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Rev. 0



Environmental Restoration Disposal Facility

Waste Disposal Operations

RCRA Part B Equivalency Locator

March 4, 1997

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List of Effective Pages

<u>Page Number</u>	<u>Revision/PCN Number</u>	<u>Revision/PCN Date</u>
Title Page I through iv	Revision 0	3/4/97
Section 1 1 through 1	Revision 0	3/4/97
Section 2 1 through 5	Revision 0	3/4/97
Section 3 5 through 8	Revision 0	3/4/97
Appendix A A-1 through A-50	Revision 0	3/4/97

Table of Contents

Record of Revisions	ii
List of Effective Pages	iii
1.0 Purpose and Scope	1
1.1 Purpose	
1.2 Scope	
1.3 Basis	
2.0 Operations Requirements	1
2.1 40 CFR 264 Subpart N - Landfills	
2.2 40 CFR 264 Subpart B - General Facility Standards	
2.3 40 CFR 264 Subparts C and D - Preparedness and Prevention and Contingency Plan and Emergency Procedures.	
2.4 40 CFR 264 Subpart F - Releases from Solid Waste Management Units.	
2.5 40 CFR 264 Subpart I - Use and Management of Containers.	
2.6 40 CFR 264 Subpart J - Tanks.	
3.0 Waste Acceptance Requirements	5
3.1 40 CFR 268 - Land Disposal Restrictions.	
3.2 40 CFR 268.50 - Prohibition on Storage.	
3.3 40 CFR 261 - Identification and Listing of Wastes.	
3.3 40 CFR 262 - Generator Standards.	
Appendix A	
RCRA Cross-Reference Listing	A-1

1.0 Purpose and Scope

1.1 Purpose

The purpose of the RCRA Part B Equivalency Criteria Locator is to provide a road map as to where applicable RCRA requirements are located within the operational documentation for the Environmental Restoration Disposal Facility (ERDF).

1.2 Scope

The ERDF has a number of RCRA requirements that are required by the Record of Decision. These regulations have been listed and a narrative is provided as to generally how the requirement is implemented. Specific RCRA requirements and cross reference implementation in specific sections of BHI or Rust plans or procedures is provided in Appendix A.

1.3 Basis

The applicable regulatory requirements will be obtained from BHI-00317, "Environmental Restoration Disposal Facility Applicable or Relevant and Appropriate Requirements Study Report"

2.0 Operations Requirements

2.1 40 CFR 264 Subpart N - Landfills.

These regulations establish a variety of operational requirements that would be ARAR for the ERDF if the remediation waste placed into the unit is a RCRA hazardous waste, or is sufficiently similar to a RCRA hazardous waste.

2.1.1 Operation of Leachate Collection and Removal Systems.

The leachate collection and removal system above the top liner must be maintained and operated to collect and remove leachate from the landfill and in a manner that keeps the leachate depth over the top liner below 0.3m (1 ft)(40 CFR 264.301[c][2]).

The leachate collection and removal system between the liners (and immediately above the bottom composite liner in the case of multiple systems) must be operated in a manner that meets the requirements of (40 CFR 264.301).

Pumpable liquid in the leak detection system sumps must be collected and removed to minimize the head on the bottom liner (40 CFR 264.301[c][4]).

The ERDF operation must be monitored to determine whether the action leakage rate is exceeded (40 CFR 264.302[b]). In the event that leakage exceeds the action leakage rate, response must be taken in accordance with 40 CFR 264.304(a) and (b).

Requirements of this section are covered under the Leachate & Washwater Management Plan (RFS-ERDF-002.6), Leachate Collection System Operation Procedure (RFS-ERDF-010H), Leachate & Washwater Loadout Procedure (RFS-ERDF-010F), and Equipment Maintenance Plan (RFS-ERDF-002.7)

2.1.2 General operating requirements.

Runon/runoff control system. The runon control system must be operated in a manner that prevents flow onto the active portion of the ERDF during peak discharge from a 25-year storm (40 CFR 264.301(g)).

The runoff management system must be operated to collect and control the water volume resulting from a 24-hour, 25-year storm (40 CFR 264.301(h)).

Runon and runoff collection and holding facilities must be emptied expeditiously or otherwise managed after storms to maintain design capacity of the systems (40 CFR 264.301[i]).

Any particulate matter placed into the ERDF must be covered or otherwise managed to control dispersal (40 CFR 264.301[j]).

Inspection of the ERDF is required weekly and after storms to detect any evidence of the following:

- Deterioration, malfunctions, or improper operation of the runon and runoff control systems (40 CFR 264.303 [b][1]).
- Improper functioning of wind dispersal control systems, where present (40 CFR 264.303 [b][2]).
- Presence of leachate in and proper functioning of leachate collection and removal systems, where present (40 CFR 264.303[b][3]).

Requirements of this section are covered under the Leachate & Washwater Management Plan (RFS-ERDF-002.6), Leachate Collection System Operation Procedure (RFS-ERDF-010H), Leachate & Washwater Loadout Procedure (RFS-ERDF-010F), and Equipment Maintenance Plan (RFS-ERDF-002.7)

2.1.3 Special operating requirements.

Special requirements are established for ignitable or reactive wastes (40 CFR 264.312), incompatible wastes (40 CFR 264.313), bulk or containerized liquids (40 CFR 264.314), containers (40 CFR 264.315), lab packs (40 CFR 264.316), and listed hazardous wastes coded F020, F021, F022, F023, F026, and F027 (40 CFR 264.317). Of these, the standards pertaining to liquid disposal may be especially significant to the ERDF. In general, the regulations would prohibit placement of wastes containing a free liquid phase into the ERDF. The ERDF solid waste acceptance criteria establish disposal requirements based on these regulations.

Requirements of this section are covered under the Waste Acceptance Plan (RFS-ERDF-002.3) and Waste Acceptance Procedure (RFS-ERDF-010A)

2.2 40 CFR 264 Subpart B - General Facility Standards

A variety of the Subpart B standards are administrative in nature and therefore are not pertinent to operation of the ERDF for receipt of waste from onsite remediation activities. Substantive requirements include the following.

2.2.1 Waste characterization.

Provisions to obtain detailed information on the waste prior to disposal in the ERDF (40 CFR 264.13).

Requirements of this section are covered under the Waste Acceptance Criteria (BHI-00139).

2.1.2 Security system.

Provision of specified security systems to prevent unknowing entry and protect against unauthorized entry of persons or livestock (40 CFR 264.14).

Requirements of this section are covered under the Security Plan (RFS-ERDF-002.9).

2.1.3 Inspection.

Inspections are required for identification and correction of malfunctions and deterioration, operator errors, and discharges that may result in releases to the environment or that could threaten human health (40 CFR 264.15).

Requirements of this section are covered under the Equipment Maintenance Plan (RFS-ERDF-002.7).

2.1.4 Training.

ERDF personnel must be adequately trained to perform their duties in a manner that ensures compliant operation of the ERDF. This training must include specified requirements pertaining to emergency response (40 CFR 264.16).

Requirements of this section are covered under the Training Plan (RFS-ERDF-004).

2.1.5 Waste management.

There are several general requirements for management of ignitable, reactive, or incompatible wastes contained in 40 CFR 264.17).

Requirements of this section are covered under the Waste Acceptance Plan (RFS-ERDF-002.3) and Waste Acceptance Procedure (RFS-ERDF-010A)

2.3 40 CFR 264 Subparts C and D - Preparedness and Prevention and Contingency Plan and Emergency Procedures.

Subparts C and D establish standards relating to emergency preparedness. Included are requirements for provision and maintenance of specified emergency equipment, accessibility of emergency notification and response equipment to personnel, and various other requirements aimed at ensuring the facility is capable of responding to an emergency situation.

Requirements of this section are covered under the Health and Safety Plan (RFS-ERDF-002.1).

2.4 40 CFR 264 Subpart F - Releases from Solid Waste Management Units.

As discussed in the Section 3.1, the primary impact of 40 CFR 264, Subpart F is to require a groundwater monitoring program to detect and respond to any releases to the ERDF that impacts the uppermost aquifer. Regulatory requirements establish monitoring parameters, frequency, sampling and analytical considerations, and data evaluation methods. Response actions are required if hazardous constituents are detected in the groundwater in excess of allowable concentration limits.

Requirements of this section are covered under the Environmental Monitoring Plan (RFS-ERDF-002.4).

2.5 40 CFR 264 Subpart I - Use and Management of Containers.

Subpart I establishes several substantive requirements pertaining to hazardous waste in containers, including container compatibility, container management, provision of containment systems, and special requirements for ignitable, reactive, or incompatible

wastes. The Subpart I standards would be ARAR for ERDF operations if containerized hazardous waste is managed.

Requirements of this section are covered under the Waste Acceptance Plan (RFS-ERDF-002.3) and Waste Acceptance Procedure (RFS-ERDF-010A)

2.6 40 CFR 264 Subpart J - Tanks.

