

# APPENDIX B: DEFINITIONS OF REGULATED MATERIALS

Regulated Material	Definition
<b>CAA Section 112(r) Substances</b>	Any of 77 toxic substances and 63 flammable substances regulated under the accident prevention provisions of Section 112(r) of the Clean Air Act (CAA) and listed in Title 40, Part 68 of the Code of Federal Regulations. The list of CAA Section 112(r) substances is included in the "List of Lists" described below.
<b>Extremely Hazardous Substances (EHSs)</b>	A substance defined in SARA Title III, Section 302. The EHSs are listed in Appendices A and B of Title 40, Part 355 of the Code of Federal Regulations. The EHSs are included in the "List of Lists" described below.
<b>Flammable and Combustible Liquids (FL/CL)</b>	As defined by the Michigan Fire Prevention Code, Public Act 207 of 1941, flammable and combustible liquids have a flashpoint below 200 degrees Fahrenheit. The local authorities oversee Part 2 of the FL/CL Rules that apply to individual containers and drums 60 gallons and smaller and portable tanks 660 gallons and smaller. The Department of Licensing and Regulatory Affairs, Storage Tank Program oversees containers and tanks larger than these volumes. Also see Chapter 34 for MIOSHA flammable and combustible liquid regulations.
<b>Flammable and Combustible Liquids-Act 207</b>	As defined by the Michigan Fire Prevention Code, Public Act 207 of 1941, as amended (Act 207). "Flammable liquid" is a liquid having a flashpoint (FP) below 100° Fahrenheit and a vapor pressure not exceeding 40 pounds per square inch absolute at 100° Fahrenheit. "Combustible liquid" is a liquid having a FP at or above 100° Fahrenheit and below 200° Fahrenheit.
<b>Flammable and Combustible Liquids-MIOSHA</b>	As defined by Part 75 of the MIOSHA, General Industry Safety Standards. "Flammable liquid" is a liquid with an FP below 100° Fahrenheit except any mixture having components with FP of 100° Fahrenheit or higher, the total volume of which make up 99% or more of the total volume of the mixture. "Combustible liquid" is a liquid with FP at or above 100° Fahrenheit. See Chapter 34 for a more detailed definition.
<b>Hazardous Air Pollutants (HAPs)</b>	187 air contaminants identified in the Clean Air Act Amendments of 1990 that may cause serious illnesses and environmental damage.
<b>Hazardous Chemicals</b>	As defined by the Emergency Planning and Community Right-To-Know Act (EPCRA), "hazardous chemical" has the meaning given in Title 29, Section 1910.1200(c) of the Code of Federal Regulations. They are any substance for which your facility must maintain a SDS under OSHA's Hazard Communication Standard/Employee Right-To-Know but does not include the following: (1) Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration; (2) any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use; (3) any substance used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public; (4) any substance used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual; (5) any substance used in routine agricultural operations or fertilizer held for sale by a retailer to the ultimate customer.

