

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

TABLE 1.—WASTE EXCLUDED FROM NON-SPECIFIC SOURCES

Facility	Address	Waste description
* Teris LLC .....	* El Dorado, AR ....	<p>* Stabilized hazardous waste incinerator ash bearing some or all of the following EPA Hazardous Waste Numbers: F001–F012, F019, F024, F025, F032, F034, F035, F037–F039. The stabilized hazardous waste incinerator ash is generated at a maximum rate of 30,000 cubic yards per calendar year after [publication date of the final rule] and disposed in a Subtitle D landfill.</p> <p>For the exclusion to be valid, Teris must implement a verification testing program that meets the following Paragraphs:</p> <p>(1) Delisting Levels: All leachable concentrations for those constituents must not exceed the maximum allowable concentrations in mg/l specified in this paragraph. Teris must use the leaching method specified at 40 CFR Part 261.24 to measure constituents in the waste leachate. When analyzing for leachable metals, Teris must perform two runs using the Multiple Extraction Procedure. One run will use a pH 7.0 leaching medium on inorganic and organic constituents and the other run will use a leaching medium adjusted to pH 4.9 on inorganic constituents.</p> <p>(A) Inorganic Constituents (from Table 1) TCLP (mg/l): Antimony—0.206; Arsenic—0.096; Barium—21.00; Beryllium—0.416; Cadmium—0.11; Chromium—0.60; Cobalt—13.14; Copper—9113.00; Lead—0.69; Mercury—0.025; Nickel—3.98; Selenium—0.58; Silver—0.14; Tin—396.00; Thallium—0.088; Vanadium—1.6; Zinc—2.61.</p> <p>(B) Organic Constituents (from Table 1) TCLP (mg/l): Acenaphthylene—0.059; Acetone—0.059; Acetophenone—0.01; Aniline—0.81; Anthracene—0.059; Benzene—0.14; Benzo(a)pyrene—0.0018; Benzo(ghi)perylene—0.0036; Benzo(b)fluoranthrene—0.0038; Benzo(k)fluoranthrene—0.0038; Bis(2-ethylhexyl)phthalate—0.114; Carbon Disulfide—3.80; Chrysene—0.059; Fluoranthene—0.068; Fluorene—0.059; Hexachlorobenzene—0.00822; 2-Methylnaphthalene—0.059; Naphthalene—0.059; Phenanthrene—0.059; Phenol—0.039; Pyrene—0.067; Styrene—1.90; Toluene—0.08.</p> <p>(2) Waste Holding and Handling:</p> <p>(A) Teris must store the hazardous waste incinerator ash as described in its RCRA permit, or continue to dispose of as hazardous all hazardous waste incinerator ash generated, until the verification testing described in Paragraph (3)(A) and (B), as appropriate, is completed and valid analyses demonstrate that Condition (3) is satisfied.</p> <p>(B) Teris can manage and dispose the stabilized nonhazardous incinerator ash according to all applicable solid waste regulations when levels of constituents measured in the samples of the stabilized hazardous waste incinerator ash do not exceed the levels set forth in Paragraph (1) for two consecutive quarters.</p> <p>(C) If constituent levels in a sample exceed any of the delisting levels set in Paragraph (1), Teris must retreat the batches of incinerator waste used to generate the representative sample until they meet the levels specified in Paragraph 1. Teris must repeat the analyses of the treated waste.</p> <p>(D) If the facility has not treated the incinerator ash as necessary to achieve the limits in Paragraph (1), then Teris must either manage and dispose the waste generated under Subtitle C of RCRA, or retreat the incinerator ash until it meets the requirements specified in Paragraph (1).</p> <p>(3) Verification Testing Requirements: Teris must perform sample collection and analyses, including quality control procedures, according to SW-846 methodologies.</p> <p>(A) Verification Testing: At quarterly intervals for one year after the EPA grants the final exclusion, Teris must do the following:</p> <p>(i) Collect four representative composite samples of roll-off of the hazardous waste incinerator ash.</p> <p>(ii) Analyze each sample for all constituents listed in Paragraph 1. All samples exceeding delisting levels in Paragraph 1 will be retested. Any roll-off exceeding the delisting levels listed in Paragraph (1) must be retreated or disposed as hazardous waste in a Subtitle C landfill.</p> <p>(iii) Within sixty (60) days after this exclusion becomes final, Teris will report initial verification analytical test data, including analytical quality control information for the first thirty (30) days of operation after this exclusion becomes final of the stabilized incinerator ash treatment process. If levels of constituents measured in the samples of the stabilized hazardous waste incinerator ash that do not exceed the levels set forth in Paragraph (1) are also non-hazardous in two consecutive quarters after the first thirty (30) days of operation after this exclusion, Teris can manage and dispose the stabilized nonhazardous incinerator ash according to all applicable solid waste regulations.</p> <p>(B) Quarterly Testing:</p> <p>(i) Teris must test four representative composite samples of the stabilized incinerator ash for all constituents listed in Paragraph (1) at least once per calendar quarter.</p>