Subpart J establishes a variety of detailed substantive requirements for management of hazardous waste in tank systems (including ancillary piping). Of particular significance are requirements for provision of secondary containment and leak detection. Any hazardous waste tank operations associated with the ERDF would have to be conducted in compliance with the numerous substantive standards promulgated in Subpart J.

Requirements of this section are covered under the Leachate & Washwater Management Plan (RFS-ERDF-002.6), Leachate Collection System Operation Procedure (RFS-ERDF-010H), and Equipment Maintenance Plan (RFS-ERDF-002.7)

3.0 Waste Acceptance Requirements

3.1 40 CFR 268 - Land Disposal Restrictions.

Regulations established under the federal land disposal restriction program prohibit disposal in the ERDF of any hazardous waste that is restricted from land disposal as specified under 40 CFR 268 Subpart C. Hazardous wastes must be treated to meet treatment standards specified in 40 CFR 268 Subpart D prior to land disposal or addressed in some other appropriate manner such as demonstration of a treatability variance, invocation of a waiver provision, designation of the receiving ERDF cell as a Corrective Action Management Unit, etc. Treatment standards may require treatment to specified concentration levels based on best-demonstrated available technology or by a specified technology. Federally regulated hazardous waste for which the LDR standards have not been adequately addressed cannot be accepted for disposal at the ERDF. ERDF waste acceptance procedures shall require that waste originators address LDR requirements prior to shipment to the ERDF. Therefore, compliance with this regulation is largely ARAR for the waste originators and not for the ERDF.

Requirements of this section are covered under the Waste Acceptance Criteria (BHI-00139).

3.2 40 CFR 268.50 - Prohibition on Storage.

The land disposal restriction (LDR) program prohibits the storage of hazardous waste that is restricted from land disposal under 40 CFR 268, Subpart C unless such storage is "solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal." Radioactive mixed waste

is not subject to this prohibition in accordance with the *Hanford Federal Facility Agreement and Consent Order*. Therefore, this prohibition would apply only to nonradioactive hazardous waste in storage prior to land disposal at the ERDF. Because the ERDF will not store waste prior to land disposal, this prohibition does not directly apply.

3.3 40 CFR 261 - Identification and Listing of Wastes.

These regulations establish the process for identifying whether a waste is regulated as a RCRA hazardous waste. Such a determination establishes the basis for deciding whether RCRA standards are applicable to ERDF operations related to management of specific waste streams. Two aspects of waste identification must be considered at the ERDF:

1. Hazardous waste must be identified before being transported to the ERDF from the OUs. This determination is expected to be made by programs responsible for producing the waste via the specific OU activities and verified by ERDF personnel in order to accept the waste for disposal. Again, this is largely ARAR for the OUs.

Requirements of this section are covered under the Waste Acceptance Criteria (BHI-00139).

2. The second application of these regulations pertains to any waste generated by the ERDF, which must be designated and managed accordingly. For example, leachate from the ERDF may be designated as multi-source leachate (listed waste code F039) and subject to regulation as a RCRA hazardous waste if the leachate results from liquid percolation through an ERDF trench that contains two or more listed hazardous wastes.

Requirements of this section are covered under the Leachate & Washwater Management Plan (RFS-ERDF-002.6) and Leachate Collection System Operation Procedure (RFS-ERDF-010H)

3.3 40 CFR 262 - Generator Standards.

The 40 CFR 262.11 standards are largely administrative in nature. However, there are a number of substantive requirements included that are particularly significant. Primary among these is a requirement for the waste originator to determine whether a waste is regulated as a hazardous waste and if so, the LDR status. The program originating the waste in the OUs is expected to make these determinations prior to receipt of waste at the ERDF. However, operation of the ERDF will result in creation of waste. In such cases, the determinations required by 40 CFR 262 would be pertinent. Substantive standards are also established in 40 CFR 262 for accumulation of newly generated waste (e.g., secondary wastes generated by ERDF operations) in tanks, containers, or containment buildings.

Requirements of this section are covered under the Leachate & Washwater Management Plan (RFS-ERDF-002.6) and Leachate Collection System Operation Procedure (RFS-ERDF-010H)

Appendix A
RCRA Cross-Reference Listing

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Subpart B - General Facility Standards

Section 264.13: Contains provisions to obtain detailed information on the waste prior to disposal.

N/A

Section 264.14(a): Security must prevent unknowing entry, and minimize the possibility for unauthorized entry, of persons or livestock onto the active portion of the facility.

RFS Security Plan (RFS-ERDF-02.9), Section 10.0, *Physical Security*

Section 264.14(b): The facility security must contain the following: 24-hour surveillance of the active portion; or artificial or natural barrier and means to control entry at all times through gates or entrances to the active portion.

RFS Security Plan (RFS-ERDF-02.9), Section 10.0, *Physical Security*

Section 264.14(c): A sign with the legend: "DANGER--UNAUTHORIZED PERSONNEL KEEP OUT," in English and Spanish or any other language of surrounding area, must be posted and must be legible from at least 25 feet.

RFS Security Plan (RFS-ERDF-02.9), Section 10.0, *Physical Security*

Section 264.15(a): Inspection of the facility must check for malfunctions and deterioration, operator errors, and discharges that may be causing or may lead to: release of hazardous constituents to the environment or threat to human health, and be conducted often enough to identify problems to correct them before they harm human health or the environment.

RFS Security Plan (RFS-ERDF-02.9), Section 10.0, *Physical Security*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.15(b): A written schedule must be developed for inspecting monitoring equipment, safety and emergency equipment, security devices and operating and structural equipment per this section.

RFS Security Plan (RFS-ERDF-02.9), Section 10.0, *Physical Security*
RFS Equipment Maintenance Plan (RFS-ERDF-02.7)

Section 264.15(c): Any deterioration or malfunction of equipment or structures that the inspection reveals must be remedied before it leads to an environmental or human health hazard. If a hazard is imminent or has already occurred remedial action must be taken immediately. (Note: Standards for provision of a written schedule are not ARAR.)

RFS Equipment Maintenance Plan (RFS-ERDF-02.7), Section 3.0, *Site Support Systems*

Section 264.16(a): Facility personnel must successfully complete a training program in either a classroom setting or on the job training that teaches them how to perform their duties in a way to ensure the facility's compliance with 40 CFR 264. The training program must be directed by a person trained in hazardous waste management procedures, and must include hazardous waste management procedures relevant to the positions in which they are employed. Minimum requirements of the training program are established in this section.

RFS Training Plan (RFS-ERDF-004)

Section 264.16(b)&(c): Training must be completed within 6 months after date of employment at the facility, at a new position within the facility. Personnel must take part in an annual review of the initial training.

RFS Training Plan (RFS-ERDF-004)

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.17: The owner or operator must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste as established in this section.

WAC prohibits acceptance of ignitable or reactive wastes.

Section 264.17(a+b): Where specifically required by other sections of this part, the owner or operator of a facility that treats, stores, or disposes ignitable or reactive waste, or mixes incompatible waste or incompatible wastes and other materials, must take precautions to prevent reactions which are listed in this section.

WAC prohibits acceptance of ignitable or reactive wastes.

Section 264.18: Location standards were ARAR during siting of the facility only and have been met.

N/A - Not operational requirement.

Section 264.19(a): (1) A construction quality assurance (CQA) program is required for all surface impoundment, waste pile, and landfill units that are required to comply with sections 264.221(c) and (d), 264.251(c) and (d), and 264.301(c) and (d). The program must ensure that the constructed unit meets or exceeds all design criteria and specifications. The program must be developed and implemented under the direction of a CQA officer who is a registered professional engineer. (2) The CQA program must address the following physical components, where applicable: (I) Foundations; (ii) Dikes; (iii) Low-permeability soil liners; (iv) Geomembranes (flexible membrane liners); (v) Leachate collection and removal systems and leak detection systems; and (vi) Final cover systems

N/A - Not operational requirement.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.19(c): Contents of program. The CQA program must include observations, inspections, tests, and measurements sufficient to ensure it meets the requirement of this subsection.

N/A - Not operational requirement.

Subpart C - Preparedness and Prevention

Section 264.31: Facility must be designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or unplanned release that could threaten human health or the environment.

RFS Waste Materials Management Plan (RFS-ERDF-002.5) Section 4.0, *Stabilization*, Section 6.0, *Dust Control*

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 12, *Emergency Action Plan*

Section 264.32: Facility must have internal communication or alarm system capable of providing immediate emergency instruction to facility personnel; a device to summon emergency assistance; fire control equipment; and water at adequate volume and pressure to supply water hoses, sprinklers, etc.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 12, *Emergency Action Plan*

Section 264.33: Equipment in Section 264.32 must be tested and maintained.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 12, *Emergency Action Plan*

Section 264.34: When hazardous waste is being handled, all personnel must have immediate access to internal alarm or emergency communication device.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 12, *Emergency Action Plan*

Section 264.35: Requires adequate aisle space be maintained to allow response in the event of an emergency.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 12, *Emergency Action Plan*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.37(a): An attempt must be made to: make arrangements to familiarize police, fire department, and emergency response teams with information about the facility including wastes, entrances, evacuation route, and location of personnel; have agreements with state emergency response teams, contractors, and equipment suppliers; familiarize local hospitals with potential wastes and potential injuries and illnesses.

