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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 10@ Hazardous Waste Management System: General

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Article 3@ Variances

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Section 66260.21@ Petitions for Equivalent Testing or Analytical Methods

## **66260.21 Petitions for Equivalent Testing or Analytical Methods**

### **(a)**

The Department shall only grant a variance from the provisions of this chapter to allow use of a test method or analytical method alternative to that prescribed in chapter 11 of this division for use in classifying a specific non-RCRA hazardous waste or a RCRA hazardous waste if the proposed testing or analytical method has been added to 40 CFR Parts 261, 264, or 265 per 40 CFR section 260.21. For the variance to be granted, the applicant must show to the satisfaction of the Department that the proposed alternative test method or analytical method is equal or superior to the appropriate corresponding method in chapter 11 of this division, when applied to the specific waste with respect to accuracy, precision, sensitivity and stringency.

### **(b)**

An application for a variance pursuant to section 66260.21(a) shall include all of the following: (1) the name and address of the generator of the waste and where the waste is located; (2) a complete description of the waste, including its composition and source or process of generation; (3) a complete description of the proposed alternative test method or analytical method, including all equipment and procedural steps used; (4) a comparison of results obtained from a statistically significant number of replicate trials with the proposed alternative test

method or analytical method with those results obtained from use of the appropriate corresponding method prescribed in chapter 11 of this division when both methods are applied simultaneously to the applicant's waste; (5) an assessment of any factors which might interfere with or limit the applicability of the proposed test method or analytical method; (6) a description of the quality control and quality assurance procedures to be followed to ensure the accuracy, precision, sensitivity and stringency of the proposed test method or analytical method.

**(1)**

the name and address of the generator of the waste and where the waste is located;

**(2)**

a complete description of the waste, including its composition and source or process of generation;

**(3)**

a complete description of the proposed alternative test method or analytical method, including all equipment and procedural steps used;

**(4)**

a comparison of results obtained from a statistically significant number of replicate trials with the proposed alternative test method or analytical method with those results obtained from use of the appropriate corresponding method prescribed in chapter 11 of this division when both methods are applied simultaneously to the applicant's waste;

**(5)**

an assessment of any factors which might interfere with or limit the applicability of the proposed test method or analytical method;

**(6)**

a description of the quality control and quality assurance procedures to be followed to

ensure the accuracy, precision, sensitivity and stringency of the proposed test method or analytical method.

**(c)**

The Department shall, within 60 days after receipt of an application for a variance pursuant to section 66260.21(a), notify the applicant that the application is complete and accepted for processing by the Department or that the application is incomplete and what further information is required.

**(d)**

The Department shall, within 180 days of receipt of a complete application for a variance pursuant to section 66260.21(a), notify the applicant that the request for a variance is granted or denied.

**(e)**

If the variance requested pursuant to section 66260.21(a) is denied, the Department shall provide to the applicant in writing the reason for the denial.