-trap waste to be disposed of in an MSW landfill, the waste must pass the paint filter test, Method 9095. Some MSW landfills have liquid-waste solidification units and will process such waste prior to disposal.
3. **Grit-trap waste:** Includes waste from interceptors placed in the drains prior to entering the sewer system at maintenance and repair shops, automobile service stations, car washes, laundries,

and other similar establishments and is regulated under Chapters 330 and 335 in the same manner as grease-trap waste. Grit-trap waste must be transported to an authorized facility which can be a processing or treatment facility, a liquid waste transfer station, or an MSW landfill. Grit-trap waste may also be processed on-site by mobile treatment or processing units. In order for grit-trap waste to be disposed of in an MSW landfill, the waste must pass the paint filter test, Method 9095. Grit-trap waste from car washes may be dried on-site or at a location within 50 miles of generation that is owned by the generator and then disposed of at an authorized facility.

4. **Domestic septage:** Includes liquid and solid material pumped from a septic tank, cesspool, or similar sewage-treatment system and is regulated under 330 in the same manner as grease- and grit-trap waste, but is also subject to Chapter 312 of 30 TAC if used beneficially by land applying. Septage waste must be transported to an authorized facility which can be a wastewater treatment plant, a beneficial land-use site, an MSW processing facility or transfer station, a compost facility, a monofill (sludge only) landfill, or an MSW Type I landfill, or septage may be processed on-site by a mobile unit. Septage waste that is transported to a beneficial land-use site or a monofill must be treated by raising the pH of the waste to 12 for a period of 30 minutes. This treatment is usually performed in the transport unit by adding lime and is the only treatment process allowed for transporters. In addition, septage waste must meet the metal concentration requirements of 30 TAC 312.43 prior to beneficial land application. Like grease- and grit-trap waste, septage waste must pass the paint filter test prior to disposal in an MSW landfill or monofill.
5. **Liquid waste transporter requirements:** All transporters of liquid waste—including grease-trap, grit-trap, and septage waste—must be registered with the TCEQ. Transporters are required to manifest shipments of liquid waste in the form of a trip ticket that identifies the generator, the transporter, and the disposal facility. The transporter is required to provide the generator with the first copy of the trip ticket; after delivery, the transporter must provide the generator the completed fourth copy, which verifies that the disposal facility received the shipment of liquid waste. Transporter companies are required to maintain records of all shipments of liquid waste for five years.
6. **Liquid waste generator requirements:** Generators are responsible for the proper treatment and disposal of their waste. Generators must contract with a TCEQ-registered liquid-waste transporter and must receive a copy of the signed trip ticket from the transporter. The generator must also receive a second signed copy of the trip ticket with the treatment or disposal facility signature and information and must maintain trip-ticket records for three years. Industrial liquid-waste generators are responsible for properly

classifying their waste under Subchapter R of 30 TAC Chapter 335.

7. The following wastes pose a greater potential for objectionable odor. These wastes should be managed and transported to contain odor and then covered immediately at an MSW landfill:
 - a. liquid waste
 - b. grease-trap and grit-trap waste
 - c. slaughterhouse waste
 - d. dead animals
 - e. sludges resulting from wastewater (and possibly water) treatment
8. Wastes which may cause a windblown particulate nuisance condition should be covered immediately at an MSW landfill.

For additional information or questions regarding the disposal of special waste, please contact the Municipal Solid Waste Permits Section of the TCEQ at 512-239-2334 or e-mail inquiries to <mswpermits@tceq.state.tx.us>.