BHI-SH-03, "Emergency Management Program"

Subpart D - Contingency Plan and Emergency Procedures

Section 264.55: There must be one person at the facility or on call, familiar with all aspects of the contingency plan and all aspects of the facility. This person must also be able to commit funds to implement the plan.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 12, *Emergency Action Plan*

Section 264.56: This section describes emergency procedures including notification and reporting.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 12, *Emergency Action Plan*

Subpart F - Releases From Solid Waste Management Units

Section 264.91(a): The owner or operator must conduct a monitoring and response program per the requirements of this subsection. (Note: Sections 264.92, 264.93, 264.94, 264.99 and 264.100 become applicable upon exceedence of threshold condition as outlined in this section.)

N/A

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement	Compliance Document
Section 264.95: This section describes the elements related to the point of compliance for groundwater monitoring.	N/A
Section 264.97: The owner or operator must comply with the following requirements for any groundwater monitoring program developed to satisfy Sections 264.98, 264.99, or 264.100.	N/A
Section 264.97(a): The groundwater monitoring system must consist of a sufficient number of wells, installed at appropriate locations and depths to yield groundwater samples from the uppermost aquifer in accordance with the requirements of this section.	N/A
Section 264.97(c): All monitoring wells must be cased in a manner that maintains the integrity of the monitoring-well bore hole.	N/A
Section 264.97(d): The groundwater monitoring program must include consistent sampling and analysis procedures that are designed to ensure monitoring results that provide a reliable indication of groundwater quality below the waste management area. At a minimum, the program must include procedures and techniques for: sample collection; sample preservation and shipment; analytical procedures; and chain of custody control. WAC 173-303-645(8)(d) also requires decontamination and quality assurance in the groundwater monitoring program.	N/A

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement	Compliance Document
Section 264.97(e): The groundwater monitoring program must include sampling and analytical methods that are appropriate for groundwater sampling and that accurately measure hazardous constituents in groundwater samples. [Note: See WAC 173-303-645(8)(e).]	N/A
Section 264.97(f): The groundwater monitoring program must include a determination of the groundwater surface elevation each time groundwater is sampled.	N/A
Section 264.97(g): In detection monitoring or where appropriate in compliance monitoring, data on each hazardous constituent specified in the permit will be collected from background wells and wells at the compliance point(s). This section further describes number and kinds of samples, sample size, and sampling procedures.	N/A
Section 264.97(h): The owner or operator will specify one of the statistical methods to be used in evaluating groundwater monitoring data for each hazardous constituent.	N/A
Section 264.97(i): Any statistical method chosen under Section 264.97(h) for specification in the unit permit shall comply with the performance standards listed in this section, as appropriate.	N/A
Section 264.98: An owner or operator required to establish a detection monitoring program under this	N/A

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Subpart must, at a minimum, discharge the following responsibilities listed.

Section 264.98 (a): The owner or operator must monitor for indicator parameters (e.g., specific conductance, total organic carbon, or total organic halogen), waste constituents, or reaction products that provide a reliable indication of the presence of hazardous constituents in groundwater as listed in this subsection.. N/A

Section 264.98(b): The owner or operator must install a groundwater monitoring system at the compliance point as specified under Section 264.95. The groundwater monitoring system must comply with Section 264.97(a)(2), (b), and (c).. N/A

Section 264.98(e): The owner or operator must determine the groundwater flow rate and direction in the uppermost aquifer at least annually.. N/A

Section 264.98(f): The owner or operator must determine whether there is statistically significant evidence of contamination for any chemical parameter of hazardous constituent specified in the permit pursuant to paragraph (a) of this section at a frequency specified under paragraph (d) of this section. (See (f)(1) and (f)(2) for additional statistical information..). N/A

Section 264.98(g): If the owner or operator determines pursuant to paragraph (f) of this section that there is statistically significant evidence of contamination for N/A

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

chemical parameters of hazardous constituents specified pursuant to paragraph (a) of this section at any monitoring well at the compliance point, he or she must perform the appropriate action as listed under this subsection..

Subpart I - Use and Management of Containers

Section 264.171: Condition of containers. If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the owner or operator must transfer the hazardous waste from this container to a container that is in good condition or manage the waste in some other way that complies with the requirements of this part.

N/A - ERDF Disposal does not generate contained hazardous waste.

Section 264.172: Compatibility of waste with containers. The owner or operator must use a container made of or lined with materials that will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.

N/A - ERDF Disposal does not generate contained hazardous waste.

Section 264.173: Management of containers: (a) a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste; (b) a container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.

RFS Landfill Cell Operations Procedure (RFS-ERDF-010(E)) Section 4.0, *Operations at Dumping Station*
RFS Waste Shuttle Procedure (RFS-ERDF-010(G))
Section 4.0, *Shuttle Full Containers to Landfill*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement	Compliance Document
Section 264.174: Inspections. At least weekly, the owner or operator must inspect areas where containers are stored, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.	Monthly inspections of the staging areas are conducted according to BHI-SH-02, Procedure 1.19, <i>Designating and controlling Radioactive Material Areas</i>
Section 264.175(a): Container storage areas must have a containment system that is designed and operated in accordance with paragraph (b) of this section, except as otherwise provided by paragraph (c) of this section.	N/A - WAC prohibits liquids.
Section 264.175(b): A containment system must be designed and operated per the requirements at this Section.	N/A - WAC prohibits liquids.
Section 264.175(c): Section describes requirements for container storage area where no free liquids are contained.	N/A - WAC prohibits liquids.
Section 264.176: Containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility's property line.	N/A - WAC prohibits ignitables.
Section 264.177: Describes requirements for hazardous waste and hazardous waste residues at closure.	N/A - Closure Requirement
Section 264.178: Describes special requirements for storage of incompatible wastes.	N/A
<u>Subpart J - Tank Systems</u>	

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement	Compliance Document
Section 264.192: Design and installation of new tank systems or components.	N/A - This is a design requirement.
Section 264.192(a): Section contains requirements concerning tank system design. (Note: Written assessment requirements contained in this section are administrative and therefore not ARAR.)	N/A - This is a design requirement.
Section 264.192(b): The owner or operator of a new tank system must ensure that proper handling procedures are adhered to in order to prevent damage to the system during installation per the requirements of this section.	N/A - This is a design requirement.
Section 264.192(c): New tank systems or components that are placed underground and that are backfilled must be provided with a backfill material that is a noncorrosive, porous, homogeneous substance and that is installed so that the backfill is placed completely around the tank and compacted to ensure that the tank and piping are fully and uniformly supported.	N/A - This is a design requirement.
Section 264.192(d): All new tanks and ancillary equipment must be tested for tightness prior to being covered, enclosed, or placed in use. If a tank system is found not to be tight, all repairs necessary to remedy the leak(s) in the system must be performed prior to the tank system being covered, enclosed, or placed into use.	N/A - This is a design requirement.
Section 264.192(e): Ancillary equipment must be supported and protected against physical damage and	N/A - This is a design requirement.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

excessive stress due to settlement, vibration, expansion, or contraction.

Section 264.192(f): The owner or operator must provide the type and degree of corrosion protection recommended by an independent corrosion expert, based on the information provided under paragraph (a)(3) of this section, or other corrosion protection if the Regional Administrator believes other corrosion protection is necessary to ensure the integrity of the tank system during use of the tank system. The installation of a corrosion protection system that is field fabricated must be supervised by an independent corrosion expert to ensure proper installation.

N/A - This is a design requirement.

Section 264.193(a): In order to prevent the release of hazardous waste or hazardous constituents to the environment, secondary containment that meets the requirements of this section must be provided (except as provided in paragraphs (f) and (g) of this section): for all new tank systems or components, prior to their being put into service.

N/A - This is a design requirement.

Section 264.193(b): Secondary containment systems must be: designed, installed, and operated to prevent any migration of wastes or accumulated liquid out of the system to the soil, groundwater, or surface water at any time during the use of the tank system; and capable of detecting and collecting releases and accumulated liquids until the collected material is removed.

RFS Leachate Collection System Operation Procedure (RFS-ERDF-010(H)) Section 7.0 through 9.0 and Attachment 1.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement	Compliance Document
<p>Section 264.193(c): To meet the requirements of paragraph (b) of this section, secondary containment systems must meet the minimum requirements established in this section.</p>	N/A - This is a design requirement.
<p>Section 264.193(d): Secondary containment for tanks must include one or more of the following devices: a liner (external to the tank); a vault; a double-walled tank; or an equivalent device as approved by the Regional Administrator.</p>	N/A - This is a design requirement.
<p>Section 264.193(e): In addition to the requirements of paragraphs (b), (c), and (d) of this section, secondary containment systems must satisfy the requirements established in this section.</p>	N/A - This is a design requirement.
<p>Section 264.193(f): Establishes requirements for secondary containment of ancillary equipment.</p>	N/A - This is a design requirement.
<p>Section 264.194(a): Hazardous wastes or treatment reagents must not be placed in a tank system if they could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode, or otherwise fail.</p>	N/A - This is a design requirement.
<p>Section 264.194(b): The owner or operator must use appropriate controls and practices to prevent spills and overflows from tank or containment systems. These include at a minimum: spill prevention controls (e.g., check valves, dry disconnect couplings); overfill prevention controls (e.g., level sensing devices, high level alarms, automatic feed cutoff, or bypass to a standby</p>	N/A - This is a design requirement.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

tank); and maintenance of sufficient freeboard in uncovered tanks to prevent overtopping by wave or wind action or by precipitation.

