

COUNCIL DECISION

of 22 December 1994

establishing a list of hazardous waste pursuant to Article 1 (4) of Council Directive 91/689/EEC on hazardous waste

(94/904/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/689/EEC of 12 December 1991 on hazardous waste⁽¹⁾, and in particular Article 1 (4) thereof,

Whereas, in accordance with Article 1 (4) of Directive 91/689/EEC, a list of hazardous waste on the basis of Annexes I and II to that Directive and on the knowledge that the waste displays one or more of the properties of Annex III to the said Directive has to be established;

Whereas Member States may make provisions, in exceptional cases, to determine, on the basis of documentary evidence provided in an appropriate way by the holder, that a specific waste on the list does not display any of the properties listed in Annex III to Directive 91/689/EEC;

Whereas the list will be periodically reviewed and, if necessary, revised in accordance with the procedure laid down in Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste⁽²⁾,

HAS ADOPTED THIS DECISION:

Article 1

The list of hazardous waste annexed to this Decision is hereby adopted.

These wastes are considered to display one or more of the properties of Annex III to Directive 91/689/EEC and, as regards H3 to H8 of the said Annex, one or more of the following:

- flash point $\leq 55^{\circ}\text{C}$,
- one or more substances classified as very toxic at a total concentration $\geq 0,1\%$,
- one or more substances classified as toxic at a total concentration $\geq 3\%$,
- one or more substances classified as harmful at a total concentration $\geq 25\%$,
- one or more corrosive substances classified as R35 at a total concentration $\geq 1\%$,
- one or more corrosive substances classified as R34 at a total concentration $\geq 5\%$,
- one or more irritant substances classified as R41 at a total concentration $\geq 10\%$,
- one or more irritant substances classified as R36, R37, R38 at a total concentration $\geq 20\%$,
- one or more substances known to be carcinogenic (categories 1 or 2) at a total concentration $\geq 0,1\%$.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 December 1994.

*For the Council**The President*

H. SEEHOFER

⁽¹⁾ OJ No L 377, 31. 12. 1991, p. 20. Directive as last amended by Directive 94/31/EC (OJ No L 168, 2. 7. 1994, p. 28).

⁽²⁾ OJ No L 194, 25. 7. 1975, p. 39. Directive as last amended by Directive 91/692/EEC (OJ No L 377, 31. 12. 1991, p. 48).

ANNEX

HAZARDOUS WASTES ACCORDING TO ARTICLE 1 (4) OF DIRECTIVE 91/689/EEC

Introduction

1. The different types of waste in the list are fully defined by the six-digit code for the waste and the respective two-digit and four-digit chapter headings.
2. Inclusion in the list does not mean that the material or object is a waste in all circumstances. The entry is only relevant when the definition of waste according to Article 1 (a) of Directive 75/442/EEC has been satisfied, unless Article 2 (1) b of the Directive applies.
3. The waste featuring on the list is subject to the provisions of Council Directive 91/689/EEC on hazardous waste, unless Article 1 (5) of the Directive applies.
4. In accordance with Article 1 (4), second indent of Directive 91/689/EEC, any waste other than the ones listed below which is considered by a Member State to display any of the properties listed in Annex III to Council Directive 91/689/EEC on hazardous waste is hazardous. All such cases will be notified to the Commission and will be examined with a view to amending the list in accordance with Article 18 of Directive 75/442/EEC.

LIST OF HAZARDOUS WASTE

EWC-code	Description
02	WASTE FROM AGRICULTURAL, HORTICULTURAL, HUNTING, FISHING AND AQUACULTURE PRIMARY PRODUCTION, FOOD PREPARATION AND PROCESSING
0201	PRIMARY PRODUCTION WASTE
020105	agrochemical wastes
03	WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PAPER, CARDBOARD, PULP, PANELS AND FURNITURE
0302	WOOD PRESERVATION WASTE
030201	non-halogenated organic wood preservatives
030202	organochlorinated wood preservatives
030203	organometallic wood preservatives
030204	inorganic wood preservatives
04	WASTES FROM THE LEATHER AND TEXTILE INDUSTRIES
0401	WASTES FROM THE LEATHER INDUSTRY
040103	degreasing wastes containing solvents without a liquid phase
0402	WASTES FROM TEXTILE INDUSTRY
040211	halogenated wastes from dressing and finishing
05	WASTES FROM PETROLEUM REFINING, NATURAL GAS PURIFICATION AND PYROLYTIC TREATMENT OF COAL
0501	OILY SLUDGES AND SOLID WASTES
050103	tank bottom sludges
050104	acid alkyl sludges
050105	oil spills
050107	acid tars
050108	other tars

