

<p>APPLICATION REVIEW CHECKLIST</p> <p>LAND PROTECTION DIVISION HAZARDOUS WASTE PROGRAM</p> <p>OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY</p>	Facility Name: _____ Facility ID No.: _____ ODEQ Permit No.: _____ Reference No.: _____ Application Type: _____ Date: _____ (New/Modify/Renewal)	40 CFR 264 Subpart M <u>LAND TREATMENT</u>
	Administrative Reviewer: _____ Start Date: _____ Completion Date: _____ Technical Reviewer: _____ Start Date: _____ Completion Date: _____ Issuance Deadline: _____	ODEQ Form Number XXX - XXX
		Shaded areas for ODEQ use only

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
APPLICABILITY - 264.270							
To all facilities that treat or dispose of hazardous wastes in land treatment units (LTUs), except as 264.1 provides otherwise							
TREATMENT PROGRAM - 264.271							
LTU 1	264.271(a)		Hazardous constituents in/on the treatment zone must be degraded, transformed, or immobilized within the treatment zone. The Agency will specify the elements of the treatment program to include:				

Facility Name _____ Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____
T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
LTU 2	264.271(a)(1)		Wastes that are capable of being treated based on a demonstration under 264.272;				
LTU 3	264.271(a)(2)		Design and operations to maximize the success of degradation, transformation, and immobilization processes in accordance with 264.273(a); and				
LTU 4	264.271(a)(3)		Unsaturated zone monitoring as required in 264.278				
LTU 5	264.271(b)		The Agency will specify the hazardous constituents (Appendix VIII of 261 of this chapter) that must be degraded, transformed, or immobilized.				
LTU 6	264.271(c)		The Agency will specify the vertical and horizontal dimensions of the treatment zone. The treatment zone is the portion of the unsaturated zone below and including the land surface in which treatment conditions are to be maintained. Its maximum depth must be:				
LTU 7	264.271(c)(1)		No more than 1.5 meters (5 feet) from the initial soil surface; and				
LTU 8	264.271(c)(2)		More than 1 meter (3 feet) above the seasonal high water table.				
TREATMENT DEMONSTRATION - 264.272							
LTU 9	264.272(a)		Prior to application of waste, the facility must demonstrate the hazardous constituents of each waste can be completely degraded, transformed, or immobilized in the treatment zone.				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
LTU 10	264.272(b)		<p>The facility may use field tests, laboratory analyses, available data, or operating data.</p> <p>The facility must obtain a permit under 270.63 if it conducts field tests or laboratory analyses to make demonstration req. Under paragraph (a) of this section. The Agency will specify the testing, analytical, design, and operating requirements to meet paragraph (c) of this section.</p>				
LTU 11	264.272(c)		<p>Any field test or laboratory analysis conducted under paragraph (a) of this section must:</p>				
LTU 12	264.272(c)(1)		<p>Accurately simulate the characteristics and operating conditions including:</p> <ul style="list-style-type: none"> (i) The characteristics of the waste; (ii) The climate; (iii) The topography of the surrounding area; (iv) The characteristics of the soil in the treatment zone (including depth); and (v) The operating practices. 				
LTU 13	264.272(c)(2)		<p>Show that hazardous constituents to be tested will be completely degraded, transformed, or immobilized in the treatment zone.</p>				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

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					YES/NO/NA	YES/NO/NA	
LTU 14	264.272(c)(3)		<p>Be conducted in a manner that protects human health and the environment considering:</p> <ul style="list-style-type: none"> (i) The characteristics of the waste to be tested; (ii) The operating and monitoring measures taken during testing; (iii) The test duration; (iv) The volume of waste used in the test; (v) In field tests, the potential for migration of hazardous constituents to groundwater or surface water. 				
<p>DESIGN AND OPERATING REQUIREMENTS - 264.273</p> <p>The Agency will specify how the facility will design, construct, operate, and maintain the land treatment unit in compliance with this section.</p>							
LTU 15	264.273(a)		<p>The facility must design, construct, operate, and maintain the unit to:</p> <p>maximize the degradation, transformation and immobilization of hazardous constituents in the treatment zone; and</p> <p>be in accord with all design and operating conditions that were used the demonstration under 264.272.</p> <p>The Agency will specify in the permit:</p>				
LTU 16	264.273(a)(1)		The rate and method of waste application to the treatment zone;				
LTU 17	264.273(a)(2)		Measures to control soil pH;				
LTU 18	264.273(a)(3)		Measures to enhance microbial or chemical reactions; and				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

