

## Abandoned Hazardous Waste

### Background

Persons who have containerized abandoned hazardous waste may seek relief from paying hazardous waste generator fees and subsequent hazardous waste management fees from the Oregon Department of Environmental Quality (DEQ).

DEQ defines abandoned hazardous waste narrowly. First, the waste must be containerized. Secondly, the original generator of the waste must be unknown.

### Conditions for fee relief

To be eligible for fee relief, any applicant must meet ALL of the following conditions.

- The hazardous waste must be containerized (in a drum or other type of container), with no spillage or evidence of release to the environment.
- The hazardous waste has been illegally deposited on real property; (this does not include waste that has been discovered as a result of acquiring a piece of property of which the former owner or owners were generators of the hazardous waste.)
- The owner or operator of the property site did not generate or transport the hazardous waste to the real property site, cannot locate, and do not know who the generator was.
- The hazardous waste containers have no information from which to identify the true hazardous waste generator. This means that there are no markings (product or shipping labels) on the container that could identify the responsible party of the waste.

### Responsibilities for managing, disposing of abandoned hazardous waste

The responsibility for managing abandoned hazardous waste rests on the property owner if no responsible party can be identified. Management involves identifying what the unknown material is, and if the waste is determined to be a hazardous waste, removal of the hazardous waste for disposal at a permitted hazardous waste treatment, storage, disposal or recycling (TSDR) facility.

### What does DEQ do with abandoned waste?

DEQ does not provide a disposal service for abandoned hazardous waste. DEQ may investigate illegal abandonment activity. Also, DEQ will provide technical assistance regarding the specific regulations you must comply with when identifying, storing and disposing of abandoned waste. DEQ will also provide assistance in completing the *Request for Fee Relief for Abandoned Hazardous Waste* form.

### What should I do if I find abandoned hazardous waste on my property?

1. Upon discovery of abandoned waste, notify the DEQ regional office nearest you to report the waste (see telephone numbers on next page). DEQ may choose to investigate the incident.
2. Secure the abandoned waste.
3. Conduct a "hazardous waste determination" to learn if the waste is a hazardous waste. For more information on how to make a determination, see the DEQ fact sheet *How to Determine if Your Waste is Hazardous*, at: [www.deq.state.or.us/lq/pubs/factsheets/hw/HazardousWasteDetermination.pdf](http://www.deq.state.or.us/lq/pubs/factsheets/hw/HazardousWasteDetermination.pdf)
4. If you have questions about managing abandoned hazardous waste, seek guidance from your nearest DEQ regional office.
5. Arrange for the removal of the abandoned hazardous waste, to a permitted hazardous waste treatment, storage, disposal or recycling facility or other authorized facility (see next section).
6. Manage the abandoned hazardous waste according to the quantity amounts discussed in the next section.
7. Use the *Request for Fee Relief for Abandoned Hazardous Waste* form. Complete all information requested. Mail your request to the DEQ office nearest you:

- Hazardous Waste Manager  
DEQ-Northwest Region  
2020 SW 4<sup>th</sup> Ave., Suite 400  
Portland, OR 97201
- Hazardous Waste Manager  
DEQ-Western Region  
750 Front St. NE, Suite 120  
Salem, OR 97310
- Hazardous Waste Manager  
DEQ-Eastern Region  
300 SE Reed Market Road  
Bend, OR 97702



State of Oregon  
Department of  
Environmental  
Quality

### Land Quality Division Hazardous Waste

811 SW 6<sup>th</sup> Avenue  
Portland, OR 97204  
Phone: (503) 229-6968  
(800) 452-4011  
Fax: (503) 229-6977  
Contact: Nancy Dollar  
<http://www.oregon.gov/deq>

8. Do NOT count this waste toward your "normal" hazardous waste generator category.
9. Do NOT report this waste on your Annual Hazardous Waste Reporting Form.

### **How should I manage this abandoned hazardous waste?**

Abandoned hazardous waste should be managed according to the standards appropriate to the quantity of hazardous waste abandoned. If the quantity of abandoned waste is:

- 220 pounds or less, you may store it for as long as you need; no time limit exists. Waste may be managed at a permitted solid waste facility that will accept hazardous waste, or a hazardous waste TSDR facility.
- 221 pounds to 2,199 pounds, you may store it up to 180 days (270 days if waste will be shipped greater than 200 miles). Wastes must be managed at a facility permitted to accept conditionally exempt quantities of hazardous waste or at a permitted hazardous waste TSDR facility.

NOTE: (Persons who have up to 2,199 pounds of DEQ approved abandoned hazardous waste may be eligible to dispose of their hazardous waste for a fee at the Metro hazardous waste collection facility in Portland. Contact Metro at (503) 234-3000 for participation information.

- 2,200 pounds or greater, you may store it up to 90 days. Wastes must be managed at a permitted hazardous waste TSDR facility.

Note that the management standards for abandoned waste are independent of your regular hazardous waste generator category.

In general, abandoned hazardous waste should be stored in a secure area. Containers should be closed, in good condition (not leaking or distorted), labeled with the words "Hazardous Waste," and marked with the date that the waste was found (the "accumulation start" date). While in storage, containers should be inspected weekly to ensure that these standards are met.

### **For more information**

For more information on how to deal with abandoned hazardous waste, telephone the DEQ regional office nearest you:

#### **Northwest Region Area**

North Coast/Portland Metro Area: (503) 229-5263

#### **Western Region Area**

Willamette Valley/Central Coast:  
(503) 378-8240

Medford/Roseburg/South Coast:  
(541) 776-6010

#### **Eastern Region Area:**

Bend/Klamath Falls/Pendleton:  
(541) 388-6146

### **Where do I get the *Request for Fee Relief for Abandoned Hazardous Waste form*?**

The form can be found at the following DEQ Web page:

[www.deq.state.or.us/lq/pubs/forms/hw/hwfeerelief.pdf](http://www.deq.state.or.us/lq/pubs/forms/hw/hwfeerelief.pdf).

### **Alternative formats**

Alternative formats of this document can be made available. Contact DEQ's Office of Communications and Outreach, Portland, for more information at (503) 229-5696, or toll-free in Oregon at 1-800-452-4011.