Section 264.194(c): The owner or operator must comply with the requirements of Section 264.196 if a leak or spill occurs in the tank system.

Section 264.195(b): The owner or operator must inspect at least once each operating day: aboveground portions of the tank system, if any, to detect corrosion or releases of waste; data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design; and the construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system (e.g., dikes) to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).

Section 264.195(c): Establishes requirements for inspection of cathodic protection systems. (Note: Planned systems would not require cathodic protection.)

Section 264.196: Response to leaks or spills and disposition of leaking or unfit-for-use tank systems. A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately, and the

See Compliance documents for 40 CFR 264.196

RFS Equipment Maintenance Plan (RFS-ERDF-002.7)
Section 5.0, *Leachate Recovery System*

N/A - no cathodic protection.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 14, *Spill Response Plan*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

owner or operator must satisfy the following requirements.

Section 264.196(a): Cessation of use; prevent flow or addition of wastes. The owner or operator must immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 14, *Spill Response Plan*

Section 264.196(b): Removal of waste from tank system or secondary containment system. If the release was from the tank system, the owner/operator must, within 24 hours after detection of the leak or, if the owner/operator demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed. If the material released was to a secondary containment system, all released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 14, *Spill Response Plan*.

RFS Leachate Collection System Operation Procedure (RFS-ERDF-010(H))

Section 264.196(c): Containment of visible releases to the environment. The owner/operator must immediately conduct a visual inspection of the release and, based upon that inspection: prevent further migration of the leak or spill to soils or surface water; and remove, and properly dispose of, any visible contamination of the soil or surface water.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 14, *Spill Response Plan*.

RFS Leachate Collection System Operation Procedure (RFS-ERDF-010(H))

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.196(e): Provision of secondary containment, repair, or closure. Unless the owner/operator satisfies the requirements of paragraphs (e)(2) through (4) of this section, the tank system must be closed in accordance with Section 264.197.

RFS Health and Safety Plan (RFS-ERDF-002.1) Section 14, *Spill Response Plan*.

RFS Leachate Collection System Operation Procedure (RFS-ERDF-010(H))

Section 264.197: Closure and post-closure care.

N/A - This is a closure requirement.

Section 264.197(a): At closure of a tank system, the owner or operator must remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated soils, and structures and equipment contaminated with waste, and manage them as hazardous waste, unless Section 261.3(d) of this chapter applies. The closure plan, closure activities, cost estimates for closure, and financial responsibility for tank systems must meet all of the requirements specified in Subparts G and H of this part

N/A - This is a closure requirement.

Section 264.197(b): If the owner or operator demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in paragraph (a) of this section, then the owner or operator must close the tank system and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (Section 264.310). In addition, for the purposes of closure, post-closure, and financial responsibility, such a tank system is then considered to be a landfill, and the owner or operator must meet all of the requirements for landfills specified in Subparts G and H of this part.

N/A - This is a closure requirement.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.198: Special requirements for ignitable or reactive wastes.

N/A - This is a closure requirement.

Section 264.198(a): Ignitable or reactive waste must not be placed in tank systems, unless: the waste is treated, rendered, or mixed before or immediately after placement in the tank system so that: the resulting waste, mixture, or dissolved material no longer meets the definition of ignitable or reactive waste under Section 261.21 or 261.23 of this chapter, and Section 264.17(b) is complied with; or the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to ignite or react; or the tank system is used solely for emergencies.

N/A - WAC prohibits ignitables and reactives.

Section 264.198(b): The owner or operator of a facility where ignitable or reactive waste is stored or treated in a tank must comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjoining property line that can be built upon as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1977 or 1981), (incorporated by reference, see 260.11).

N/A - WAC prohibits ignitables and reactives.

Section 264.199: Special requirements for incompatible wastes.

Section 264.199(a): Incompatible wastes, or incompatible wastes and materials, must not be placed in

N/A - leachate is the only type of waste stored in tanks.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

the same tank system, unless Section 264.17(b) is complied with.

Section 264.199(b): Hazardous waste must not be placed in a tank system that has not been decontaminated and that previously held an incompatible waste or material, unless Section 264.17(b) is complied with.

N/A - leachate is the only type of waste stored in tanks.

Section 264.200: Air emission standards. The owner or operator shall manage all hazardous waste placed in a tank in accordance with the requirements of Subpart CC of this part.

N/A - leachate is the only type of waste stored in tanks.

Subpart N - Landfills

Section 264.301: Design and operating requirements.

Section 264.301(a): Any landfill that is not covered by paragraph (c) of this section or Section 265.301(a) of this chapter must have a liner system for all portions of the landfill (except for existing portions of such landfill). The liner system must meet the provisions of this section.

N/A - This is a design requirement.

Section 264.301(b): The owner or operator will be exempted from the requirements of paragraph (a) of this section if the Regional Administrator finds, based on a demonstration by the owner or operator, that alternative design and operating practices, together with location characteristics, will prevent the migration of any

N/A - This is a design requirement.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

hazardous constituents (see Section 264.93) into the groundwater or surface water at any future time.

Section 264.301(c): The owner or operator of each new landfill unit on which construction commences after January 29, 1992, must install two or more liners and a leachate collection and removal system above and between such liners. The liner system must meet the provisions of this section.

N/A - This is a design requirement.

Section 264.301(d): The Regional Administrator may approve alternative design or operating practices to those specified in paragraph (c) of this section if the owner or operator demonstrates to the Regional Administrator that such design and operating practices, together with location characteristics: will prevent the migration of any hazardous constituent into the groundwater or surface water at least as effectively as the liners and leachate collection and removal systems specified in paragraph (c) of this section; and will allow detection of leaks of hazardous constituents through the top liner at least as effectively.

N/A - This is a design requirement.

Section 264.301(g): The owner or operator must design, construct, operate, and maintain a runoff control system capable of preventing flow onto the active portion of the landfill during peak discharge from at least a 25-year storm.

RFS Equipment Maintenance Plan (RFS-ERDF-002.7),
Section 4.0, *Roads and Ditches*.

Section 264.301(h): The owner or operator must design, construct, operate, and maintain a runoff management

RFS Equipment Maintenance Plan (RFS-ERDF-002.7),
Section 4.0, *Roads and Ditches*.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

system to collect and control at least the water volume resulting from a 24-hour, 25-year storm.

Section 264.301(I): Collection and holding facilities (e.g., tanks or basins) associated with runoff and runoff control systems must be emptied or otherwise managed expeditiously after storms to maintain design capacity of the system.

RFS Equipment Maintenance Plan (RFS-ERDF-002.7), Section 4.0, *Roads and Ditches*.

Section 264.301(j): If the landfill contains any particulate matter which may be subject to wind dispersal, the owner or operator must cover or otherwise manage the landfill to control wind dispersal.

RFS Landfill Cell Operations Procedure (RFS-ERDF-010(E)), Section 6.0, *Application of Soil Fixative*, Section 5.0, *Placement of Daily Operations Cover*.

Section 264.302: Action leakage rate.

Section 264.302(a): The Regional Administrator shall approve an action leakage rate for surface impoundment units subject to section 264.301(c) or (d). The action leakage rate is the maximum design flow rate that the leak detection system (LDS) can remove without the fluid head on the bottom liner exceeding 1 foot.

RFS Leachate and Wash Water Management Plan (RFS-ERDF-002.6), Section 3.0, *Action Leakage Rate and Recovery Plan*

Section 264.302(b): To determine if the action leakage rate has been exceeded, the owner or operator must convert the weekly or monthly flow rate from the monitoring data obtained under Section 264.303(c), to an average daily flow rate (gallons per acre per day) for each sump. Unless the Regional Administrator approves a different calculation, the average daily flow rate for each sump must be calculated weekly during the active life and

RFS Leachate and Wash Water Management Plan (RFS-ERDF-002.6), Section 3.0, *Action Leakage Rate and Recovery Plan*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

closure period, and monthly during the post-closure care period when monthly monitoring is required under Section 264.303(c).

Section 264.303: Monitoring and inspection.

Not addressed, design and installation of the liner system is not an operational requirement.

Section 264.303(a): During construction or installation, liners (except in the case of existing portions of landfills exempt from Section 264.301(a)) and cover systems (e.g., membranes, sheets, or coatings) must be inspected for uniformity, damage, and imperfections (e.g., holes, cracks, thin spots, or foreign materials). Immediately after construction or installation: synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, or blisters; and soil-based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes, or other structural non-uniformities that may cause an increase in the permeability of the liner or cover.

Not addressed, design and installation of the liner system is not an operational requirement.