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LTU 19	264.273(a)(4)		Measures to control the moisture content of the treatment zone.				
LTU 20	264.273(b)		The facility must design, construct, operate, and maintain the treatment zone to minimize run-off during the active life.				
LTU 21	264.273(c)		The facility must design, construct, operate, and maintain a run-on control system to prevent flow onto the treatment zone during peak discharge (at least a 25-year storm).				
LTU 22	264.273(d)		The facility must design, construct, operate, and maintain a run-off management system to collect and control at least the water volume from a 24-hour, 25-year storm.				
LTU 23	264.273(e)		Collection facilities of the run-on and run-off systems must be emptied or managed expeditiously after each storm to maintain the design capacity of the system.				
LTU 24	264.273(f)		The facility must control wind dispersal.				
LTU 25	264.273(g)		The facility must inspect the unit after each storm and weekly to detect:				
LTU 26	264.273(g)(1)		Deterioration, malfunctions, or improper operation of run-on and run-off systems; and				
LTU 27	264.273(g)(2)		Improper functioning of wind dispersal control measures.				
[RESERVED] - 264.274 - 264.275 FOOD-CHAIN CROPS - 264.276 The Agency may allow growing food-chain crops in/on the treatment zone only if the facility satisfies the conditions of this section. The Agency will specify the specific food-chain crops that may be grown.							

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

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					YES/NO/NA	YES/NO/NA	
LTU 28	264.276(a)(1)		The facility must demonstrate prior to planting no risk to human health by growing such crops in/on the treatment zone. Must demonstrate that hazardous constituents other than cadmium: (i) Will not be transferred to the food or the crop by plant uptake or direct contact, and will not be ingested by food-chain animals; or (ii) Will not occur in greater concentrations in the crops grown on the treatment zone than crops grown on untreated soils under similar conditions in the same regions				
LTU 29	264.276(a)(2)		The facility must make the demonstration prior to the planting of crops for all constituents in appendix VIII of 261 that are expected to be in, or derived from, waste placed in/on the treatment zone.				
LTU 30	264.276(a)(3)		In making demonstration, the facility may use field tests, greenhouse studies, available data, or operating data (existing units), and must: (i) Base the demonstration on conditions similar to those present in the treatment zone including soil characteristics, specific wastes, application rates and methods, and crops; and (ii) Describe the procedures used in conducting any tests including sample selection criteria, sample size, analytical methods, and statistical procedures.				
LTU 31	264.276(a)(4)		The facility must obtain a permit for conducting field tests or greenhouse studies for the demonstration.				
LTU 32	264.276(b)		If the wastes contain cadmium, the facility must comply with the following conditions:				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
LTU 33	264.276(b)(1)		<p>(i) The pH of the waste and soil mixture must be 6.5 or greater when applied, except waste with cadmium concentration at 2 mg/kg (dry weight) or less;</p> <p>(ii) The annual application of cadmium must not exceed 0.5 kg/ha for production of tobacco, leafy vegetables, or root crops for human consumption. For other food chain crops, the annual application of cadmium must not exceed:</p> <p style="padding-left: 40px;">Present to 6/30/84 2.0 kg/ha</p> <p style="padding-left: 40px;">7/1/84 to 12/31/86 1.25 kg/ha</p> <p style="padding-left: 40px;">Beginning 1/1/87 0.5 kg/ha</p> <p>(iii) The cumulative application of cadmium must not exceed 5 kg/ha if the waste and soil mixture has a pH of less than 6.5; and</p> <p>(iv) If the waste and soil mixture has or is maintained at a pH of 6.5 or greater during crop growth, the cumulative application of cadmium must not exceed:</p> <p style="padding-left: 40px;">5 kg/ha if soil cation exchange capacity (CEC) is less than 5 meq/100g;</p> <p style="padding-left: 40px;">10 kg/ha if soil CEC is 5-15 meq/100g;</p> <p style="padding-left: 40px;">20 kg/ha if soil CEC is greater than 15 meq/100g; or</p>				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
LTU 34	264.276(b)(2)		(i) Animal feed must be the only food-chain crop produced; (ii) The pH of the waste and soil mixture must be 6.5 or greater at the time of application or planting, whichever later, and this pH level must be maintained during growth; (iii) There must be an operating plan demonstrating how the animal feed will be distributed to preclude ingestion by humans. The operating plan must describe safeguards against possible health hazards from cadmium entering the food chain, which may result from alternative land uses; and (iv) Future property owners must be notified by a stipulation in the land record or property deed which states that the property has received waste at high cadmium application rates and that food-chain crops must not be grown except in compliance with paragraph (b)(2) of this section.				
[RESERVED] - 264.277 UNSATURATED ZONE MONITORING - 264.278 A facility subject to this subpart must establish an unsaturated zone monitoring program to discharge the following responsibilities:							
LTU 35	264.278(a)		The facility must monitor the soil and soil pore liquid to determine whether hazardous constituents migrate out of the treatment zone.				
LTU 36	264.278(a)(1)		The Agency will specify the hazardous constituents to be monitored under 264.271(b).				

