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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 66268.9@ Special Rules Regarding Wastes That Exhibit a RCRA Characteristic

66268.9 Special Rules Regarding Wastes That Exhibit a RCRA Characteristic

(a)

The initial generator of a waste shall determine each EPA Hazardous Waste Number (waste code) applicable to the waste in order to determine the applicable treatment standards under article 4 of this chapter. This determination may be made concurrently with the hazardous waste determination required in section 66262.11 of this division. For purposes of chapter 18, the RCRA hazardous waste will carry the waste code for any applicable listed waste (chapter 11, article 4). In addition, where the RCRA hazardous waste exhibits a characteristic, the RCRA hazardous waste will carry one or more of the characteristic waste codes (chapter 11, article 3), except when the treatment standard for the listed waste operates in lieu of the treatment standard for the characteristic waste, as specified in subsection (b) of this section. If the generator determines that their RCRA hazardous waste displays a hazardous characteristic (and is not D001 nonwastewaters treated by CMBST, RORGS, OR POLYM of section 66268.42, Table 1), the generator shall determine the underlying hazardous constituents (as defined in section 66260.10 of this division) in the RCRA characteristic waste.

(b)

Where a prohibited waste is both listed under article 4, chapter 11 and exhibits a RCRA characteristic under article 3 of chapter 11, the treatment standard for the

waste code listed in article 4 of chapter 11 will operate in lieu of the standard for the waste code under article 3 of chapter 11, provided that the treatment standard for the listed waste includes a treatment standard for the constituent that causes the waste to exhibit the characteristic. Otherwise, the RCRA waste shall meet the treatment standards for all applicable listed and RCRA characteristic waste codes.

(c)

In addition to any applicable standards determined from the initial point of generation, no prohibited waste which exhibits a RCRA characteristic under article 3 of chapter 11 may be land disposed unless the waste complies with the treatment standards under article 4 of chapter 18.

(d)

The RCRA hazardous wastes that exhibit a RCRA characteristic as defined in section 66260.10 of this division, are also subject to section 66268.7 requirements, except that once the waste no longer exhibits the RCRA characteristic(s), a one-time notification and certification shall be placed in the generator's or treater's on-site files. The notification and certification placed in the generator's or treater's files shall be updated if the process or operation generating the waste changes and/or if the facility receiving the waste changes.

(1) The notification shall include the following information: (A) name and address of the facility receiving the waste shipment; and (B) a description of the waste as initially generated, including the applicable EPA hazardous waste code(s), treatability group(s), and underlying hazardous constituents (as defined in section 66260.10), unless the waste will be treated and monitored for all underlying hazardous constituents. If all underlying hazardous constituents will be treated and monitored, there is no requirement to list any of the underlying hazardous

constituents on the notice. (2) The certification shall be signed by an authorized representative and shall state the language found in section 66268.7(b)(4). (A) If treatment removes the RCRA characteristic but does not meet standards applicable to underlying hazardous constituents, then the certification found in section 66268.7(b)(4)(D) applies. (B) [reserved]

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(2)

The certification shall be signed by an authorized representative and shall state the language found in section 66268.7(b)(4). (A) If treatment removes the RCRA characteristic but does not meet standards applicable to underlying hazardous

constituents, then the certification found in section 66268.7(b)(4)(D) applies. (B)

[reserved]

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(B)

[reserved]