II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 October 1994

adapting, pursuant to Article 42 (3), Annexes II, III and IV to Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community

(94/721/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (1), and in particular Article 42 (3) thereof,

Having regard to Council Directive 75/442/EEC of 15 July 1975 on waste (2), as last amended by Directive 91/692/EEC (3), and in particular Article 18 thereof,

Whereas in accordance with Article 42 (3) of Regulation (EEC) No 259/93, Annexes II, III and IV have to be adapted to reflect only those changes already agreed under the review mechanism of the OECD;

Whereas the Council of the OECD (4) has decided in the framework of the review mechanism to modify the green, amber and red lists of wastes;

Whereas it is necessary to amend Annexes II, III and IV to the Regulation to reflect these modifications;

Whereas the Commission, in order to adapt Annexes II, III and IV to the abovementioned Regulation, is assisted in this task by the Committee established pursuant to Article 18 of Directive 75/442/EEC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the aforementioned Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annexes II, III and IV to Regulation (EEC) No 259/93 are hereby replaced by the Annex to the present Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 October 1994.

For the Commission Yannis PALEOKRASSAS Member of the Commission

⁽¹) OJ No L 30, 6. 2. 1993, p. 1. (²) OJ No L 194, 25. 7. 1975, p. 47. (³) OJ No L 377, 31. 12. 1991, p. 48. (°) OECD Council, 23 July 1993, Doc. Ref. C(93) 74. OECD Council, 28 July 1994, Doc. Ref. C(94) 153.

ANNEX

'ANNEX II

GREEN LIST OF WASTES (*)

Regardless of whether or not wastes are included on this list, they may not be moved as green wastes if they are contaminated by other materials to an extent which (a) increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the amber or red lists, or (b) prevents the recovery of the waste in an environmentally sound manner.

GA. METAL AND METAL-ALLOY WASTES IN METALLIC, NON-DISPERSIBLE FORM (**)

The following waste and scrap of precious metals and their alloys:

GA 010 ex 7112 10 — Of gold

GA 020 ex 7112 20 — Of platinum (the expression "platinum" includes platinum, iridium, osmium, palladium, rhodium and ruthenium)

GA 030 ex 7112 90 — Of other precious metal, e.g. silver

 $\it NB$: Mercury is specifically excluded as a contaminant of these metals or their alloys or amalgams.

The following ferrous waste and scrap of iron or steel:

GA 040	7204 10	Waste and scrap of cast iron
GA 050	7204 21	Waste and scrap of stainless steel
GA 060	7204 29	Waste and scrap of other alloy steels
GA 070	7204 30	Waste and scrap of tinned iron or steel
GA 080	7204 41	Turnings, shavings, chips, milling waste, filings, trimmings and stampings, whether or not in bundles
GA 090	7204 49	Other ferrous waste and scrap
GA 100	7204 50	Re-melting scrap ingots
GA 110 es	x 7302 10	Used iron and steel rails

The following waste and scrap of non-ferrous metals and their alloys:

GA	120		7404 00	Copper waste and scrap
GA	130		7503 00	Nickel waste and scrap
GA	140		7602 00	Aluminium waste and scrap
GA	150	ex	7802 00	Lead waste and scrap
GA	160		7902 00	Zinc waste and scrap
GA	170		8002 00	Tin waste and scrap
GA	180	ex	8101 91	Tungsten waste and scrap
GA	190	ex	8102 91	Molybdenum waste and scrap
GA	200	ex	8103 10	Tantalum waste and scrap
GA	210		8104 20	Magnesium waste and scrap
GA	220	ex	8105 10	Cobalt waste and scrap
GA	230	ex	8106 00	Bismuth waste and scrap
GA	240	ex	8107 10	Cadmium waste and scrap

^(*) Wherever possible, the code number of the Harmonized Commodity Description and Coding System, established by the Brussels Convention of 14 June 1983 under the auspices of the Customs Cooperation Council (Harmonized System) is listed opposite an entry. This code may apply to both wastes and products. This Regulation does not include items which are not wastes. Therefore, the code — used by customs officials in order to facilitate their procedures as well as by others — is only provided here to help in identifying wastes that are listed and subject to this Regulation. However, corresponding official Explanatory Notes as issued by the Customs Cooperation Council should be used as interpretative guidance to identify wastes covered by generic headings. The indicative "ex" identifies a specific item contained within a heading of the Harmonized System code.