Facility Name _____
 Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
LTU 37	264.278(a)(2)		The Agency may require monitoring for principal hazardous constituents (PHCs) in lieu of the constituents under 264.271(b).				
LTU 38	264.278(b)		The facility must monitor the unsaturated zone using soil core and soil pore liquid monitoring using devices such as lysimeters. The monitoring system must consist of sufficient sampling points at appropriate locations and depths to yield samples that:				
LTU 39	264.278(b)(1)		Represent the quality of unaffected background soil-pore liquid quality and chemical make up of the soil; and				
LTU 40	264.278(b)(2)		Indicate the quality of soil-pore liquid and the chemical make up of the soil below the treatment zone.				
LTU 41	264.278(c)		The facility must establish background value for each monitored hazardous constituent under paragraph (a) of this section. The permit will specify a value or procedures to be used to calculate background values.				
LTU 42	264.278(c)(1)		Background soil values may be based on a one-time sampling at a background plot having characteristics similar to the treatment zone.				
LTU 43	264.278(c)(2)		Background soil-pore liquid values must be based on at least quarterly sampling for one year at a background plot similar to the treatment zone.				
LTU 44	264.278(c)(3)		The facility must express all background values in a form necessary for the determination of statistically significant increases under paragraph (f) of this section.				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

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					YES/NO/NA	YES/NO/NA	
LTU 45	264.278(c)(4)		To determine background values, the facility must use an unsaturated zone monitoring system in compliance with paragraph (b)(1) of this section.				
LTU 46	264.278(d)		The facility must conduct soil monitoring and soil-pore liquid monitoring immediately below the treatment zone. The Agency will specify the frequency and timing. The facility must express the results of the monitoring in a form necessary for the determination of statistically significant increases under paragraph (f) of this section.				
LTU 47	264.278(e)		The facility must use consistent sampling and analysis procedures that are designed to provide a reliable indication of soil-pore liquid quality and chemical make up of the soil below the treatment zone. At the minimum, the facility must implement procedures and techniques for:				
LTU 48	264.278(e)(1)		Sample collection;				
LTU 49	264.278(e)(2)		Sample preservation and shipment;				
LTU 50	264.278(e)(3)		Analytical procedures; and				
LTU 51	264.278(e)(4)		Chain of custody control.				
LTU 52	264.278(f)		The facility must determine whether there is a statistically significant change over the background for any hazardous constituent under paragraph (a) of this section below the treatment zone each time the monitoring is conducted under paragraph (d) of this section.				
LTU 53	264.278(f)(1)		In determining a statistically significant increase, the facility must compare the value of each constituent under paragraph (d) of this section to the background value.				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
LTU 54	264.278(f)(2)		The facility must determine whether there is a statistically significant increase below the treatment zone within a reasonable period after sampling. The Agency will specify the time period in the permit.				
LTU 55	264.278(f)(3)		The facility must use a statistical procedure that provides reasonable confidence that migration from the treatment zone will be identified. The Agency will specify a statistical procedure in the permit that: (i) Is appropriate to establish background values; and (ii) Provides a balance between false identification of and failure to identify migration from the treatment zone.				
