

Figure: 30 TAC §335.1(154)(D)(iv)

**TABLE 1**

	<b>Use Constituting Disposal S.W. Def. (D)(i)</b>	<b>Energy Recovery/Fuel S.W. Def. (D)(ii)</b>	<b>Reclamation S.W. Def. (D)(iii)<sup>2</sup></b>	<b>Speculative Accumulation S.W. Def. (D)(iv)</b>
Spent materials (listed hazardous and not listed characteristically hazardous)	*	*	*	*
Spent materials (nonhazardous) <sup>1</sup>	*	*	*	*
Sludges (listed hazardous in 40 CFR §261.31 or §261.32)	*	*	*	*
Sludges (not listed characteristically hazardous)	*	*		*
Sludges (nonhazardous) <sup>1</sup>	*	*		*
By-products (listed hazardous in 40 CFR §261.31 or §261.32)	*	*	*	*
By-products (not listed characteristically hazardous)	*	*		*
By-products (nonhazardous) <sup>1</sup>	*	*		*
Commercial chemical products (listed, not listed characteristically hazardous, and nonhazardous)	*	*		
Scrap metal that is not excluded under subparagraph (A)	*	*	*	*

of this paragraph (hazardous)				
Scrap metal other than excluded scrap metal (see §335.17(a)(9) of this title) (nonhazardous) <sup>1</sup>	*	*	*	*

NOTE: The terms "spent materials," "sludges," "by-products," "scrap metal," and "excluded scrap metal" are defined in §335.17 of this title (relating to Special Definitions for Recyclable Materials and Nonhazardous Recyclable Materials).

<sup>1</sup> These materials are governed by the provisions of §335.24(h) of this title (relating to Requirements for Recyclable Materials and Nonhazardous Recyclable Materials) only.

<sup>2</sup> Except as provided in 40 CFR §261.2(c)(3) and §261.4(a)(17) for mineral processing secondary materials or as provided in 40 CFR §261.4(a)(23), (24), or (27) for hazardous secondary materials.