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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 18@ Land Disposal Restrictions

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Article 1@ General

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Section 66268.3@ Dilution Prohibited As a Substitute for Treatment

66268.3 Dilution Prohibited As a Substitute for Treatment

(a)

No generator, transporter, handler, or owner or operator of a treatment, storage, or disposal facility shall in any way dilute a restricted waste or the residual from treatment of a restricted waste as a substitute for adequate treatment to achieve compliance with article 4 or article 11 of this chapter, to circumvent the effective date of a prohibition in article 3 or article 10 of this chapter, to otherwise avoid a prohibition in article 3 or article 10 of this chapter, or to circumvent a land disposal prohibition imposed by RCRA section 3004 (42 U.S.C. section 6924).

(b)

Combustion of the hazardous waste codes listed in Appendix XI of this chapter is prohibited, unless the waste, at the point of generation, or after any bona fide treatment such as cyanide destruction prior to combustion, can be demonstrated to comply with one or more of the following criteria (unless otherwise specifically prohibited from combustion): (1) The waste contains hazardous organic constituents or cyanide at levels exceeding the constituent-specific treatment standard found in section 66268.48; (2) The waste consists of organic, debris-like materials (e.g., wood paper, plastic, or cloth) contaminated with an inorganic metal-bearing hazardous waste; (3) The waste, at point of generation, has reasonable heating value such as greater than or equal to 5000 BTU per pound; (4) The waste is co-generated with wastes for which combustion is a required

method of treatment; (5) The waste is subject to Federal and/or State requirements necessitating reduction of organics (including biological agents); or (6) The waste contains greater than 1% Total Organic Carbon (TOC).

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(6)

The waste contains greater than 1% Total Organic Carbon (TOC).

(c)

It is a form of impermissible dilution, and therefore prohibited, to add iron filings or other metallic forms of iron to lead-containing hazardous wastes in order to achieve any land disposal restriction treatment standard for lead. Lead-containing wastes include D008 wastes (wastes exhibiting a characteristic due to the presence of lead), all characteristic wastes containing lead as an underlying

hazardous constituent, listed wastes containing lead as a regulated constituent, and hazardous media containing any of the aforementioned lead-containing wastes.