PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

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1. The authority citation for part 261 continues to read as follows:

Authority: 42 U.S.C 6905, 6912(a), 6921, 6922, and 6938.

261, add the following wastestream in

alphabetical order by facility to read as follows:

Appendix IX to Part 261—Wastes Excluded Under §§ 260.20 and 260.22

TABLE 1.—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES

2. In Table 1 of Appendix IX of Part

Facility	Address	Waste description
*	*	
Bethlehem Steel Corporation.	* Sparrows Point, Maryland.	 * * * * * * * * * * * * * * * * * * *
		testing condition in (1)(B) for (1)(A). BSC must collect and analyze at least one composite re resentative of the stabilized filter cake generated each month. Monthly composites must be cor prised of representative samples collected from all batches that are stabilized in a one-month p riod. The monthly samples must be analyzed prior to the disposal of the stabilized filter cake fi chromium, lead and nickel. BSC may, at its discretion, analyze composite samples more frequent to demonstrate that smaller batches of waste are non-hazardous.
		 (C) Annual Verification Testing: In order to confirm that the characteristics of the treated waster not change significantly, BSC must, on an annual basis, analyze a representative composite sample of stabilized filter cake for all TC constituents listed in 40 CFR §261.24 using the method spe fied therein. This composite sample must represent the stabilized filter cake generated over or week. (2) Waster Understand PCC must store as been due all stabilized filter cake generated over or week.
		(2) Waste Holding and Handling: BSC must store, as hazardous, all stabilized filter cake generate until verification testing (as specified in Conditions (1)(A) and (1)(B)) is completed and valid ana ses demonstrate that the delisting levels set forth in Condition (3) are met. If the levels of hazar ous constituents measured in the samples of stabilized filter cake generated are below all the level set forth in Condition (3), then the stabilized filter cake is non-hazardous and may be managed at disposed of in accordance with all applicable solid waste regulations. If hazardous constituent le els in any weekly or monthly composite sample equal or exceed any of the delisting levels set Condition (3), the stabilized filter cake generated during the time period corresponding to this sample must be retreated until it is below these levels or managed and disposed of in accordance w Subtitle C of RCRA.
		(3) <i>Delisting Levels:</i> All concentrations must be measured in the waste leachate by the meth specified in 40 CFR § 261.24. The leachable concentrations for the constituents must be below t following levels (ppm): arsenic—4.8; barium—100; cadmium—0.48; chromium—5.0; lead—1 mercury—0.19; nickel—9.6; selenium—1.0; silver—5.0.
		 (4) Changes in Operating Conditions: After completing the initial verification test period in Conditi (1)(A), if BSC decides to significantly change the stabilization process (<i>e.g.</i>, stabilization reagen developed under Condition (1), then BSC must notify EPA in writing prior to instituting the change After written approval by EPA, BSC may manage waste generated from the changed process non-hazardous under this exclusion, provided the other conditions of this exclusion are fulfilled. (5) Data Submittals: Two weeks prior to system start-up, BSC must notify in writing the Section Chief, Delisting Section (see address below) when stabilization of the dewatered filter cake w begin. The data obtained through Condition (1)(A) must be submitted to the Section Chief, Delisti
		Section, OSW (5304), U.S. EPA, 401 M Street, SW, Washington, DC 20460 within the time peri specified. The analytical data, including quality control information and records of ratios of lime k dust and fly ash used, must be compiled and maintained on site for a minimum of five years. The data must be furnished upon request and made available for inspection by EPA or the State Maryland. Failure to submit the required data within the specified time period or maintain the quired records on site for the specified time will be considered by the Agency, at its discretion, s ficient basis to revoke the exclusion to the extent directed by EPA. All data must be accompani by a signed copy of the following certification statement to attest to the truth and accuracy of t data submitted: