

**3745-270-38 Waste specific prohibitions- newly identified organic toxicity characteristic wastes and newly listed coke by-product and chlorotoluene production wastes.**

(A)

- (1) The wastes specified in rule 3745-51-32 of the Administrative Code as EPA hazardous waste numbers K141, K142, K143, K144, K145, K147, K148, K149, K150, and K151 are prohibited from land disposal.
- (2) Debris contaminated with EPA hazardous waste numbers F037, F038, K107 to K112, K117, K118, K123 to K126, K131, K132, K136, U328, U353, U359, and soil and debris contaminated with D012 to D043, K141 to K145, and K147 to K151 are prohibited from land disposal.
- (3) The following wastes that are specified in Table 1 of rule 3745-51-24 of the Administrative Code as EPA hazardous waste numbers: D012, D013, D014, D015, D016, D017, D018, D019, D020, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D031, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043 that are not radioactive, or that are managed in systems other than those whose discharge is regulated under the clean water act (CWA), or that are zero dischargers that do not engage in CWA-equivalent treatment before ultimate land disposal, or that are injected in Class I deep wells regulated under the safe drinking water act (SDWA), 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 better than these technologies.

(B)

- (1) Radioactive wastes that are mixed with D018 to D043 wastes that are managed in systems other than those whose discharge is regulated under the CWA, or that inject in Class I deep wells regulated under the 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.
- (2) Radioactive wastes mixed with K141 to K145 wastes, and K147 to K151 wastes are also prohibited from land disposal.
- (3) Soil and debris contaminated with the radioactive mixed wastes indicated in paragraphs (B)(1) and (B)(2) of this rule are prohibited from land disposal.

- (C) Reserved .
- (D) The requirements of paragraphs (A), (B), 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;
  - (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.
- (E) 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 the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable levels in rules 3745-270-40 to 3745-270-49 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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