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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 3@ Prohibitions on Land Disposal

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Section 66268.34@ Waste Specific Prohibitions-Toxicity Characteristic Metal Wastes

66268.34 Waste Specific Prohibitions-Toxicity Characteristic Metal Wastes

(a)

Effective August 24, 1998, the following wastes are prohibited from land disposal: the wastes specified in CCR, Title 22, division 4.5, chapter 11 as EPA Hazardous Waste numbers D004-D011 that are newly identified (i.e., wastes, soil, or debris identified as hazardous by the Toxic Characteristic Leaching Procedure but not the Extraction Procedure), and waste, soil, or debris from mineral processing operations that is identified as hazardous by the specification at CCR, Title 22, division 4.5, chapter 11.

(b)

Effective November 26, 1998, the following waste is prohibited from land disposal: slag from secondary lead smelting which exhibits the Toxicity Characteristic due to the presence of one or more metals pursuant to section 66261.24(a)(1) of this division.

(c)

Effective May 26, 2000, the following wastes are prohibited from land disposal: newly identified characteristic wastes from elemental phosphorus processing; radioactive wastes mixed with EPA Hazardous wastes D004-D011 that are newly identified (i.e., wastes, soil, or debris identified as hazardous by the Toxic Characteristic Leaching Procedure but not the Extraction Procedure); or mixed

with newly identified characteristic mineral processing wastes, soil, or debris.

(d)

Between May 26, 1998 and May 26, 2000, newly identified characteristic wastes from elemental phosphorus processing, radioactive waste mixed with D004-D011 wastes that are newly identified (i.e., wastes, soil, or debris identified as hazardous by the Toxic Characteristic Leaching Procedure but not the Extraction Procedure), or mixed with newly identified characteristic mineral processing wastes, soil, or debris may be disposed in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in section 66268.5(h)(2) of this chapter.

(e)

The requirements of subsections (a) and (b) of this section do not apply if: (1) The wastes meet the applicable treatment standards specified in article 4 of this chapter; (2) Persons have been granted an exemption from a prohibition pursuant to a petition under section 66268.6, with respect to those wastes and units covered by the petition; (3) The wastes meet the applicable alternate treatment standards established pursuant to a petition granted under section 66268.44; or (4) Persons have been granted an extension to the effective date of a prohibition pursuant to section 66268.5, with respect to these wastes covered by the extension.

(1)

The wastes meet the applicable treatment standards specified in article 4 of this chapter;

(2)

Persons have been granted an exemption from a prohibition pursuant to a petition under section 66268.6, with respect to those wastes and units covered by the

petition;

(3)

The wastes meet the applicable alternate treatment standards established pursuant to a petition granted under section 66268.44; or

(4)

Persons have been granted an extension to the effective date of a prohibition pursuant to section 66268.5, with respect to these wastes covered by the extension.

(f)

To determine whether a hazardous waste identified in this section exceeds the applicable treatment standards specified in section 66268.40, the initial generator shall test a sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentration in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents (including underlying hazardous constituents in characteristic wastes) in excess of the applicable Universal Treatment Standard levels of section 66268.48 of this chapter, the waste is prohibited from land disposal, and all requirements of chapter 18 are applicable, except as otherwise specified.