LTU 56	264.278(g)		If there is a statistically significant increase of hazardous constituents below the treatment zone, the facility must:				
LTU 57	264.278(g)(1)		Notify the Agency in writing within 7 days. The notification must indicate what constituents.				
LTU 58	264.278(g)(2)		Submit a permit modification application, within 90 days, to modify the operating practices to maximize the success of degradation, transformation, or immobilization processes in the treatment zone.				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
					YES/NO/NA	YES/NO/NA	
LTU 59	264.278(h)		<p>If there is a statistically significant increase of hazardous constituents below the treatment zone, the facility may demonstrate that the increase is from other sources or from error in sampling, analysis, or evaluation.</p> <p>Making a demonstration does not relieve the facility from the requirement of submitting a permit modification unless the demonstration is approved by the Agency.</p> <p>In making a demonstration, the facility must:</p>				
LTU 60	264.278(h)(1)		Notify the Agency in writing within 7 days that the facility intends to make a demonstration;				
LTU 61	264.278(h)(2)		Submit a report, within 90 days, demonstrating that the increase is from other sources or from error in sampling, analysis, or evaluation;				
LTU 62	264.278(h)(3)		Submit a permit modification application, within 90 days, to make appropriate changes to the monitoring program; and				
LTU 63	264.278(h)(4)		Continue to monitor in accordance with the program established under this section.				
RECORD KEEPING - 264.279							
The facility must include hazardous waste application dates and rates in the operating record under 264.73							
CLOSURE AND POST-CLOSURE CARE - 264.280							
LTU 64	264.280(a)		During the closure period, the facility must:				
LTU 65	264.280(a)(1)		Continue all operations under 264.273(a), except measures inconsistent with paragraph (a)(8) of this section;				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

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					YES/NO/NA	YES/NO/NA	
LTU 66	264.280(a)(2)		Continue all operations to minimize run-off under 264.273(b);				
LTU 67	264.280(a)(3)		Maintain the run-on control system under 264.273(c);				
LTU 68	264.280(a)(4)		Maintain the run-off management system under 264.273(d);				
LTU 69	264.280(a)(5)		Control wind dispersal if required under 264.273(f);				
LTU 70	264.280(a)(6)		Continue to comply with regulations concerning growth of food-chain crops under 264.276;				
LTU 71	264.280(a)(7)		Continue unsaturated zone monitoring (264.278), except soil-pore liquid monitoring may be terminated 90 days after the last application; and				
LTU 72	264.280(a)(8)		Establish a vegetative cover on closed portion. The cover must be capable of growing without extensive maintenance.				
LTU 73	264.280(b)		To comply with 264.115, when closure is completed, facility may submit a certification by an independent soil scientist (instead of engineer) which identifies closure in accordance with the closure plan.				
LTU 74	264.280(c)		During the post-closure care period, the facility must:				
LTU 75	264.280(c)(1)		Continue all operations to enhance treatment that are consistent with other post-closure care activities;				
LTU 76	264.280(c)(2)		Maintain a vegetative cover over closed portions;				
LTU 77	264.280(c)(3)		Maintain the run-on control system under 264.273(c);				
LTU 78	264.280(c)(4)		Maintain the run-off management system under 264.273(d);				
LTU 79	264.280(c)(5)		Control wind dispersal if required under 264.273(f);				
LTU 80	264.280(c)(6)		Continue to comply with regulations concerning growth of food-chain crops under 264.276;				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