Section 264.303(b): While a landfill is in operation, it must be inspected weekly and after storms to detect evidence of any of the following: (1) deterioration, malfunctions, or improper operation of runoff and runoff control systems; (2) proper functioning of wind dispersal control systems, where present; and (3) the presence of leachate in and proper functioning of leachate collection and removal systems, where present.

RFS Leachate and Wash Water Management Plan (RFS-ERDF-002.6), Section 4.0, *Inspection Program*
RFS Equipment Maintenance Plan (RFS-ERDF-002.7), Section 5.0, *Leachate Recovery System*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

(1) An owner or operator required to have a leak detection system under Section 264.301(c) or (d) must record the amount of liquids removed from each leak detection system sump at least once each week during the active life and closure period

RFS Leachate and Wash Water Management Plan (RFS-ERDF-002.6), Section 4.0, *Inspection Program*
RFS Equipment Maintenance Plan (RFS-ERDF-002.7), Section 5.0, *Leachate Recovery System*

(2) After the final cover is installed the amount of liquids removed from each detection system sump must be recorded at least monthly. If the liquid level in the sump stays below the pump operating level for two consecutive months, the amount of liquids in the sumps must be recorded at least quarterly. If the liquid level in the sump stays below the pump operating level for two consecutive quarters, the amount of liquids in the sumps must be recorded at least semi-annually. If at any time during the post-closure care period the pump operating level is exceeded at units on quarterly or semi-annual recording schedules, the owner or operator must return to monthly recording of amounts of liquids removed from each sump until the liquid level again stays below the pump operating level for two consecutive months..

N/A - This is a closure requirement.

(3) "Pump operating level" is a liquid level proposed by the owner or operator and approved by the Regional Administrator based on pump activation level, sump dimensions, and level that avoids backup into the drainage layer and minimizes head in the sump..

N/A - This is a design requirement.

Section 264.304: Response actions.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.304(a): The owner or operator of landfill units subject to Section 264.301(c) or (d) must have an approved response action plan before receipt of waste. The response action plan must set forth the actions to be taken if the action leakage rate has been exceeded. At a minimum, the response action plan must describe the actions specified in paragraph (b) of this section.

RFS Leachate and Wash Water Management Plan (RFS-ERDF-002.6), Section 3.0, *Action Leakage Rate and Recovery Plan*

Section 264.304(b): If the flow rate into the leak detection system exceeds the action leakage rate for any sump, the owner or operator must: determine as to the amount of liquids, likely sources of liquids, possible location, size, and cause of any leaks, and short-term actions taken and planned; determine to the extent practicable the location, size, and cause of any leak; determine whether waste receipt should cease or be curtailed, whether any waste should be removed from the unit for inspection, repairs, or controls, and whether or not the unit should be closed; determine any other short-term and longer-term actions to be taken to mitigate or stop any leaks. (Note: Portions of this section relating to Regional Administrator reporting requirements are considered administrative and therefore not ARAR.)

RFS Leachate and Wash Water Management Plan (RFS-ERDF-002.6), Section 3.0, *Action Leakage Rate and Recovery Plan*

Section 264.304(c): To make the leak and/or remediation determinations in paragraphs (b)(3), (4), and (5) of this section, the owner or operator must; assess the source of liquids and amounts of liquids by source, conduct a fingerprint, hazardous constituent, or other analyses of the liquids in the leak detection system to identify the source of liquids and possible location of any leaks, and the

RFS Leachate and Wash Water Management Plan (RFS-ERDF-002.6), Section 3.0, *Action Leakage Rate and Recovery Plan*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

hazard and mobility of the liquid; and assess the seriousness of any leaks in terms of potential for escaping into the environment; or document why such assessments are not needed.

Section 264.309: The owner or operator of a landfill must maintain the following items in the operating record required under Section 264.73. On a map, the exact location and dimensions, including depth, of each cell with respect to permanently surveyed benchmarks; and the contents of each cell and the approximate location of each hazardous waste type within each cell.

RFS Waste Materials Management Plan (RFS-ERDF-002.5), Section 3.0, *Placement/Compaction*

Section 264.310(a): At final closure of the landfill or upon closure of any cell, the owner or operator must cover the landfill or cell with a final cover designed and constructed to: provide long-term minimization of migration of liquids through the closed landfill; function with minimum maintenance; promote drainage and minimize erosion or abrasion of the cover; accommodate settling and subsidence so that the cover's integrity is maintained; and have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.

N/A - This is a closure requirement.

Section 264.310(b): After final closure, the owner or operator must comply with all post-closure requirements contained in Sections 264.117 through 264.120, including maintenance and monitoring throughout the post-closure care period (specified in the permit under Section

N/A - This is a closure requirement.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

264.117). The owner or operator must meet the requirements described in this section.

Section 264.312: Special requirements for ignitable or reactive waste.

Section 264.312(a): Except as provided in paragraph (b) of this section, and in Section 264.316, ignitable or reactive waste must not be placed in a landfill, unless the waste and landfill meet all ARARs of Part 268, and; the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under Section 261.21 or 261.23 of this chapter; and Section 264.17(b) is complied with.

N/A - WAC prohibits ignitable or reactives.

Section 264.312(b): Except for prohibited wastes that remain subject to treatment standards in Subpart D of Part 268, ignitable wastes in containers may be landfilled without meeting the requirements of paragraph (a) of this section, provided that the wastes meet the provisions of this subsection.

N/A - WAC prohibits ignitable or reactives.

Section 264.313: Special requirements for incompatible wastes. Incompatible wastes, or incompatible wastes and materials, (see Appendix V of this part for examples) must not be placed in the same landfill cell, unless Section 264.17(b) is complied with.

N/A - WAC prohibits ignitable or reactives.

Section 264.314: Special requirements for bulk and containerized liquids.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.314(b): Effective May 8, 1985, the placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not sorbents have been added) in any landfill is prohibited.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.314(c): To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as incorporated by reference in Section 260.11 of this chapter.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.314(d): Containers holding free liquids must not be placed in a landfill unless the requirements of this section are met.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.315: Special requirements for containers. Unless they are very small, such as an ampule, containers must be either:

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.315(a): At least 90 percent full when placed in the landfill.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.315(b): Crushed, shredded, or similarly reduced in volume to the maximum practical extent before burial in the landfill.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.316: Disposal of small containers of hazardous waste in overpacked drums (lab packs). Small

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

containers of hazardous waste in overpacked drums (lab packs) may be placed in a landfill if the following requirements are met.

Section 264.316(a): Hazardous waste must be packaged in non-leaking inside containers. The inside containers must be of a design and constructed of a material that will not react dangerously with, be decomposed by, or be ignited by the contained waste. Inside containers must be tightly and securely sealed. The inside containers must be of the size and type specified in the Department of Transportation (DOT) hazardous materials regulations (49 CFR Parts 173, 178, and 179), if those regulations specify a particular inside container for the waste.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.316(b): The inside containers must be overpacked in an open head DOT-specification metal shipping container (49 CFR Parts 178 and 179) of no more than 416 liter (110 gallon) capacity and surrounded by, at a minimum, a sufficient quantity of sorbent material, determined to be nonbiodegradable in accordance with Section 264.314(e), to completely sorb all of the liquid contents of the inside containers. The metal outer container must be full after it has been packed with inside containers and sorbent material.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.316(c): The sorbent material used must not be capable of reacting dangerously with, being decomposed by, or being ignited by the contents of the inside containers, in accordance with Section 264.17(b).

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

Section 264.316(d): Incompatible wastes, as defined in Section 260.10 of this chapter, must not be placed in the same outside container.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.316(e): Reactive wastes, other than cyanide-or sulfide-bearing waste as defined in Section 261.23(a)(5) of this chapter, must be treated or rendered non-reactive prior to packaging in accordance with paragraphs (a) through (d) of this section. Cyanide- and sulfide-bearing reactive waste may be packed in accordance with paragraphs (a) through (d) of this section without first being treated or rendered non-reactive.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.316(f): Such disposal is in compliance with the requirements of Part 268. Persons who incinerate lab packs according to the requirements in 40 CFR 268.42(c)(1) may use fiber drums in place of metal outer containers. Such fiber drums must meet the DOT specifications in 49 CFR 173.12 and be overpacked according to the requirements in paragraph (b) of this section.

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*

Section 264.317: Special requirements for hazardous wastes F020, F021, F022, F023, F026, and F027.

Section 264.317(a): Hazardous Wastes F020, F021, F022, F023, F026, and F027 must not be placed in a landfills unless the owner or operator operates the landfill in accord with a management plan for these wastes that is approved by the Regional Administrator pursuant to the standards set out in this paragraph, and in accord with all

RFS Waste Acceptance Plan (RFS-ERDF-002.3), Section 2.0, *Waste Profile*.

40 CFR 264 "Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"

Requirement

Compliance Document

other ARARs of this part. The factors to be considered are: the volume, physical, and chemical characteristics of the wastes, including their potential to migrate through the soil or to volatilize or escape into the atmosphere; the attenuative properties of underlying and surrounding soils or other materials; the mobilizing properties of other materials co-disposed with these wastes; and the effectiveness of additional treatment, design, or monitoring requirements.