EWC-code	Description
0504	SPENT FILTER CLAYS
050401	spent filter clays
0506	WASTE FROM THE PYROLYTIC TREATMENT OF COAL
050601	acid tars
050603	other tars
0507	WASTE FROM NATURAL GAS PURIFICATION
050701	sludges containing mercury
0508	WASTES FROM OIL REGENERATION
050801	spent filter clays
050802	acid tars
050803	other tars
050804	aqueous liquid waste from oil regeneration
06	WASTES FROM INORGANIC CHEMICAL PROCESSES
0601	WASTE ACIDIC SOLUTIONS
060101	sulphuric acid and sulphurous acid
060102	hydrochloric acid
060103	hydrofluoric acid
060104	phosphoric and phosphorous acid
060105	nitric acid and nitrous acid
060199	waste not otherwise specified
0602	ALKALINE SOLUTIONS
060201	calcium hydroxide
060202	soda
060203	ammonia
060299	wastes not otherwise specified
0603	WASTE SALTS AND THEIR SOLUTIONS
060311	salts and solutions containing cyanides
0604	METAL-CONTAINING WASTES
060402	metallic salts (except 060300)
060403	wastes containing arsenic
060404	wastes containing mercury
060405	wastes containing heavy metals
0607	WASTES FROM HALOGEN CHEMICAL PROCESSES
060701	wastes containing asbestos from electrolysis
060702	activated carbon from chlorine production
0613	WASTES FROM OTHER INORGANIC CHEMICAL PROCESSES
061301	inorganic pesticides, biocides and wood preserving agents
061302	spent activated carbon (except 060702)
07	WASTES FROM ORGANIC CHEMICAL PROCESSES
0701	WASTE FROM THE MANUFACTURE, FORMULATION, SUPPLY AND USE (MFSU) OF BASIC ORGANIC CHEMICALS
070101	aqueous washing liquids and mother liquors
070103	organic halogenated solvents, washing liquids and mother liquors
070104	other organic solvents, washing liquids and mother liquors
070107	halogenated still bottoms and reaction residues

EWC-code	Description
070108	other still bottoms and reaction residues
070109	halogenated filter cakes, spent absorbents
070110	other filter cakes, spent absorbents
0702	WASTE FROM THE MFSU OF PLASTICS, SYNTHETIC RUBBER AND MAN-MADE FIBRES
070201	aqueous washing liquids and mother liquors
070203	organic halogenated solvents, washing liquids and mother liquors
070204	other organic solvents, washing liquids and mother liquors
070207	halogenated still bottoms and reaction residues
070208	other still bottoms and reaction residues
070209	halogenated filter cakes, spent absorbents
070210	other filter cakes, spent absorbents
0703	WASTE FROM THE MFSU OF ORGANIC DYES AND PIGMENTS (EXCLUDING 061100)
070301	aqueous washing liquids and mother liquors
070303	organic halogenated solvents, washing liquids and mother liquors
070304	other organic solvents, washing liquids and mother liquors
070307	halogenated still bottoms and reaction residues
070308	other still bottoms and reaction residues
070309	halogenated filter cakes, spent absorbents
070310	other filter cakes, spent absorbents
0704	WASTE FROM THE MFSU OF ORGANIC PESTICIDES (EXCEPT 020105)
070401	aqueous washing liquids and mother liquors
070403	organic halogenated solvents, washing liquids and mother liquors
070404	other organic solvents, washing liquids and mother liquors
070407	halogenated still bottoms and reaction residues
070408	other still bottoms and reaction residues
070409	halogenated filter cakes, spent absorbents
070410	other filter cakes, spent absorbents
0705	WASTE FROM THE MFSU OF PHARMACEUTICALS
070501	aqueous washing liquids and mother liquors
070503	organic halogenated solvents, washing liquids and mother liquors
070504	other organic solvents, washing liquids and mother liquors
070507	halogenated still bottoms and reaction residues
070508	other still bottoms and reaction residues
070509	halogenated filter cakes, spent absorbents
070510	other filter cakes, spent absorbents
0706	WASTE FROM THE MFSU OF FATS, GREASE, SOAPS, DETERGENTS, DISINFECTANTS AND COSMETICS
070601	aqueous washing liquids and mother liquors
070603	organic halogenated solvents, washing liquids and mother liquors
070604	other organic solvents, washing liquids and mother liquors
070607	halogenated still bottoms and reaction residues
070608	other still bottoms and reaction residues
070609	halogenated filter cakes, spent absorbents
070610	other filter cakes, spent absorbents
0707	WASTE FROM THE MFSU OF FINE CHEMICALS AND CHEMICAL PRODUCTS NOT OTHERWISE SPECIFIED
070701	aqueous washing liquids and mother liquors
070703	organic halogenated solvents, washing liquids and mother liquors

