

3745-270-34 Waste specific prohibitions- toxicity characteristic metal wastes.

- (A) The following wastes are prohibited from land disposal: the wastes specified in Chapter 3745-51 of the Administrative Code as EPA hazardous waste numbers D004 to D011 that are newly identified (i.e. wastes, soil, or debris identified as hazardous by the toxic characteristic leaching procedure but not the extraction procedure), and waste, soil, or debris from mineral processing operations that is identified as hazardous by the specifications in Chapter 3745-51 of the Administrative Code.
- (B) The following waste is prohibited from land disposal: slag from secondary lead smelting which exhibits the toxicity characteristic due to the presence of one or more metals.
- (C) The following wastes are prohibited from land disposal: newly identified characteristic wastes from elemental phosphorus processing; radioactive wastes mixed with EPA hazardous wastes D004 to D011 that are newly identified (i.e. wastes, soil, or debris identified as hazardous by the toxic characteristic leaching procedure but not the extraction procedure); or mixed with newly identified characteristic mineral processing wastes, soil, or debris.
- (D) Reserved.
- (E) The requirements of paragraphs (A) and (C) of this rule do not apply if:
 - (1) The wastes meet the applicable treatment standards specified in rules 3745-270-40 to 3745-270-49 of the Administrative Code;
 - (2) Persons have been granted an exemption from a prohibition pursuant to a petition under rule 3745-270-06 of the Administrative Code, with respect to those wastes and units covered by the petition;
 - (3) The wastes meet the applicable alternate treatment standards established pursuant to a petition granted under rule 3745-270-44 of the Administrative Code; or
 - (4) Persons have been granted an extension to the effective date of a prohibition pursuant to rule 3745-270-05 of the Administrative Code, with respect to these wastes covered by the extension.

- (F) To determine whether a hazardous waste identified in this rule exceeds the applicable treatment standards specified in rule 3745-270-40 of the Administrative Code, the initial generator shall test a sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or in the waste, or the generator may use knowledge of the waste. If the waste contains constituents (including underlying hazardous constituents in characteristic wastes) in excess of the applicable universal treatment standard levels in rule 3745-270-48 of the Administrative Code, the waste is prohibited from land disposal, and all requirements of Chapter 3745-270 of the Administrative Code are applicable, except as otherwise specified.

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