The code in bold in the first column is the OECD code: it consists of two letters (one for the list: Green, Amber or Red and one for the category of waste: A, B, C ...) followed by a number.

^{(**) &}quot;Non-dispersible" does not include any wastes in the form of powder, sludge, dust or solid items containing encased hazardous waste liquids.

GA 250 ex 8108 10	Titanium waste and scrap
GA 260 ex 8109 10	Zirconium waste and scrap
GA 270 ex 8110 00	Antimony waste and scrap
GA 280 ex 8111 00	Manganese waste and scrap
GA 290 ex 8112 11	Beryllium waste and scrap
GA 300 ex 8112 20	Chromium waste and scrap
GA 310 ex 8112 30	Germanium waste and scrap
GA 320 ex 8112 40	Vanadium waste and scrap
ex 811291	Wastes and scrap of:
GA 330	— Hafnium
GA 340	— Indium
GA 350	— Niobium
GA 360	— Rhenium
GA 370	— Gallium
GA 380	— Thallium
GA 390 ex 2844 30	Thorium waste and scrap
GA 400 ex 2804 90	Selenium waste and scrap
GA 410 ex 2804 50	Tellurium waste and scrap
GA 420 ex 2805 30	Rare earths waste and scrap

GB. METAL BEARING WASTES ARISING FROM MELTING, SMELTING AND REFINING OF

GB 010	2620 11	Hard zinc spelter
GB 020		Zinc containing drosses:
GB 021		- Galvanizing slab zinc top dross (> 90 % Zn)
GB 022		— Galvanizing slab zinc bottom dross (> 92 % Zn)
GB 023		- Zinc die cast dross (> 85 % Zn)
GB 024		— Hot dip galvanizers slab zinc dross (batch) (> 92 % Zn)
GB 025		— Zinc skimmings
GB 030		Aluminium skimmings
GB 040 ex	2620 90	Slags from precious metals and copper processing for further refining
GB 050		Tantalum bearing tin slags with less than 0,5 % tin
		GC OTHER WASTES CONTAINING METALS

GC 010	Electrical assemblies consisting only of metals or alloys
GC 020	Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery
GC 030 ex 8908 00	Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste
GC 040	Motor vehicle wrecks, drained of liquids
GC 050	Spent catalysts:
GC 051	- Fluid catalytic cracking (FCC) catalysts
GC 052	- Precious metal bearing catalysts
GC 053	 Transition metal catalysts (e.g. chromium, cobalt, copper, iron, nickel, manganese, molybdenum, tungsten, vanadium, zinc)
GC 060 2618 00	Granulated slag arising from the manufacture of iron and steel
GC 070 ex 2619 00	Slag arising from the manufacture of iron and steel (*)

^(*) This entry covers the use of such slags as a source of titanium dioxide and vanadium.

GD. WASTES FROM MINING OPERATIONS: THESE WASTES TO BE IN NON-DISPERSIBLE FORM

GD 010 ex 2504 90	Natural graphite waste
GD 020 ex 2514 00	Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise
GD 030 2525 30	Mica waste
GD 040 ex 2529 30	Leucite, nepheline and nepheline synite waste
GD 050 ex 2529 10	Feldspar waste
GD 060 ex 2529 21	Fluospar waste
ex 2529 22	
GD 070 ex 2811 22	Silica wastes in solid form excluding those used in foundry operations

GE. GLASS WASTE IN NON-DISPERSIBLE FORM

GE 010 ex 7001 00	Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses
GE 020	Fibre glass wastes

GF. CERAMIC WASTES IN NON-DISPERSIBLE FORM

GF 010	Ceramic wastes which have been fired after shaping, including ceramic vessels (before and/or after use)
GF 020 ex 8113 00	Cermet waste and scrap (metal ceramic composites)
GF 030	Ceramic based fibres not elsewhere specified or included