EWC-code	Description
070704	other organic solvents, washing liquids and mother liquors
070707	halogenated still bottoms and reaction residues
070708	other still bottoms and reaction residues
070709	halogenated filter cakes, spent absorbents
070710	other filter cakes, spent absorbents
08	WASTES FROM THE MANUFACTURE, FORMULATION, SUPPLY AND USE (MFSU) OF COATINGS (PAINTS, VARNISHES AND VITREOUS ENAMELS), ADHESIVE, SEALANTS AND PRINTING INKS
0801	WASTES FROM MFSU OF PAINT AND VARNISH
080101	waste paints and varnish containing halogenated solvents
080102	waste paints and varnish free of halogenated solvents
080106	sludges from paint or varnish removal containing halogenated solvents
080107	sludges from paint or varnish removal free of halogenated solvents
0803	WASTES FROM MFSU OF PRINTING INKS
080301	waste ink containing halogenated solvents
080302	waste ink free of halogenated solvents
080305	ink sludges containing halogenated solvents
080306	ink sludges free of halogenated solvents
0804	WASTES FROM MFSU OF ADHESIVE AND SEALANTS (INCLUDING WATER-PROOFING PRODUCTS)
080401	waste adhesives and sealants containing halogenated solvents
080402	waste adhesives and sealants free of halogenated solvents
080405	adhesives and sealants sludges containing halogenated solvents
080406	adhesives and sealants sludges free of halogenated solvents
09	WASTES FROM THE PHOTOGRAPHIC INDUSTRY
0901	WASTES FROM PHOTOGRAPHIC INDUSTRY
090101	water based developer and activator solutions
090102	water based offset plate developer solutions
090103	solvent based developer solutions
090104	fixer solutions
090105	bleach solutions and bleach fixer solutions
090106	waste containing silver from on-site treatment of photographic waste
10	INORGANIC WASTES FROM THERMAL PROCESSES
1001	WASTES FROM POWER STATION AND OTHER COMBUSTION PLANTS (EXCEPT 190000)
100104	oil fly ash
100109	sulphuric acid
1003	WASTES FROM ALUMINIUM THERMAL METALLURGY
100301	tars and other carbon-containing wastes from anode manufacture
100303	skimmings
100304	primary smelting slags/white drosses
100307	spent pot lining
100308	salt slags from secondary smelting
100309	black drosses from secondary smelting
100310	waste from treatment of salt slags and black drosses treatment

