

LDR CHECKLIST FOR GENERATORS

(revised August, 1998)

Name of Facility: _____

Address of Facility: _____

EPA I.D. Number: _____

261.20 - 261.24

1. Does the facility generate any "characteristic" hazardous waste?

Yes No

If yes, circle the appropriate one(s)

D001 D002 D003 D004-D011* D012-D043

* Subject to LDR regs if waste was assumed or determined via testing to fail TCLP thresholds. Prior to August 24, 1998, if waste was assumed or determined via testing to pass EP Tox, but failed TCLP it was considered a newly listed waste and was not subject to the LDR regs

261.30 - 261.33

2. Does the facility generate any "listed" hazardous waste?

Yes No

If yes, list the waste code(s)

3. Does the facility generate any contaminated soil? Yes No

4. Does the facility generate any hazardous debris (debris means any solid material exceeding a 60 mm particle size that is a manufactured object, plant or animal matter or natural geologic formation but is not a process residual such as a slag,

sludge/residue associated with waste treatment or a material already having a specified treatment standard - hazardous debris means a debris containing a hazardous waste)? **Yes** **No**

If yes, has the hazardous debris been excluded from the definition of a hazardous waste under 261.3(f)(2) i.e., determined not to be a hazardous waste by the Regional Administrator/Director?

Yes **No**

268.1(e)

5. Is any of the facility's waste excluded from LDR regulation because (a) it was generated by a small quantity generator (<100 kg/mo), (b) it was a waste pesticide that a farmer disposed of, (c) it was not identified or listed as hazardous until after November 8, 1984 and prohibitions/treatment standards have not yet been promulgated, (d) it was a de minimis loss to wastewater treatment systems of a commercial chemical product or chemical intermediates that are ignitable or corrosive, (e) it is a laboratory waste displaying the characteristic of ignitability, corrosivity or organic toxicity (D012-D043) that is commingled with other wastewaters before being treated in a permitted facility or (f) it is classified as a "universal" waste (batteries, pesticides, thermostats)? **Yes** **No**

If yes, describe:

268.5 & 268.6

6. Is any of the facility's waste subject to an LDR exemption, waiver, delisting or national capacity variance? **Yes** **No**

If yes, identify which and obtain documentation:

262.11(c) & 268.7(a)

7. Does the facility (a) test its waste using TCLP or (b) apply knowledge of its waste to determine whether its listed waste or contaminated soil exhibits a characteristic of hazardous waste and whether its restricted from land disposal? **Yes** **No** **N/A**

If yes, circle (a) or (b)

268.7(a)(1)

8. Unless its wastes or contaminated soil are subject to a particular treatment technology before they can be land disposed, does the generator (a) test its waste(s) or (b) use knowledge of the waste(s) to determine if either its characteristic or listed waste is prohibited from land disposal (i.e., does not meet applicable treatment standards) and thus must be treated before it can be land disposed? **Yes** **No**

If yes, circle (a) or (b)

268.9(a) & 268.7(a)

9. Does the generator determine each EPA hazardous waste code applicable to the waste in order to determine the applicable treatment standards? **Yes** **No**

268.7(a)

10. If testing of waste is performed, does the facility do a total waste analysis where required and/or a TCLP waste extract analysis where it is required (refer to Table 268.40)?

Yes **No** **N/A**

268.7(a) & 268.9(a)

11. If the facility generates a waste that displays a hazardous characteristic, has it determined what "reasonably expected" underlying hazardous constituents (UHCs) are present in this waste?

Yes **No** **N/A**

268.40 - 268.48

12. Does the facility's hazardous waste(s) exceed any of the applicable treatment standards upon generation (including Universal Treatment Standards for underlying hazardous constituents, technology based standards and special treatment standards for non-excluded hazardous debris, lab packs or contaminated soil)?

Yes No N/A

13. If the facility generates waste containing any of the organic solvents listed in the F001 - F005 waste codes, were those chemicals used for or did the waste result from their solvent properties (i.e., degreasing, dissolving, cleaning, solubilizing, etc.)? **Yes No N/A**

If N/A, skip to question 16

If no, describe below what were these chemicals used for

14. How did the facility classify the waste containing the organic solvents listed in the F001 - F005 waste codes (circle the appropriate waste code)?

D001 TC F001 -F005 P or U Other(describe)

15. Is there any evidence that solvent waste was misclassified?
Yes No

If yes, describe

268.2(f) 268.40 - 268.48

16. Does the facility analyze its waste for TOC and TSS to determine proper treatability group (i.e., wastewater or non-wastewater) or in the case of D001, proper waste subcategory)?

Yes No N/A

If no, describe below how this determination is made:

17. Does it appear that any other restricted waste was misclassified or placed in the wrong treatability/sub-category group? **Yes No**

If yes, describe:

18. Does the facility, in any way, mix/aggregate/dilute any of its restricted hazardous waste with another hazardous waste, non-hazardous waste or non-waste material prior to (1) storage, (2) treatment or (3) disposal (include burning/thermal treatment of waste where no cyanides or LDR organics are involved since this is

also dilution)? **Yes** **No**

If yes, describe the wastes involved, when, where and why it's done or other important circumstances. **Note whether dilution of an ignitable, corrosive or reactive waste, except D003 reactive cyanide, occurs as a result of treatment in a permitted facility (includes impoundments). If the treatment method provided is effective for that type of waste or is specified as the technology standard or the prohibited waste is treated in a surface impoundment in accordance with 268.4 this type of dilution is permissable.**

268.3(a)

19. Based on your observations, does it appear that the facility is using dilution as a substitute for appropriate/legitimate treatment or to improperly switch treatability group (i.e., wastewater vs non-wastewater)?