Section 264.317(b): The Regional Administrator may determine that additional design, operating, and monitoring requirements are necessary for landfills managing hazardous wastes F020 - F023, F026, and F027 in order to reduce the possibility of migration of these wastes to groundwater, surface water, or air so as to protect human health and the environment.

These waste streams have not been generated on the Hanford facility and are not expected to be disposed of at the ERDF.

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Note: Compliance with this regulation is largely ARAR for waste originators and not for ERDF. LDR compliance for waste shipped to ERDF is provided by compliance with the Waste Acceptance Criteria. LDR compliance for ERDF is limited to waste originating at the ERDF and is discussed below:

Subpart A - General

Section 268.3: Describes requirements for dilution prohibited as a substitute for treatment.

Section 268.7(a):

Except as specified in Section 268.32, if a generator's waste is listed in 40 CFR Part 261, Subpart D, the generator must test his waste, or test an extract using test Method 1311 (the Toxicity Characteristic Leaching Procedure, described in "Test Methods for Evaluating Solid Waste; Physical/Chemical Methods," EPA Publication SW-846 as incorporated by reference in Section 260.11 of this chapter), or use knowledge of the waste, to determine if the waste is restricted from land disposal under this part.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *Sampling and Analysis*

Except as specified in Section 268.32, if a generator's waste exhibits one or more of the characteristics set out at 40 CFR Part 261, Subpart C, the generator must test an extract using test Method 1311 (the Toxicity Characteristic Leaching Procedure, described in "Test Methods for Evaluating Solid Waste; Physical/Chemical Methods" (SW-846)), or use knowledge of the waste, to

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *Sampling and Analysis*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

determine if the waste is restricted from land disposal under this part.

If the generator determines that his waste exhibits the characteristic of ignitability (D001) (and is not in the High TOC Ignitable Liquids Subcategory or is not treated by CMBST or RORGS of Section 268.42, Table 1), or the characteristic of corrosivity (D002), and is prohibited under Section 268.37; and/or the characteristic of organic toxicity (D012-D043), and is prohibited under Section 268.38, the generator must determine the underlying hazardous constituents (as defined in Section 268.2, in the D001, D002, or D012-D043 wastes.

Section 268.9: Special rules regarding wastes that exhibit a characteristic.

(a) The initial generator of a solid waste must determine each EPA Hazardous Waste Number (waste code) applicable to the waste in order to determine the applicable treatment standards under Subpart D of this part. For purposes of Part 268, the waste will carry the waste code for any applicable listing under 40 CFR 261, Subpart D. In addition, the waste will carry one or more of the waste codes under 40 CFR 261, Subpart C, where the waste exhibits a characteristic, except in the case when the treatment standard for the waste listed in Part 261, Subpart D operates in lieu of the treatment standard for the waste under Part 261, Subpart C, as specified in paragraph (b) of this section. If the generator determines that his waste displays the characteristic of ignitability

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *Sampling and Analysis*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

(D001) (and is not in the High TOC Ignitable Liquids Subcategory or is not treated by CMBST or RORGS), or the characteristic of corrosivity (D002), and is prohibited under Section 268.37; or that his waste displays the characteristic of toxicity (D012-D043), and is prohibited under Section 268.38, the generator must determine the underlying hazardous constituents (as defined in Section 268.2), in the D001, D002, or D012-D043 wastes.

(b) Where a prohibited waste is both listed under 40 CFR Part 261 Subpart D and exhibits a characteristic under 40 CFR Part 261 Subpart C, the treatment standard for the waste code listed in 40 CFR Part 261 Subpart D will operate in lieu of the standard for the waste code under 40 CFR Part 261 Subpart C, 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 waste must meet the treatment standards for all applicable listed and characteristic waste codes.

(c) In addition to any applicable standards determined from the initial point of generation, no prohibited waste that exhibits a characteristic under 40 CFR Part 261 Subpart C may be land disposed unless the waste complies with the treatment standards under Subpart D of this part.

Subpart C - Prohibitions on Land Disposal

Section 268.30(a&b): The spent solvent wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Numbers

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

F001 through F005, are prohibited under this part from land disposal.

Section 268.30(c): Effective November 8, 1990, the F001-F005 solvent wastes that are contaminated soil and debris resulting from a response action taken under Section 104 or 106 of the CERCLA or a corrective action required under subtitle C of the RCRA and the residues from treating these wastes are prohibited from land disposal.

Not applicable, Leachate waste does not contain soil or debris.

Section 268.31(a): Effective November 8, 1988, the dioxin-containing wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, F027, and F028, are prohibited from land disposal unless the conditions apply as listed within this subsection.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.31(b): Effective November 8, 1990, F020-F023 and F026-F028 dioxin-containing wastes are prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.32(a): Effective July 8, 1987, the following hazardous wastes are prohibited from land disposal (except in injection wells): (1) liquid hazardous wastes having a pH less than or equal to two; (2) liquid hazardous wastes containing polychlorinated biphenyls (PCBs) at concentrations greater than or equal to 50 parts per million (ppm); (3) liquid hazardous wastes that are primarily water and contain halogenated organic compounds (HOCs) in total concentration greater than or equal to 1,000 mg/l and less than 10,000 mg/l HOCs.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Section 268.32(b)-(c):[Reserved]

Section 268.32(d): The requirements of paragraphs (a) and (e) of this section do not apply until: July 8, 1989, where the wastes are contaminated soil or debris not resulting from a response action taken under Section 104 or 106 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or a corrective action taken under Subtitle C of the Resource Conservation and Recovery Act (RCRA). Between July 8, 1987, and July 8, 1989, the wastes may be disposed in a landfill or surface impoundment only if such disposal is in compliance with the requirements specified in Section 268.5(h) (2) and November 8, 1990, where the wastes are contaminated soil or debris resulting from a response action taken under Section 104 or 106 of CERCLA or a corrective action taken under Subtitle C or RCRA. Between November 8, 1988, and November 1990, the wastes may be disposed in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in Section 268.5 (h)(2).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.32(e): Effective November 8, 1988, the following hazardous wastes are prohibited from land disposal (subject to any regulations that may be promulgated with respect to disposal in injection wells): (1) liquid hazardous wastes that contain HOCs in total concentration greater than or equal to 1,000 mg/l and are not prohibited under paragraph (a)(3) of this section; and (2) nonliquid hazardous wastes containing HOCs in total

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

concentration greater than or equal to 1,000 mg/kg and are not wastes described in paragraph (d) of this section.

Section 268.32(f): Between July 8, 1987 and November 8, 1988, the wastes included in paragraphs (e)(1) and (e)(2) of this section may be disposed in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in section 268.5(h)(2).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.32(g): The requirements of paragraphs (a), (d), and (e) of this section do not apply if: (1) persons have been granted an exemption from a prohibition pursuant to a petition under Section 268.6, with respect to those wastes and units covered by the petition (except for liquid hazardous wastes containing PCBs at concentrations greater than or equal to 500 ppm that are not eligible for such exemptions); or (2) persons have been granted an extension to the effective date of a prohibition pursuant to Section 268.5, with respect to those wastes covered by the extension; or (3) the wastes meet the applicable standards specified in subpart D of this part or, where treatment standards are not specified, the wastes are in compliance with the applicable prohibitions set forth in this section or RCRA section 3004(d).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.32(h): The prohibitions and effective dates specified in paragraphs (a)(3), (d), and (e) of this section do not apply where the waste is subject to a part 268 subpart C prohibition and effective date for a specified HOC (such as a hazardous waste chlorinated solvent, see e.g., section 268.30(a)).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Section 268.32(I): To determine whether or not a waste is a liquid under paragraphs (a) and (e) of this section and under RCRA section 3004(d), the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," EPA Publication No. SW-846. (Incorporated by reference, see section 260.11(a) of this chapter.)

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.32(j): Except as otherwise provided in this paragraph, the waste analysis and Record keeping requirements of Section 268.7 are applicable to wastes prohibited under this part or RCRA Section 3004(d)

See response for 40 CFR 268.7.

Section 268.33(a): Effective August 8, 1988, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers F006 (nonwastewater), K001, K004 wastes specified in Section 268.43(a), K008 wastes specified in Section 268.43(a), K016, K018 - K021 wastes specified in Section 268.43(a), K022 (nonwastewater), K024, K025 nonwastewaters specified in Section 268.43(a), K030, K036 (nonwastewater), K037, K044, K045, nonexplosive K046 (nonwastewater), K047, K060 (nonwastewater), K061 (nonwastewaters containing less than 15 % zinc), K062, non CaS04 K069 (nonwastewaters), K086 (solvent washes), K087, K099, K100 nonwastewaters specified in Section 268.43(a), K101 (wastewater), K101 (nonwastewater, low arsenic subcategory--less than 1% total arsenic), K102 (wastewater), K102 (nonwastewater, low arsenic subcategory--less than 1% total arsenic),

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

K103, and K104 are prohibited from land disposal (except in an injection well).

