
40 C.F.R. § 268.6

Petitions to allow land disposal of a waste prohibited under subpart C of part 268.

(a) Any person seeking an exemption from a prohibition under subpart C of this part for the disposal of a restricted hazardous waste in a particular unit or units must submit a petition to the Administrator demonstrating, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the disposal unit or injection zone for as long as the wastes remain hazardous. The demonstration must include the following components:

- (1) An identification of the specific waste and the specific unit for which the demonstration will be made;
- (2) A waste analysis to describe fully the chemical and physical characteristics of the subject waste;
- (3) A comprehensive characterization of the disposal unit site including an analysis of background air, soil, and water quality.
- (4) A monitoring plan that detects migration at the earliest practicable time;
- (5) Sufficient information to assure the Administrator that the owner or operator of a land disposal unit receiving restricted waste(s) will comply with other applicable Federal, State, and local laws.

(b) The demonstration referred to in paragraph (a) of this section must meet the following criteria:

- (1) All waste and environmental sampling, test, and analysis data must be accurate and reproducible to the extent that state-of-the-art techniques allow;
- (2) All sampling, testing, and estimation techniques for chemical and physical properties of the waste and all environmental parameters must have been approved by the Administrator;
- (3) Simulation models must be calibrated for the specific waste and site conditions, and verified for accuracy by comparison with actual measurements;
- (4) A quality assurance and quality control plan that addresses all aspects of the demonstration must be approved by the Administrator; and,

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