GG. OTHER WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

GG 010	Partially refined calcium sulphate produced from flue gas desulphurization (FGD)
GG 020	Waste gypsum wallboard or plasterboard arising from the demolition of buildings
GG 030 ex 2621	Bottom ash and slag tap from coal-fired power plants
GG 040 ex 2621	Coal-fired power plants fly ash
GG 050	Anode butts of petroleum coke and/or bitumen
GG 060 ex 2803	Spent activated carbon
GG 070 3103 20	Basic slag arising from the manufacture of iron or steel suitable for phosphate fertiliser and other use
GG 080 ex 2621 00	Slag from copper production, chemical stabilized, having a high iron content (above 20 %) and processed according to industrial specifications (e. g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
GG 090	Sulphur in solid form
GG 100	Limestone from the production of calcium cyanamide (having a pH less than 9)
GG 110 ex 2621 00	Neutralized red mud from alumina production
GG 120	Sodium, potassium, calcium chlorides
GG 130	Carborundum (silicon carbide)
GG 140	Broken concrete
GG 150 ex 2620 90	Lithium-tantalum and lithium-niobium containing glass scraps

GH. SOLID PLASTIC WASTES

Including,	but	not	limitetd	to:

GH 010 3915	Waste, parings and scrap of plastics of:
GH 011 ex 391510	- Polymers of ethylene

GH 012 ex 3915 20 — Polymers of styrene

GH 013 ex 3915 30 → Polymers of vinyl chloride

GH 014 ex 3915 90 — Polymerized or co-polymers: for example:

- Polypropylene

- Polyethylene terephthalate
- Acrylonitrile copolymer
- Butadiene copolymer
- Styrene copolymer
- Polyamides
- Polybutylene terephthalates
- Polycarbonates
- Polyphenylene sulphides
- Acrylic polymers
- Paraffins (C10 C13) (*)
- Polyurethane (not containing chlorofluorocarbons)
- Polysiloxalanes (silicones)
- Polymethyl methacrylate
- Polyvinyl alcohol
- Polyvinyl butyral
- Polyvinyl acetate
- Polymers of fluorinated ethylene (Teflon, PTFE)

GH 015 ex 3915 90

- Resins or condensation products, for example:
 - Urea formaldehyde resins
 - Phenol formaldehyde resins
 - Melamine formaldehyde resins
 - Epoxy resins
 - Alkyd resins
 - Polyamides

GI. PAPER, PAPERBOARD AND PAPER PRODUCT WASTES

GI 010	4707	Waste and scrap of paper or paperboard:
GI 011	4707 10	 Of unbleached kraft paper or paperboard or of corrugated paper or paperboard
GI 012	4707 20	 Of other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
GI 013	4707 30	 Of paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
GI 014	4707 90	- Other, including but not limited to:
		1. Laminated paperboard
		2. Unsorted waste and scrap

GJ. TEXTILE WASTES

GJ 010	5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
GJ 011	5003 10	— Not carded or combed
GJ 012	5003 90	— Other

^(*) These cannot be polymerized and are used as plasticizers.

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GJ 020 5103	Waste of wool or of fine or coarse animal hair, including yarn waste but
· 	excluding garnetted stock
GJ 021 5103 10	— Noils of wool or of fine animal hair
GJ 022 5103 20	— Other waste of wool or of fine animal hair
GJ 023 5103 30	— Waste of coarse animal hair
GJ 030 5202	Cotton waste (including yarn waste and garnetted stock)
GJ 031 5202 10	— Yarn waste (including thread waste)
GJ 032 5202 91	— Garnetted stock
GJ 033 5202 99	— Other
GJ 040 5301 30	Flax tow and waste
GJ 050 ex 5302 90	Tow and waste (including yarn waste and garnetted stock) of true hemp (Cannabis sativa L.)
GJ 060 ex 5303 90	Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
GJ 070 ex 5304 90	Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus Agave
GJ 080 ex 5305 19	Tow, noils and waste (including yarn waste and garnetted stock) of coconut
GJ 090 ex 5305 29	Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or Musa textilis Nee)
GJ 100 ex 5305 99	Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included
GJ 110 5505	Waste (including noils, yarn waste and garnetted stock) of man-made fibres
GJ 111 5505 10	— Of synthetic fibres
GJ 112 5505 20	— Of artificial fibres
GJ 120 6309 00	Worn clothing and other worn textile articles
GJ 130 ex 6310	Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials
GJ 131 ex 6310 10	— Sorted
GJ 132 ex 6310 90	— Other
	GK. RUBBER WASTES
GK 010 4004 00	Waste, parings and scrap of rubber (other than hard rubber) and granules obtained therefrom
GK 020 4012 20	Used pneumatic tyres
GK 030 ex 4017 00	Waste and scrap of hard rubber (for example, ebonite)