Yes **No**

If yes, describe as necessary:

20. In the case of a mixture of wastes with both concentration level treatment standards and specified treatment technology, does the facility recognize that both must be achieved?

Yes **No** **N/A**

268.9(b)

21. Where waste or waste mixtures have both characteristic and listed waste codes, does the facility recognize that the treatment standard associated with each characteristic and listed waste must be met unless the characteristic constituent is specifically addressed in the treatment standard for the listed waste?

Yes No N/A

268.7(a), 268.9(a)&(c) & 268.40(e)

22. Does the generator recognize that any underlying hazardous constituents reasonably expected in its characteristic waste, whether mixed with listed waste or not, must be addressed in LDR notifications and/or certifications? **Yes No N/A**

268.9(d)

23. Does the facility send treated characteristic waste that is no longer hazardous to a Subtitle D landfill?

Yes No N/A

If yes:

a. Has it placed a one-time notification and certification in its files and sent a copy to the EPA Regional Administrator/State Director? **Yes No**

b. Is the notification and certification updated whenever the process or operation generating the waste changes and/or if the Subtitle D facility receiving the waste changes?

Yes No N/A

24. Does the facility generate lab packs? **Yes No**

If no, skip to question 27

25. Are there Appendix IV wastes (including mercury wastes) in these lab packs? **Yes No**

268.7(a)(9)

26. Are alternate treatment standards being applied?

Yes No

If no, are the proper waste/constituent specific treatment standards being applied? **Yes No**

If yes -

Has the generator submitted a notice to the treatment facility, with its initial shipment of waste, of all waste codes contained in the lab packs? **Yes No**

Has the generator certified that its lab pack contains none of the wastes identified in Appendix IV? **Yes No**

268.7(a)(5)

27. Does the facility treat any of its hazardous wastes or contaminated soil in 90 day tanks, containers or containment buildings to meet the applicable treatment standards, which may include alternative soil treatment standards adopted by the State?

Yes No

If yes, has the facility prepared a waste analysis plan which includes frequency of testing? **Yes No**

If yes, is the plan kept on site in the facility's files?

Yes No

268.7(a)(2)

28. Has the generator submitted a one time written notice with the initial shipment of waste or contaminated soil to each treatment or storage facility if its waste does not meet applicable treatment standards? **Yes No N/A**

If yes, answer the following questions pertaining to notifications:

268.7(a)(2)

a) Do the notifications include the EPA Hazardous Waste Number? **Yes** **No**

268.7(a)(2)

b) Do the notifications include the underlying hazardous constituents for characteristic wastes as well as the waste constituents that the treater should monitor if monitoring will not include all regulated constituents for wastes F001-F005 and F039 ? **Yes** **No** **N/A**

268.7(a)(2)

c) Do the notifications specify whether the waste is a non-wastewater or wastewater and applicable sub-categories?
 Yes **No** **N/A**

268.7(a)(2)

d) Do the notifications include the manifest number associated with the shipment of waste? **Yes** **No**

268.7(a)(2)

e) For hazardous debris which is using the alternative treatment technologies, do the notifications include the contaminants subject to treatment? **Yes** **No** **N/A**

268.7(a)(2)

f) Do the notifications include available waste analysis data?
 Yes **No** **N/A**

268.7(a)(2)(i)

g) For contaminated soil, is there a certification statement signed by an authorized representative indicating its LDR status? **Yes** **No** **N/A**

268.7(a)(3)(i)

29. Has the facility submitted, with the initial shipment of waste or contaminated soil to each treatment, storage or disposal facility, a one time written notice that its waste meets the appropriate treatment standards? **Yes** **No** **N/A**

If yes, answer the following questions pertaining to notifications:

268.7(a)(3)(i)

a) Do the notifications include the EPA Hazardous Waste Number? **Yes** **No**

268.7(a)(3)(i)

b) Do the notifications include the underlying hazardous constituents for characteristic wastes as well as the waste constituents that the treater should monitor if monitoring will not include all regulated constituents for wastes F001-F005 and F039 ? **Yes** **No** **N/A**

268.7(a)(3)(i)

c) Do the notifications specify whether the waste is a non-wastewater or wastewater and applicable sub-categories?
 Yes **No** **N/A**

268.7(a)(3)(i)

d) Do the notifications include the manifest number associated with the shipment of waste? **Yes** **No**

268.7(a)(3)(i)

e) Do the notifications include the required certification statement signed by an authorized representative?
 Yes **No**

268.7(a)(3)(i)

f) Do the notifications include available waste analysis data?
 Yes **No** **N/A**

268.7(a)(3)(ii)

30. If the waste changes, has the generator sent a new notice and/or certification to the receiving facility and placed a copy in their files? **Yes** **No** **N/A**

268.7(a)(6) 268.7(a)(8)

31. Has the generator retained in on-site files the following materials:

a) all data used to determine whether its waste is restricted or meets applicable treatment standards upon generation, including knowledge of waste and test results? **Yes** **No**

b) copies of all notices and certifications for the past three years that were sent to treatment/disposal facilities and contractual agreements where the waste and the treater stay the same? **Yes** **No**

55 FR 22662(A.1) 268.7(a)(7)

32. If the generator treats a restricted waste in a WWTP having an NPDES permit, is there a statement in its operating log indicating that the WWTP is treating a RCRA restricted waste?

Yes No N/A

Additional Comments