## APPENDIX B: DEFINITIONS OF REGULATED MATERIALS (continued)

Regulated Material	Definition
<b>Hazardous Chemicals-OSHA</b>	For the purposes of Sections 311 and 312 of SARA Title III, the term "hazardous chemical" has the meaning given in Title 29, Section 1910.1200(c) of the Code of Federal Regulations. It is any substance for which your facility must maintain a SDS under OSHA's Hazard Communication Standard/Employee Right-To-Know but does not include the following: (1) any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration; (2) any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use; (3) any substance used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public; (4) any substance used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual; (5) any substance used in routine agricultural operations or fertilizer held for sale by a retailer to the ultimate customer.
<b>Hazardous Materials-DEQ</b>	As defined by the Hazardous Materials Transportation Act, Public Act 368 of 1999, as amended; "hazardous materials" include hazardous waste and liquid industrial waste.
<b>Hazardous Materials-Act 207</b>	As defined by the Michigan Fire Prevention Code, Public Act 207 of 1941. "Hazardous materials" are explosives, pyrotechnics, flammable gas, flammable compressed gas, nonflammable compressed gas, flammable liquid, combustible liquid, oxidizing material, poisonous gas, poisonous liquid, irritating material, etiologic material, radioactive material, corrosive material, or liquefied petroleum gas.
<b>Hazardous Material-USDOT</b>	As defined in Title 49, Part 171.8 of the Code of Federal Regulations. A "hazardous material" is a substance or material that has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce and that has been so designated. The term includes <b>hazardous substances-CERCLA</b> , <b>hazardous waste</b> , marine pollutants, and elevated temperature materials. The table of hazardous materials is contained in 49 CFR 172.101, and is available at <a href="http://www.gpoaccess.gov/cfr/index.html">www.gpoaccess.gov/cfr/index.html</a> .
<b>Hazardous Substances-CERCLA</b>	A substance subject to reporting requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and listed in Title 40, Part 302, Table 302.4 of the Code of Federal Regulations. The list of CERCLA hazardous substances is included in the "List of Lists" described below.
<b>Hazardous Substances-MIOSHA</b>	Means any of the following substances, exposure to which results in or may result in adverse effects on the health and safety of employees: <ul style="list-style-type: none"> <li>• Any hazardous substances-CERCLA;</li> <li>• Any biological agent and other disease-causing agent;</li> <li>• Hazardous Material as defined in Title 49, Part 171.8 of the Code of Federal Regulations. A "hazardous material" is a substance or material that has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce and which has been so designated. The term includes <b>hazardous substances-CERCLA</b>, hazardous wastes, marine pollutants, and elevated temperature materials. A table of hazardous materials is contained in 49 CFR 172.101, which can be accessed via the Internet at <a href="http://www.gpoaccess.gov/cfr">www.gpoaccess.gov/cfr</a>.</li> <li>• Hazardous waste as defined in 40 CFR 261.3 and 49 CFR 171.8.</li> </ul>

## APPENDIX B: DEFINITIONS OF REGULATED MATERIALS (continued)

Regulated Material	Definition
<b>Hazardous Substances-Part 201</b>	As defined under Part 201 (Environmental Remediation) of Public Act 451. "Hazardous substance" means one or more of the following, but does not include fruit, vegetable, or field crop residuals or processing by-products, or aquatic plants, that are applied to the land for an agricultural use or for use as an animal feed, if the use is consistent with generally accepted agricultural management practices developed pursuant to the Michigan Right to Farm Act: (i) any substance that the department demonstrates, on a case-by-case basis, poses a threat to the public health, safety, or welfare or the environment, considering the fate of the material, dose-response, toxicity, or adverse impact on natural resources; (ii) <b>hazardous substance-CERCLA</b> (2001 version of 40 CFR 302, Table 302.4); (iii) <b>hazardous waste-DEQ</b> , (iv) petroleum as described in Part 213 of Act 451. These regulations can be accessed on the Internet at <a href="http://www.michigan.gov/deq">www.michigan.gov/deq</a> .
<b>Hazardous Waste</b>	"Hazardous waste" is waste or a combination of waste and other discarded material including solid, liquid, semisolid, or contained gaseous material that, because of its quantity; quality; concentration; or physical, chemical, or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible illness or serious incapacitating but reversible illness, or may pose a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed of, or otherwise managed. Hazardous waste that is subject to the hazardous waste manifest requirements is a <b>hazardous material-US DOT</b> . To determine if a discarded material a hazardous waste that must be documented on a manifest for disposal, see Chapter 2.4.
<b>Highly Hazardous Chemicals</b>	A substance possessing toxic, reactive, flammable, or explosive properties and listed in MIOSHA General Industry Safety Standard - Part 91, Process Safety Management of Highly Hazardous Chemicals. To obtain a copy of Part 91, see <a href="http://www.michigan.gov/miosha">www.michigan.gov/miosha</a> .
<b>Liquid Industrial By-product</b>	"Liquid industrial by-product" or "by-product" means any material that is produced by, is incident to, or results from industrial, commercial, or governmental activity or any other activity or enterprise, that is determined to be liquid by method 9095 (paint filter liquids test) as described in "Test methods for evaluating solid wastes, physical/chemical methods," U.S. EPA publication no. SW-846, and that is discarded. Liquid industrial by-product does not include any of the following: (i) Hazardous waste regulated and required to be manifested under part 111. (ii) Septage waste regulated under part 117. (iii) Medical waste regulated under part 138 of the public health code, 1978 PA 368, MCL 333.13801 to 333.13832. (iv) A discharge to the waters of the state in accordance with a permit, order, or rule under part 31. (v) A liquid generated by a household. (vi) A liquid regulated under 1982 PA 239, MCL 287.651 to 287.683. (vii) Material managed in accordance with section 12102a.