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LTU 81	264.280(c)(7)		Continue unsaturated zone monitoring (264.278), except soil-pore liquid monitoring may be terminated 90 days after the last application; and				
LTU 82	264.280(d)		<p>The facility is not subject to paragraphs (a)(8) and (c) of this section if hazardous constituents in the treatment zone soil do not exceed background value using statistics in paragraph (d)(3) of this section.</p> <p>The facility may submit such demonstration at any time during the closure and post-closure care periods.</p> <p>For the purposes of this paragraph:</p>				
LTU 83	264.280(d)(1)		<p>The facility must establish background soil values and determine whether there is a statistically significant increase for all hazardous constituents in the permit under 264.271(b).</p> <p>(i) Background soil values may be based on one-time sampling of a background plot having characteristics similar to those of the treatment zone.</p> <p>(ii) The facility must express background and hazardous constituent values in statistical form to determine increase under paragraph (d)(3) of this section.</p>				
LTU 84	264.280(d)(2)		The facility must take sufficient sampling points at appropriate location and depth that have not been affected by the treatment zone.				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

ITEM #	FEDERAL REGULATIONS 40 CFR	STATE REGULATIONS OAC 252:205	GENERAL DESCRIPTION	INFO LOCATION	ADMIN. COMPLETE	TECHNICALLY COMPLETE	REMARKS
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LTU 85	264.280(d)(3)		In determining a statistically significant increase, the facility must compare the value of each constituent in the treatment zone to the background value using a statistical procedure that provides reasonable confidence that constituent presence in the treatment zone will be identified. The facility must use a statistical procedure that: (i) Is appropriate to establish background values; and (ii) Provides a balance between false identification of and failure to identify presence in the treatment zone.				
LTU 86	264.280(e)		The facility is not subject to Subpart F if the facility satisfies paragraph (d) of this section and if unsaturated zone monitoring under 264.278 indicates that hazardous constituents have not migrated beyond the treatment zone during the active life.				
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE (IR) WASTE - 264.281							
The facility must not apply IR waste to the treatment zone unless the waste and the treatment zone meet 40 CFR 268, and:							
LTU 87	264.281(a)		The waste is immediately incorporated into the soil so that:				
LTU 88	264.281(a)(1)		The resulting waste, mixture, or dissolution no longer meets IR definition under 261.21 or 261.23; and				
LTU 89	264.281(a)(2)		264.17(b) is complied with; or				
LTU 90	264.281(b)		The waste is managed to be no longer IR.				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____

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[LTU 91] SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES - 264.282							
The facility must not place incompatible wastes and materials (appendix V for examples) in the same treatment zone, unless 264.17(b) is complied with.							
SPECIAL REQUIREMENTS FOR HAZARDOUS WASTES F020, F021, F022, F023, F026, AND F027 - 264.283							
LTU 92	264.283(a)		Hazardous wastes F020 through F027 (except F024 and F025) must not be placed in land treatment unit without the Agency approval. The factors to be considered are:				
LTU 93	264.283(a)(1)		The volume, physical, and chemical characteristics of the wastes, including the potential to migrate to the environment;				
LTU 94	264.283(a)(2)		The attenuative properties of soils or other materials;				
LTU 95	264.283(a)(3)		The mobilizing properties of other materials co-disposed with these wastes; and				
LTU 96	264.283(a)(4)		The effectiveness of additional treatment, design, or monitoring techniques.				
LTU 97	264.283(b)		The Agency may determine additional design, operating, and monitoring requirements are necessary to be protective of human health and the environment.				

Facility Name _____
Reference No. _____

A. Reviewer's Initials _____ Tracking Date _____

T. Reviewer's Initials _____ Tracking Date _____