

TEXT OF REGULATIONS

Amend Section 66260.10 to read:

66260.10. Definitions.

...

“Soil” means unconsolidated earth material composing the superficial geologic strata (material overlying bedrock), consisting of clay, silt, sand, or gravel size particles as classified by the U.S. Natural Resources Conservation Service, or a mixture of such materials with liquids, sludges or solids which is inseparable by simple mechanical removal processes and is made up primarily of soil by volume based on visual inspection.

...

Note: Authority cited: Sections 25141, 25150, 25158.1, 25158.4, 25159, 25159.5, 25187.7, 25200.10, 25204, 25218.3(d), 25316 and 58012, Health and Safety Code. Reference: Sections 25110.02, 25110.1, 25110.5, 25111, 25112, 25112.5, 25113, 25114, 25115, 25117, 25117.1, 25117.3, 25117.8, 25117.9, 25117.11, 25118, 25119, 25120, 25121, 25121.5, 25122.7, 25123, 25123.3, 25123.5, 25123.6, 25141, 25150, 25158.2, 25159, 25159.5, 25187.7, 25200.10, 25201.6, 25204, 25218.1(f), 25218.3, 25229, 25316, 25361, 25501, 25529 and 58012, Health and Safety Code; and 40 CFR Sections 260.10, 261.1, 264.552, 264.1031, 268.2, 270.2, and 273.6.

Amend section 66268.7 to read:

66268.7. Testing, Tracking, and Recordkeeping Requirements for Generators, Treaters, and Disposal Facilities.

...

(b) ...

(4) ...

(E) For RCRA characteristic wastes that contain underlying hazardous characteristic constituents as defined in section 66260.10 that are treated on-site to remove the hazardous characteristic to treat underlying hazardous constituents to levels in section 66268.48 Universal Treatment Standards, the certification shall state the following:

I certify under penalty of law that the waste has been treated in accordance with the requirements of CCR, Title 22, division 4.5, section 66268.40 to remove the hazardous characteristic and that underlying hazardous constituents, as defined in section 66260.10 have been treated on-site to meet the section 66268.48 Universal Treatment Standards. I am aware that they are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

...

Note: Authority cited: Sections 25150, 25159, 25159.5, 25179.6, and 58012, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25160.2, and 25179.7, Health and Safety Code; and 40 CFR Sections 262.20(e), 263.20(h) and 268.7.

Amend section 66268.9 to read:

66268.9. Special Rules Regarding Wastes That Exhibit a RCRA Characteristic.

(a) ...

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

...

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

(d) ...

(2) ...

(A) If treatment removes the RCRA characteristic but does not meet standards applicable to underlying hazardous constituents, then the certification found in section 66268.7(b)(4)(D) applies.

...

Note: Authority cited: Sections 25150, 25159, 25159.5, 25179.6, and 58012, Health and Safety Code. Reference: Sections 25150, 25159, 25159.5, 25179.6, and 58012, Health and Safety Code; and 40 CFR Section 268.9.

Amend section 66268.42 to read:

66268.42. Treatment Standards Expressed As Specified Technologies.

...

Table 1.- Technology Codes and Description of Technology-Based Standards

Technology code	Description of technology-based standard
...	
CARBN	Carbon adsorption (granulated or powdered) of non-metallic inorganics, organo-metallics, and/or organic constituents, operated such that a surrogate compound or indicator parameter has not undergone breakthrough (e.g., Total Organic Carbon can often be used as an indicator parameter for the adsorption of many organic constituents that cannot be directly analyzed ...
RCGAS	Recovery/reuse of compressed gases including techniques such as reprocessing of the gases for reuse/resale; filtering/adsorption of impurities; remixing for direct reuse or resale, and use of the gas as a fuel source.
...	