Section 268.33(b): Effective August 8, 1990, the waste specified in 40 CFR 261.32 as EPA Hazardous Waste Number K071 is prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.33(c): Effective August 8, 1990, the wastes specified in 40 CFR 268.10 having a treatment standard in Subpart D of this part based on incineration and are contaminated soil and debris are prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.33(d): Between November 8, 1988 and August 8, 1990, wastes included in paragraphs (b) and (c) of this section may be disposed of in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in section 268.5(h)(2).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.33(e): The requirements of paragraphs (a), (b), (c), and (d) of this section do not apply if: (1) the wastes meet the applicable standards specified in Subpart D of this part; (2) persons have been granted an exemption from a prohibition pursuant to a petition under Section 268.6, with respect to those wastes and units covered by the petition; or (3) persons have been granted an extension to the effective date of a prohibition pursuant to Section 268.5, with respect to those wastes covered by the extension.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Section 268.33(f): Between August 8, 1988, and May 8, 1990, the wastes specified in section 268.10 for which treatment standards under subpart D of this part have not been promulgated, including those wastes which are subject to the statutory prohibitions of RCRA section 3004(d) or codified prohibitions under section 268.32 of this part, but not including wastes subject to a treatment standard under section 268.42 of this part, are prohibited from disposal in a landfill or surface impoundment unless a demonstration and certification have been submitted to section 268.8.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.33(g): To determine whether a hazardous waste listed in Section 268.10 exceeds the applicable treatment standards specified in Sections 268.41 and 268.43, the initial generator must test a representative sample of the waste extract or the entire waste depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable Subpart D levels, the waste is prohibited from land disposal and all requirements of Part 268 are applicable, except as otherwise specified.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *Sampling and Analysis*

Section 268.34: Waste specific prohibitions-second third wastes.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.34(a): Effective June 8, 1989, the following wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Numbers F010; F024; the wastes specified in 40

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

CFR 261.32 as EPA Hazardous Waste Numbers K005, K007; K009 (nonwastewaters), K010; K023; K027; K028; K029 (nonwastewaters); K036 (wastewaters); K038 - K040; K043; K093; K094; K095 (nonwastewaters); K096 (nonwastewaters); K113 - K116; and the wastes specified in 40 CFR 261.33 as EPA Hazardous Waste Numbers P013; P021; P029; P030; P039 - P041; P043; P044; P062; P063; P071; P074; P085; P089; P094; P097; P099 - P104; P106; P109; P111; P121; U028; U058; U069; U087; U088; U102; U107; U221; U223; and U235 are prohibited from land disposal.

Section 268.34(b): Effective June 8, 1989, the following wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K009 (wastewaters), K011 (nonwastewaters), K013 (nonwastewaters), and K014 (nonwastewaters) are prohibited from land disposal except when they are underground injected pursuant to 40 CFR 148.14(f) and 148.15(d).

Section 268.34(c): Effective July 8, 1989, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Numbers F006-cyanide (nonwastewater); F008; F009; F011 (wastewaters); and F012 (wastewaters) are prohibited from land disposal: (1) effective July 8, 1989, the following waste specified in 40 CFR 261.31 as EPA Hazardous Waste Number F007 is prohibited from land disposal except when it is underground injected pursuant to 40 CFR 148.14(f).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Section 268.34(d): Effective June 8, 1991, the wastes specified in this section having a treatment standard in Subpart D of this part based on incineration, and which are contaminated soil and debris are prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.34(e): Between June 8, 1989 and June 8, 1991, (for wastes F007, F008, F009, F011, and F012 between June 8, 1989 and July 8, 1989) wastes included in paragraphs (c) and (d) of this section may be disposed in a landfill or surface impoundment, regardless whether such unit is a new, replacement, or lateral expansion unit, only if such unit is in compliance with the technical requirements specified in section 268.5(h)(2).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.34(f): The requirements of paragraphs (a), (b), (c), and (d) of this section do not apply if: (1) the wastes meet the applicable standards specified in Subpart D of this part; or (2) persons have been granted an exemption from a prohibition pursuant to a petition under Section 268.6, with respect to those wastes and units covered by the petition.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.34(g): The requirements of paragraphs (a), (b), and (c) of this section do not apply if persons have been granted an extension to the effective date of a prohibition pursuant to Section 268.5, with respect to those wastes covered by the extension. **Section 268.34(I):** To determine whether a hazardous waste listed in Sections 268.10 - 268.12 exceeds the applicable treatment standards specified in Sections 268.41 and 268.43, the

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *Sampling and Analysis*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

initial generator must test a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable Subpart D levels, the waste is prohibited from land disposal and all requirements of Part 268 are applicable, except as other-wise specified

Section 268.34(h): Between June 8, 1989 and May 8, 1990, the wastes specified in section 268.11 for which treatment standards under subpart D of this part are not applicable, including California list wastes subject to the statutory prohibitions of RCRA section 3004(d) or codified prohibitions under section 268.32, are prohibited from disposal in a landfill or surface impoundment unless the wastes are the subject of a valid demonstration and certification pursuant to section 268.8.

Section 268.34(I): To determine whether a hazardous waste listed in Sections 268.10 - 268.12 exceeds the applicable treatment standards specified in Sections 268.41 and 268.43, the initial generator must test a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable Subpart D levels, the waste is prohibited from land disposal and all requirements of Part 268 are applicable, except as other-wise specified.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *Sampling and Analysis*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Section 268.35(a): Effective August 8, 1990, this section specifies various wastes in 40 CFR 261.31 by EPA Hazardous Waste Numbers.

Section 268.35(b): Effective November 8, 1990, the following wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K048 (nonwastewaters), K049 (nonwastewaters), K050 (nonwastewaters), K051 (nonwastewaters), and K052 (nonwastewaters) are prohibited from land disposal.

Section 268.35(c): Effective May 8, 1992, this section specifies various wastes in 40 CFR 261.31 by EPA Hazardous Waste Numbers.

Section 268.35(d): Effective May 8, 1992, hazardous wastes listed in 40 CFR 268.10, 268.11, and 268.12 that are mixed radioactive/hazardous wastes are prohibited from land disposal, except as provided in paragraph (e) of this section.

Section 268.35(e): Subject to applicable prohibitions in Sections 268.30, 268.31, and 268.32, contaminated soil and debris are prohibited from land disposal as follows: (1) effective May 8, 1994, debris that is contaminated with wastes listed in 40 CFR 268.12,.

Section 268.35(f): Between May 8, 1990 and August 8, 1990, the wastes included in paragraph (a) of this section may be disposed of in a landfill or surface impoundment

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

only if such unit is in compliance with the requirements specified in section 268.5(h)(2).

Section 268.35(g): Between May 8, 1990 and November 8, 1990, wastes included in paragraph (b) of this section may be disposed of in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in section 268.5(h)(2).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.35(h): Between May 8, 1990, and May 8, 1992, wastes included in paragraphs (c), (d), and (e) of this section may be disposed of in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in section 268.5(h)(2).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.35(l): The requirements of paragraphs (a), (b), (c), (d), and (e) of this section do not apply if:

Section 268.35(j): To determine whether a hazardous waste listed in section 268.10, 268.11, and 268.12 exceeds the applicable treatment standards specified in sections 268.41 and 268.43.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *Sampling and Analysis*

Section 268.35(k): Effective May 8, 1993, D003 lead materials stored before secondary smelting are prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.36(a): Effective November 9, 1992, the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K107 - K112, K117, K118, K123 - K126, K131, K132, and K136; and the wastes specified in

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

40 CFR 261.33(f) as EPA Hazardous Waste Numbers U328, U353, and U359 are prohibited from land disposal.

Section 268.36(b): Effective June 30, 1993, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Numbers F037 and F038 that are not generated from surface impoundment cleanouts or closures are prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.36(c): Effective June 30, 1994, the wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Numbers F037 and F038 that are generated from surface impoundment cleanouts or closures are prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.36(d): Effective June 30, 1994, radioactive wastes that are mixed with hazardous wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Numbers F037 and F038; the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K107 - K112, K117, K118, K123, K124 - K126, K131, K132, and K136; or the wastes specified in 40 CFR 261.33(f) as EPA Hazardous Waste Numbers U328, U353, and U359 are prohibited from land disposal.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.36(e): Effective June 30, 1994, debris contaminated with hazardous wastes specified in 40 CFR 261.31 as EPA Hazardous Waste Numbers F037 and F038; the wastes specified in 40 CFR 261.32 as EPA Hazardous Waste Numbers K107 - K112, K117, K118, K123 - K126, K131, K132, and K136; or the wastes

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

specified in 40 CFR 261.33(f) as EPA Hazardous Waste Numbers U328, U353, and U359; and that is not contaminated with any other waste already subject to a prohibition are prohibited from land disposal.

Section 268.36(f): Between June 30, 1992 and June 30, 1993, the wastes included in paragraph (b) of this section may be disposed of in a landfill, only if such unit is in compliance with the requirements specified in section 268.5(h)(2), and may be generated in and disposed of in a surface impoundment only if such unit is in compliance with either section 268.5(h)(2) or section 268.14.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.36(g): Between June 30, 1992 and June 30, 1994, the wastes included in paragraphs (d) and (e) of this section may be disposed of in a landfill only if such unit is in compliance with the requirements specified in section 268.5(h)(2).