EWC-code	Description
1004	WASTES FROM LEAD THERMAL METALLURGY
100401	slags (1st and 2nd smelting)
100402	dross and skimmings (1st and 2nd smelting)
100403	calcium arsenate
100404	flue gas dust
100405	other particulates and dust
100406	solid waste from gas treatment
100407	sludges from gas treatment
1005	WASTES FROM ZINC THERMAL METALLURGY
100501	slags (1st and 2nd smelting)
100502	dross and skimmings (1st and 2nd smelting)
100503	flue gas dust
100505	solid waste from gas treatment
100506	sludges from gas treatment
1006	WASTES FROM COPPER THERMAL METALLURGY
100603	flue gas dust
100605	waste from electrolytic refining
100606	solid waste from gas treatment
100607	sludges from gas treatment
11	INORGANIC WASTE WITH METALS FROM METAL TREATMENT AND THE COATING OF METALS; NON-FERROUS HYDRO-METALLURGY
1101	LIQUID WASTES AND SLUDGES FROM METAL TREATMENT AND COATING OF METALS (e.g. GALVANIC PROCESSES, ZINC COATING PROCESSES, PICKLING PROCESSES, ETCHING, PHOSPHATIZING, ALKALINE DE-GREASING)
110101	cyanidic (alkaline) wastes containing heavy metals other than chromium
110102	cyanidic (alkaline) wastes which do not contain heavy metals
110103	cyanide-free wastes containing chromium
110105	acidic pickling solutions
110106	acids not otherwise specified
110107	alkalis not otherwise specified
110108	phosphatizing sludges
1102	WASTES AND SLUDGES FROM NON-FERROUS HYDROMETALLURGICAL PROCESSES
110202	sludges from zinc hydrometallurgy (including jarosite, goethite)
1103	SLUDGES AND SOLIDS FROM TEMPERING PROCESSES
110301	wastes containing cyanide
110302	other wastes
12	WASTES FROM SHAPING AND SURFACE TREATMENT OF METALS AND PLASTICS
1201	WASTES FROM SHAPING (INCLUDING FORGING, WELDING, PRESSING, DRAWING, TURNING, CUTTING AND FILING)
120106	waste machining oils containing halogens (not emulsioned)
120107	waste machining oils free of halogens (not emulsioned)
120108	waste machining emulsions containing halogens
120109	waste machining emulsions free of halogens
120110	synthetic machining oils
120111	machining sludges
120112	spent waxes and fats

EWC-code	Description
1203	WASTES FROM WATER AND STEAM DEGREASING PROCESSES (EXCEPT 110000)
120301	aqueous washing liquids
120302	steam degreasing wastes
13	OIL WASTES (EXCEPT EDIBLE OILS, 050000 AND 120000)
1301	WASTE HYDRAULIC OILS AND BRAKE FLUIDS
130101	hydraulic oils, containing PCBs or PCTs
130102	other chlorinated hydraulic oils (not emulsions)
130103	non chlorinated hydraulic oils (not emulsions)
130104	chlorinated emulsions
130105	non-chlorinated emulsions
130106	hydraulic oils containing only mineral oil
130107	other hydraulic oils
130108	brake fluids
1302	WASTE ENGINE, GEAR AND LUBRICATING OILS
130201	chlorinated engine, gear and lubricating oils
130202	non-chlorinated engine, gear and lubricating oils
130203	other machine, gear and lubrication oils
1303	WASTE INSULATING AND HEAT TRANSMISSION OILS AND OTHER LIQUIDS
130301	insulating or heat transmission oils and other liquids containing PCBs or PCTs
130302	other chlorinated insulating and heat transmission oils and other liquids
130303	non-chlorinated insulating and heat transmission oils and other liquids
130304	synthetic insulating and heat transmission oils and other liquids
130305	mineral insulating and heat transmission oils
1304	BILGE OILS
130401	bilge oils from inland navigation
130402	bilge oils from jetty sewers
130403	bilge oils from other navigation
1305	OIL/WATER SEPARATOR CONTENTS
130501	oil/water separator solids
130502	oil/water separator sludges
130503	interceptor sludges
130504	desalter sludges or emulsions
130505	other emulsions
1306	OIL WASTE NOT OTHERWISE SPECIFIED
130601	oil waste not otherwise specified
14	WASTES FROM ORGANIC SUBSTANCES EMPLOYED AS SOLVENTS (EXCEPT 070000 AND 080000)
1401	WASTES FROM METAL DEGREASING AND MACHINERY MAINTENANCE
140101	chlorofluorocarbons
140102	other halogenated solvents and solvent mixes
140103	other solvents and solvent mixes