GK 020 4012 20	Used pneumatic tyres					
GK 030 ex 4017 00	Waste and scrap of hard rubber (for example, ebonite)					
	GL. UNTREATED CORK AND WOOD WASTES					
GL 010 ex 4401 30	Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms					
GL 020 4501 90	Cork waste; crushed, granulated or ground cork					

GM. WASTES ARISING FROM AGRO-FOOD INDUSTRIES

GM 070 ex 230	Wine lee	es
GM 080 ex 2308		d sterilized vegetable waste, residues and by-products, whether or not in of pellets, of a kind used in animal feeding, not elsewhere specified or
GM 090 152	2 Degras ; vegetable	residues resulting from the treatment of fatty substances or animal or waxes

GM 100 0506 90	Waste of bones and horn-cones, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinized			
GM 110 ex 0511 91	Fish waste			
GM 120 1802 00	Cocoa shells, husks, skins and other cocoa waste			
GM 130	Waste from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption			
GN. WASTES ARISING	FROM TANNING AND FELLMONGERY OPERATIONS AND LEATHER USE			
GN 010 ex 0502 00	Waste of pigs', hogs' or boars' bristles and hair or of badger hair and other brush-making hair			
GN 020 ex 0503 00	Horsehair waste, whether or not put up as a layer with or without supporting material			
GN 030 ex 0505 90	Waste of skins and other parts of birds, with their feathers or down, of feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation			
GN 040 ex 4110 00	Parings and other waste of leather or of composition leather, not suitable for the manufacture of leather articles, excluding leather sludges			
GO. OTHER WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS				
GO 010 ex 0501 00	Waste of human hair			
GO 020	Waste straw			
GO 030	Deactivated fungus mycelium from penicillin production to be used as animal feed			
GO 040	Waste photographic film base and waste photographic film not containing silver			
GO 050	Single-use cameras without batteries			

ANNEX III

AMBER LIST OF WASTES (*)

Regardless of whether or not wastes are included on this list, they may not be moved as amber wastes if they are contaminated by other materials to an extent which (a) increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the red list, or (b) prevents the recovery of the waste in an environmentally sound manner.

AA. METAL BEARING WASTES

AA 010 ex 2619 00	Dross, scalings and other wastes from the manufacture of iron and steel (**)
AA 020 ex 2620 19	Zinc ashes and residues (**)
AA 030 2620 20	Lead ashes and residues (**)
AA 040 ex 2620 30	Copper ashes and residues (**)
AA 050 ex 2620 40	Aluminium ashes and residues (**)
AA 060 ex 2620 50	Vanadium ashes and residues (**)
AA 070 2620 90	Ashes and residues (**) containing metals or metal compounds not elsewhere specified or included
AA 080	Thallium waste and residues (**)
AA 090 ex 2804 80	Arsenic waste and residues (**)
AA 100 ex 2805 40	Mercury waste and residues (**)
AA 110	Residues from alumina production not elsewhere specified or included
AA 120	Galvanic sludges
AA 130	Liquors from the pickling of metals
AA 140	Leaching residues from zinc processing, dusts and sludges such as jarosite, hematite, goethite, etc.
AA 150	Precious metal bearing residues in solid form which contain traces of inorganic cyanides
AA 160	Precious metal ash, sludge, dust and other residues such as:
AA 161	- Ash from incineration of printed circuit boards
AA 162	— Photographic film ash
AA 170	Lead-acid batteries, whole or crushed
AA 180	Used batteries or accumulators, whole or crushed, other than lead-acid batteries, and waste and scrap arising from the production of batteries and accumulators, not otherwise specified or included

AB. WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

AB 010	2621 00	Slag, ash and residues (**), not elsewhere specified or included
AB 020		Residues arising from the combustion of municipal/household wastes
AB 030		Wastes from non-cyanide based systems which arise from surface treatment of metals

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However, corresponding official Explanatory Notes as issued by the Customs Cooperation Council should be used as interpretative guidance to identify wastes covered by generic headings.

The indicative "ex" identifies a specific item contained within a heading of the Harmonized System code.

The code in bold in the first column is the OECD: it consists of two letters (one for the list: Green; Amber or Red and one for the category of waste: A, B, C, ...) followed by a number.

^(**) This listing includes wastes in the form of ash, residue, slag, dross, skimming, scaling, dust, powder, sludge and cake, unless a material is expressly listed elsewhere.