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Section 268.36(h): The requirements of paragraphs (a), (b), (c), (d), and (e) of this section do not apply if:

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

1. The wastes meet the applicable standards specified in subpart D of this part;
2. Persons have been granted an exemption from a prohibition pursuant to a petition under Section 268.6, with respect to those wastes and units covered by the petition;

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

3. The wastes meet the applicable alternate standards established pursuant to a petition granted under Section 268.44;
4. Persons have been granted an extension to the effective date of a prohibition pursuant to Section 268.5, with respect to the wastes covered by the extension.

Section 268.36(I): To determine whether a hazardous waste identified in this section exceeds the applicable treatment standards specified in Sections 268.41 and 268.43, the initial generator must test a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable levels in Subpart D of this part, the waste is prohibited from land disposal, and all requirements of Part 268 are applicable, except as otherwise specified.

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 5.0, *sampling and Analysis*

Section 268.37(a): Waste specific prohibitions--ignitable and corrosive characteristic wastes whose treatment standards were vacated. Effective August 9, 1993, the wastes specified in 40 CFR 261.21 as D001 (and is not in the High Total Organic Compounds [TOC] Ignitable Liquids Subcategory), and specified in Section 261.22 as D002, that are managed in systems other than those whose discharge is regulated under the Clean Water Act (CWA), or that inject in Class I deep wells regulated under the

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Safe Drinking Water Act (SDWA), or that are zero dischargers that engage in CWA-equivalent treatment before ultimate land disposal, are prohibited from land disposal. CWA-equivalent treatment means biological treatment for organics, alkaline chlorination, or ferrous sulfate precipitation for cyanide, precipitation/sedimentation for metals, reduction of hexavalent chromium, or other treatment technology that can be demonstrated to perform equally or greater than these technologies.

Section 268.37(b): Effective February 10, 1994, the wastes specified in 40 CFR 261.21 as D001 (and is not in the High TOC Ignitable Liquids Subcategory), and specified in Section 261.22 as D002, that are managed in systems defined in 40 CFR 144.6(e) and 146.6(e) as Class V injection wells, that do not engage in CWA-equivalent treatment before injection, are prohibited from land disposal.

Sections 268.41, 268.42, 268.43, 268.45 and 268.48: Identify treatment standards that must be verified at the disposal facility for incoming waste that has been treated to comply with the LDR requirements

Section 268.44: Variance from a treatment standard.

Section 268.44(a): Where the treatment standard is expressed as a concentration in a waste or waste extract and a waste cannot be treated to the specified level, or

RFS Leachate and Washwater Management Plan (RFS-ERDF-002.6), Section 6.0, *Disposition Determination*

Waste Acceptance Criteria, Section 4.2.1, #11

Treatment of leachate and washwater wastes is not within the RFS contract scope.

N/A

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

where the treatment technology is not appropriate to the waste, the generator or treatment facility may petition the Administrator for a variance from the treatment standard. The petitioner must demonstrate that because the physical or chemical properties of the waste differs significantly from wastes analyzed in developing the treatment standard, the waste cannot be treated to specified levels or by the specified methods.

Section 268.44(b): Each petition must be submitted in accordance with the procedures in Section 260.20.

N/A

Section 268.44(c): Each petition must include the following statement signed by the petitioner or an authorized representative: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this petition and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that these are significant penalties for submitting false information, including the possibility of fine and imprisonment.

N/A

Section 268.44(d): After receiving a petition for variance from a treatment standard, the Administrator may request any additional information or samples which he may require to evaluate the petition. Additional copies of the complete petition may be requested as needed to send to affected states and Regional Offices.

N/A

40 CFR 268 "Land Disposal Restrictions"

Requirement	Compliance Document
<p>Section 268.44(e): The Administrator will give public notice in the Federal Register of the intent to approve or deny a petition and provide an opportunity for public comment. The final decision on a variance from a treatment standard will be published in the Federal Register.</p>	N/A
<p>Section 268.44(f): A generator, treatment facility, or disposal facility that is managing a waste covered by a variance from the treatment standards must comply with the waste analysis requirements for restricted wastes found under Section 268.7.</p>	N/A
<p>Section 268.44(g): During the petition review process, the applicant is required to comply with all restrictions on land disposal under this part once the effective date for the waste has been reached.</p>	N/A.
<p>Section 268.44(h): Where the treatment standard is expressed as a concentration in a waste or waste extract and a waste generated under conditions specific to only one site cannot be treated to the specified level, or where the treatment technology is not appropriate to the waste, the generator or treatment facility may apply to the Administrator, or his delegated representative, for site-specific variance from a treatment standard. The applicant for a site-specific variance must demonstrate that because the physical or chemical properties or the waste differs significantly from the waste analyzed in developing the treatment standard, the waste cannot be treated to specified levels or by the specified methods.</p>	N/A

40 CFR 268 "Land Disposal Restrictions"

Requirement

Compliance Document

Section 268.44(i): Each application for a site-specific variance from a treatment standard must include the information in Section 260.20(b)(1) - (4).

N/A

Section 268.44(j): After receiving an application for a site-specific variance from a treatment standard, the Assistant Administrator, or his delegated representative, may request any additional information or samples which maybe required to evaluate the application.

N/A

Section 268.44(k): A generator, treatment facility, or disposal facility that is managing a waste covered by a site-specific variance from a treatment standard must comply with the waste analysis requirements for restricted wastes found under Section 268.7.

N/A

Section 268.44(l): During the application review process, the applicant for a site-specific variance must comply with all restrictions on land disposal under this part once the effective date for the waste has been reached.

N/A

Section 268.44(m) - (n): [Reserved]

N/A

Section 268.44(o): The following facilities are excluded from the treatment standard under Section 268.43(a), Table CCW, and are subject to the constituent concentrations listed under this subsection.

N/A

2.1.1 Paragraph 1, 0.3 not specifically noted in procedure

Appendix A RCRA Cross-Reference Listing

- Section 264.32: Shouldn't we reference the Environmental Monitoring Plan (EMP) here?
- Section 264.176: The ERDF Waste Acceptance Criteria (WAC) prohibits characteristic wastes altogether.
- Section 264.192(f): Agree. Corrosion protection can deteriorate over time. If we have corrosion protection, the operator is responsible for ensuring it is working. Does RUST do this?
- Section 264.194(a): Disagree with the listing that RUST has provided. The LMP should also be listed here. Operational issues, such as freeboard and tank depth prior to leachate transfer are covered in the LMP.
- Section 264.196(b): The LMP and the Health and Safety Plan (HASP) do not deal with removal rates. The LMP deals with reporting and with action leakage rates. Neither plan addresses leachate removal rates. In fact, none of the RUST documentation addresses this issue. As an ARAR it needs to be addressed.
- Section 264.197: No repair information is included in the LMP or HASP.
- Section 264.197(a): The answer provided is not valid. If the tanks are decommissioned during operations, then it is RUST's responsibility to comply with this ARAR. At that point it is no longer a "Closure Requirement"..
- Section 264.198: This item is N/A, but the reason is not correct. The item is not ARAR because ERDF cannot accept ignitable wastes.
- Section 264.200: Air emissions include evaporation of VOCs. Doesn't ERDF evaporate VOCs during leachate brining?
- Section 264.303(b): If the trench is partially closed in keeping with evolving concept, doesn't this affect RUST operations? RUST may want to note this and indicate that it will be addressed during closure.
- Section 264.310(a): See comment under 264.303.
- Section 264.310(b): See comment under 264.303.
- Section 264.314(c): The paint filter test is required, but, to date, ERDF has not

performed any paint filter tests. Does RUST really want to take credit for something that, if audited, they may not be doing?

Section 264.316(e): Reactive wastes are prohibited by the ERDF WAC. This should be N/A with a statement that they are not accepted at ERDF.

Section 264.317: These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC.

Section 264.317(a): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC.

Section 264.317(b): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC.

Section 268.30(c): This answer does not make any sense. This section is not discussing leachate. It is prohibiting land disposal of listed wastes and residue from treatment of listed wastes. So, what does the response N/A, leachate waste does not contain soil or debris have to do with this? If leachate is classified as a residue from treatment of a listed waste, it would be applicable. RUST should look into this further.

Section 268.31(a): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC.

Section 268.33(a): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.33(b): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.33(c): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.33(d): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005..

Section 268.33(e): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF

WAC. ERDF cannot accept other than F001-F005.

Section 268.33(f): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.33(g): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.34: These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.34(a): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.34(b): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.34(c): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.34(d): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.34(e): These listed wastes are prohibited by the ERDF WAC. This should be N/A with the statement that they are not acceptable under the ERDF WAC. ERDF cannot accept other than F001-F005.

Section 268.44(f): F001 - F005 falls under this category for the ETF. We are a generator, are we not?

Section 268.44(k): Not so. See LMP.