

EXCLUDED WASTES

This section presents a partial list of excluded materials and wastes. This list includes materials excluded from the definition of solid waste in [40 CFR 261.4\(a\)](#) and solid wastes excluded from the definition of hazardous waste in [40 CFR 261.4\(b\)](#). In addition, it includes specific solid waste samples that are excluded from the definition of hazardous waste in [40 CFR 261.4\(d\)-\(f\)](#). Finally, this list includes specific hazardous waste, as described in [40 CFR 261.4\(c\)](#) and [40 CFR 261.4\(j\)](#), that are exempted from certain RCRA Subtitle C regulations.

Agricultural Waste Fertilizer §261.4(b)(2)	Domestic Sewage §261.4(a)(1)	Household Waste §261.4(b)(1)(i)-(ii)
Airbag Waste §261.4(j)	Dredged Material that is Subject to the Requirements of a Permit that has Been Issued Under 404 of the Federal Water Pollution Control Act (33 USC 1344) of Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 USC 1413) §261.4(g)	HTMR Condenser Residue §261.4(a)(11)
Analytical Samples – A Sample of Solid Waste or A Sample of Water, Solid, or Air, Which is Collected for the Sole Purpose of Testing to Determine its Characteristics of Composition §261.4(d)		In Situ Mining Materials §261.4(a)(5)
Arsenic Treated Wood and Wood Products §261.4(b)(9)	Drilling Fluid §261.4(b)(5)	Irrigation Return Flows §261.4(a)(3)
Carbon Dioxide Stream Injected for Geologic Sequestration. Carbon Dioxide Streams that are Captured and Transported for Purposes of Injection into an Underground Injection Wells, Including the Requirements in 40 CFR Parts 144 And 146 of the Underground Injection Control Program of the Safe Drinking Water Act §261.4(h)	Excluded Scrap Metal Being Recycled §261.4(a)(13)	Kraft Mill Stream Stripper Condensates §261.4(a)(15)
Cement Kiln Dust §261.4(b)(8)	Fossil Fuel Emission Control Waste §261.4(b)(4)	Leachate or Gas Condensate Collected from Landfills Where Certain Solid Wastes Have Been Disposed §261.4(b)(15)
Coking By-Products §261.4(a)(10)	Hazardous Secondary Material Being Remanufactured §261.4(a)(27)	Mining and Mineral Process Wastes §261.4(b)(7)
Comparable/Syngas Fuels §261.4(a)(16)	Hazardous Secondary Materials Generated and Legitimately Reclaimed Under the Control of the Generator §261.4(a)(23)	Mining Overburden §261.4(b)(3)
	Hazardous Secondary Material Used to Make Zinc Fertilizers, Provided that the Following Conditions Specified are Satisfied §261.4(a)(20)	Non-Terne Plated Used Oil Filters that are Not Mixed with Wastes Listed in Subpart D of this Part if These Oil Filters Have Been Gravity Hot-Drained Using One of the Following Methods §261.4(b)(13)
		Nuclear Material §261.4(a)(4)

Oil Filters §261.4(b)(13)	Solvent-Contaminated Wipes Sent for Cleaning or Disposal §261.4(a)(26)	Used Oil Distillation Bottoms §261.4(b)(14)
Petrochemical Recovered Oil §261.4(a)(18)	Spent Caustics from Petroleum Refining §261.4(a)(19)	Used Oil Re-Refining Distillation Bottoms that are Used as Feedstock to Manufacture Asphalt Products §261.4(b)(14)
Petroleum-Contaminated Media and Debris §261.4(b)(10)	Spent Wood Preserving Solutions and Wastewaters §261.4(a)(9)	Wastes Generated in Storage Tanks, Transport Vehicles, Pipelines, or Manufacturing Process Units §261.4(c)
Petroleum Refining §261.4(a)(12)	Sulfuric Acid §261.4(a)(7)	Wastewater Point Source Discharge §261.4(a)(2)
Pulping Liquor §261.4(a)(6)	Treatability Study Samples §261.4(e)	Zinc Fertilizers Made from Hazardous Wastes, or Hazardous Secondary Material that are Excluded Under Paragraph (a)(20) §261.4(a)(21)
Refrigerants §261.4(b)(12)	Treatability Studies at Laboratories and Testing Facilities §261.4(f)	
Secondary Material Returned to Original Process §261.4(a)(8)	Trivalent Chromium Waste §261.4(b)(6)	
Secondary Material from Mineral Processing §261.4(a)(17)	Used Cathode Ray Tubes (CRTs) §261.4(a)(22)	
Shredded Circuit Boards Being Recycled §261.4(a)(14)	Used Chlorofluorocarbon Refrigerants from Totally Enclosed Heat Transfer Equipment §261.4(b)(12)	
Solid Waste that Would Otherwise Meet the Definition of Low-Level Mixed Wastes (LLMW) §266.210 §261.4(b)(17)		
Solvent-Contaminated Wipes, Except for Wipes that are Hazardous Waste Due to the Presence of Trichloroethylene, that are Sent for Disposal are Not Hazardous Waste from the Point of Generation §261.4(b)(18)		