AB 040 ex 7001 00	Glass waste from cathode-ray tubes and other activated glasses
AB 050 ex 2529 21	Calcium fluoride sludge
AB 060	Other inorganic fluorine compounds in the form of liquids or sludges
AB 070	Sands used in foundry operations
AB 080	Waste catalysts not on the green list
AB 090	Waste hydrates of aluminium
AB 100	Waste alumina
AB 110	Basic solutions
AB 120	Inorganic halide compounds, not elsewhere specified or included
AB 130	Used blasting grit
AB 140	Gypsum arising from chemical industry processes
AB 150	Unrefined calcium sulphite and calcium sulphate from flue gas desulphurization (FGD)

AC. WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS

AC 010 ex 2713 90	Waste from the production/processing of petroleum coke and bitumen, excluding anode butts
AC 020	Asphalt cement wastes
AC 030	Waste oils unfit for their originally intended use
AC 040	Leaded petrol (gasoline) sludges
AC 050	Thermal (heat transfer) fluids
AC 060	Hydraulic fluids
AC 070	Brake fluids
AC 080	Antifreeze fluids
AC 090	Waste from production, formulation and use of resins, latex, plasticizers, glues and adhesives
AC 100 ex 3915 90	Nitrocellulose
AC 110	Phenols, phenol compounds including chlorophenol in the form of liquids or sludges
AC 120	Polychlorinated naphtalenes
AC 130	Ethers
AC 140	Triethylamine catalyst for setting foundry sands
AC 150	Chlorofluorocarbons
AC 160	Halons
AC 170	Treated cork and wood wastes
AC 180 ex 4110 00	Leather dust, ash, sludges and flours
AC 190	Fluff - light fraction from automobile shredding
AC 200	Organic phophorous compounds
AC 210	Non-halogenated solvents
AC 220	Halogenated solvents
AC 230	Halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
AC 240	Wastes arising from the production of aliphatic halogenated hydrocarbons (such as chloromethanes, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlohydrin)
AC 250	Surface active agents (surfactants)
AC 260	Liquid pig manure; faeces
AC 270	Sewage sludge
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AD. WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS

AD	010	Wastes from the production and preparation of pharmaceutical products
AD	0 020	Wastes from the production, formulation and use of biocides and phytopharmaceuticals
AD	030	Wastes from the manufacture, formulation and use of wood preserving chemicals
		Wastes that contain, consist of or are contaminated which any of the following:
AD	040	 Inorganic cyanides, excepting precious metal-bearing residues in solid form containing traces of inorganic cyanides
AD	050	— Organic cyanides
AD	060	Waste oils/water, hydrocarbons/water mixtures, emulsions
AD	070	Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish
AD	080	Wastes of an explosive nature, when not subject to specific other legislation
AD	090	Wastes from production, formulation and use of reprographic and photographic chemicals and materials not elsewhere specified or included
AD	100	Wastes from non-cyanide based systems which arise from surface treatment of plastics
AD	110	Acidic solutions
AD	120	Ion exchange resins
AD	130	Single-use cameras with batteries
AD	140	Wastes from industrial pollution control devices for cleaning of industrial off- gases, not elsewhere specified or included
AD	150	Naturally occuring organic material used as a filter medium (such as bio-filters)
AD	160	Municipal/household wastes

ANNEX IV

RED LIST OF WASTES

"Containing" or "contained with", when used in this list, means that the substance referred to is present to an extent which (a) renders the waste hazardous, or (b) renders it not suitable for submission to a recovery operation.

RA. WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS

RA 010	Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB) and/or polychlorinated terphenyl (PCT) and/or polybrominated biphenyl (PBB), including any other polybrominated analogues of these compounds, at a concentration level of 50 mg/kg or more
RA 020	Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolitic treatment

RB. WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

RB 010	Asbestos (dusts	and f	ibre	s)					
RB 020	Ceramic-based asbestos	fibres	of	physico-chemical	characteristics	similar	to	those	of

RC. WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS

	Wastes that contain, consist of or are contaminated with any of the following:
RC 010	- Any congenor of polychlorinated dibenzo-furan
RC 020	- Any congenor of polychlorinated dibenzo-dioxin
RC 030	Leaded anti-knock compounds sludges
RC 040	Peroxides other than hydrogen peroxide'