## APPENDIX B: DEFINITIONS OF REGULATED MATERIALS (continued)

Regulated Material	Definition
<b>List of Lists</b>	The U.S. EPA has consolidated the listed chemicals into one document known as the "List of Lists." This document contains the lists of <b>extremely hazardous substances</b> , <b>hazardous substances-CERCLA</b> , <b>CAA Section 112(r) substances</b> , and <b>toxic chemicals</b> . There is a link to the "List of Lists" document as well as the searchable database on the DEQ, Michigan SARA Title III Web site at <a href="http://www.michigan.gov/deqsara">www.michigan.gov/deqsara</a> .
<b>Medical Waste</b>	In accordance with Part 138 (Medical Waste Regulatory Act) of the Michigan Public Health Code, Public Act 368 of 1978, as amended, "medical waste" means any of the following that are not generated from a household, a farm operation or other agricultural business, a home for the aged, or a home health care agency: (a) Cultures and stocks of infectious agents and associated biologicals, including laboratory waste, biological production wastes, discarded live and attenuated vaccines, culture dishes, and related devices; (b) Liquid human and animal waste, including blood and blood products and body fluids, but not including urine or materials stained with blood or body fluids; (c) Pathological waste; (d) Sharps; (e) Contaminated wastes from animals that have been exposed to agents infectious to humans, these being primarily research animals.
<b>Oil-DEQ Part 5</b>	As defined by R 324.2001(e). Oil means oil of any kind or in any form, including but not limited to, any of the following: petroleum, gasoline, fuel oil, grease, oily sludges, oil refuse, oil mixed with waste, used oil, vegetable oil, and animal fats.
<b>Oil-U.S. EPA</b>	Section 311(a)(1) of the Clean Water Act defines "oil" as "oil of any kind or in any form including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil." EPA interprets this definition to include crude oil, petroleum and petroleum-refined products, as well as non-petroleum oils such as vegetable and animal oils.
<b>Petroleum-DEQ</b>	As defined under Part 211 (Underground Storage Tank Regulations) of Public Act 451 of 1994. "Petroleum" includes crude oil or any fraction of crude oil that is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute). Petroleum includes but is not limited to mixtures of petroleum with de minimis quantities of other regulated substances, and petroleum-based substances composed of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading, or finishing such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, and petroleum solvents.
<b>Polluting Materials</b>	As defined in the Part 5 rules pursuant to Part 31 (Water Resources Protection) of Public Act 451 of 1994, polluting materials include <b>oil-DEQ Part 5</b> , <b>salt</b> , regulated materials listed in R 324.2009 Table 1, and any compound or products that contain 1% or more by weight of these materials based on the material safety data sheet formulation.
<b>Salt</b>	Defined in R 324.2002(c) of the Part 5 rules pursuant to Part 31 (Water Resources Protection) of Public Act 451 of 1994, Salt means sodium chloride, potassium chloride, calcium chloride, and magnesium chloride, and solutions or mixtures of 1 percent or more of these compounds in solid or liquid form.
<b>Toxic Air Contaminants</b>	Defined in R 332.1120(f) of the Michigan Air Pollution Control Rules as any substance that is or may become harmful to public health or the environment except for 40 substances that have been specifically excluded.
<b>Toxic Chemicals</b>	Chemicals or chemical categories defined in Section 313 of the SARA Title III. Toxic chemicals, including those identified as persistent, bioaccumulative and toxic (PBT), are listed in Title 40, Part 372.65 of the Code of Federal Regulations. The list of toxic chemicals is included in the " <a href="#">List of Lists</a> " described below.