EWC-code	Description
140104	aqueous solvent mixes containing halogens
140105	aqueous solvent mixes free of halogens
140106	sludges or solid wastes containing halogenated solvents
140107	sludges or solid wastes free of halogenated solvents
1402	WASTES FROM TEXTILE CLEANING AND DEGREASING OF NATURAL PRODUCTS
140201	halogenated solvents and solvent mixes
140202	solvent mixes or organic liquids free of halogenated solvents
140203	sludges or solid wastes containing halogenated solvents
140204	sludges or solid wastes containing other solvents
1403	WASTES FROM THE ELECTRONIC INDUSTRY
140301	chlorofluorocarbons
140302	other halogenated solvents
140303	solvents and solvent mixes free of halogenated solvents
140304	sludges or solid wastes containing halogenated solvents
140305	sludges or solid wastes containing other solvents
1404	WASTES FROM COOLANTS, FOAM/AEROSOL PROPELLENTS
140401	chlorofluorocarbons
140402	other halogenated solvents and solvent mixes
140403	other solvents and solvent mixes
140404	sludges or solid wastes containing halogenated solvents
140405	sludges or solid wastes containing other solvents
1405	WASTES FROM SOLVENT AND COOLANT RECOVERY (STILL BOTTOMS)
140501	chlorofluorocarbons
140502	halogenated solvents and solvent mixes
140503	other solvents and solvent mixes
140504	sludges containing halogenated solvents
140505	sludges containing other solvents
16	WASTES NOT OTHERWISE SPECIFIED IN THE CATALOGUE
1602	DISCARDED EQUIPMENT AND SHREDDER RESIDUES
160201	transformers and capacitors containing PCBs or PCTs
1604	WASTE EXPLOSIVES
160401	waste ammunition
160402	fireworks waste
160403	other waste explosives
1606	BATTERIES AND ACCUMULATORS
160601	lead batteries
160602	Ni-Cd batteries
160603	mercury dry cells
160606	electrolyte from batteries and accumulators
1607	WASTE FROM TRANSPORT AND STORAGE TANK CLEANING (EXCEPT 050000 AND 120000)
160701	waste from marine transport tank cleaning, containing chemicals
160702	waste from marine transport tank cleaning, containing oil
160703	waste from railway and road transport tank cleaning containing oil
160704	waste from railway and road transport tank cleaning containing chemicals
160705	waste from storage tank cleaning, containing chemicals
160706	waste from storage tank cleaning, containing oil

EWC-code	Description
17	CONSTRUCTION AND DEMOLITION WASTE (INCLUDING ROAD CONSTRUCTION)
1706	INSULATION MATERIALS
170601	insulation materials containing asbestos
18	WASTES FROM HUMAN OR ANIMAL HEALTH CARE AND/OR RELATED RESEARCH (EXCLUDING KITCHEN AND RESTAURANT WASTES WHICH DO NOT ARISE FROM IMMEDIATE HEALTH CARE)
1801	WASTE FROM NATAL CARE, DIAGNOSIS, TREATMENT OR PREVENTION OF DISEASE IN HUMANS
180103	other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection
1802	WASTE FROM RESEARCH, DIAGNOSIS, TREATMENT OR PREVENTION OF DISEASE INVOLVING ANIMALS
180202	other wastes whose collection and disposal is subject to special requirements in view of the prevention of infection
180204	discarded chemicals
19	WASTES FROM WASTE TREATMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE WATER INDUSTRY
1901	WASTES FROM INCINERATION OR PYROLYSIS OF MUNICIPAL AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES
190103	fly ash
190104	boiler dust
190105	filter cake from gas treatment
190106	aqueous liquid waste from gas treatment and other aqueous liquid wastes
190107	solid waste from gas treatment
190110	spent activated carbon from flue gas treatment
1902	WASTES FROM SPECIFIC PHYSICO/CHEMICAL TREATMENTS OF INDUSTRIAL WASTES (e.g. DECHROMATATION, DECYANIDATION, NEUTRALIZATION)
190201	metal hydroxide sludges and other sludges from metal insolubilization treatment
1904	VITRIFIED WASTES AND WASTES FROM VITRIFICATION
190402	fly ash and other flue gas treatment wastes
190403	non-vitrified solid phase
1908	WASTES FROM WASTE WATER TREATMENT PLANTS NOT OTHERWISE SPECIFIED
190803	grease and oil mixture from oil/waste water separation
190806	saturated or spent ion exchange resins
190807	solutions and sludges from regeneration of ion exchangers
20	MUNICIPAL WASTES AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES INCLUDING SEPARATELY COLLECTED FRACTIONS
2001	SEPARATELY COLLECTED FRACTIONS
200112	paint, inks, adhesives and resins
200113	solvents
200117	photo chemicals
200119	pesticides
200121	fluorescent tubes and other mercury containing waste