

## DELAWARE SOLID WASTE AUTHORITY

### POLICY ON

### SPECIAL SOLID WASTE

All Generators of Special Solid Wastes\* in Delaware who wish to dispose their Special Solid Waste at a Delaware Solid Waste Authority (DSWA) facility shall meet the requirements of this policy.

1. Generators shall not deliver and DSWA will not approve disposal of any waste from a Federal Superfund site.
2. Generators shall not deliver and DSWA will not approve disposal of any Special Solid Waste that is hazardous excepting household hazardous waste.
3. Generators shall not deliver and DSWA will not approve disposal of any Special Solid Waste, which is strictly prohibited by any applicable law, regulation, or permit.
4. Generators may deliver and DSWA will approve disposal of NON-HAZARDOUS solid waste from State of Delaware Hazardous Substance Cleanup Act (HSCA) sites in accordance with the most recent Memorandum of Agreement between DSWA and DNREC.
5. Generators may deliver and DSWA will approve disposal of Asbestos-Containing Material in accordance with the most current revision of the Asbestos Policy and Procedures adopted and signed by the Delaware Solid Waste Authority and the Department Natural Resources and Environmental Control.
6. Generators shall request, in writing, approval for disposal of the Special Solid Waste and shall provide, at a minimum, the following information in this order:
  - a. The location of the Special Solid Waste generation site
  - b. A description of the Special Solid Waste
  - c. A statement that the waste is not from a Federal Superfund Site
  - d. A statement that the waste is also not hazardous as provided herein
  - e. A description of how and where a representative sample(s) of the Special Solid Waste was taken
  - f. A copy of all required test results as further described in this policy below

*\*Special Solid Wastes are defined by the Department of Natural Resources and Environmental Control's Regulations Governing Solid Waste as "...those wastes that require extraordinary management. They include, but are not limited to, abandoned automobiles, white goods, used tires, waste oil, sludges, dead animals, agricultural and industrial wastes, infectious waste, municipal ash, septic tank pumpings, and sewage residues."*

- g. Documentation that the laboratory is duly certified to perform the required environmental analysis
  - h. An estimate of the total quantity of Special Solid Waste to be disposed of (in tons)
  - i. A proposed delivery schedule for the Special Solid Waste disposal (tons per day) and frequency (days per week, month, and year)
7. At his own expense, the Generator shall arrange to have the sampling, testing, and reporting completed in accordance with the conditions and requirements of this Special Solid Waste Policy and as directed by DSWA.
8. All sampling and testing shall be done in accordance with the most recent version of U.S. EPA Test Methods for Evaluating Solid Waste, SW-846 or, as approved by DSWA, the Generator may use knowledge based on the materials and processes used to make a hazardous waste determination as afforded by Delaware's *Regulations Governing Hazardous Waste* (DRGHW). Testing must be performed by a duly certified laboratory.
9. A representative sample of the Special Solid Waste shall be subjected to the following testing:
- a. The Toxicity Characteristic Leaching Procedure (TCLP). The resulting leachate must be tested for the TCLP constituents listed in SW-846 or others required by DSWA. No constituent can exceed its respective regulatory level to obtain approval for disposal. The Special Solid Waste must be determined to be non-toxic in accordance with DRGHW Section 261.24
  - b. Ignitibility - The Special Solid Waste must be determined to be non-ignitable in accordance with DRGHW Section 261.21.
  - c. Corrosivity - The Special Solid Waste must be determined to be non-corrosive in accordance with DRGHW Section 261.22.
  - d. Reactivity - The Special Solid Waste must be determined to be non-reactive in accordance with DRGHW Section 261.23.
  - e. Sulfate – The Special Solid Waste must be tested to determine sulfate concentration by EPA Method 300 or SW-846 Method 9056.
  - f. Polychlorinated biphenyls (PCBs) - The Special Solid Waste must have a concentration of PCBs less than 50.0 mg/kg. Generators of Special Solid Waste containing detectable PCB levels below 50 mg/kg shall certify in writing that the resulting PCB concentration is not the result of dilution, or leaks and spills of PCBs in concentrations of 50 mg/kg or greater.
  - g. Solids Content - The Special Solid Waste must be a minimum of 20% solids by weight and not contain free liquids (as determined by the Paint Filter Liquids Test (SW-846)).
10. At DSWA's request the Generator shall provide DSWA with split samples of the Special Solid Wastes. DSWA or its designated representative shall be allowed to be present when such split samples are taken.
11. DSWA, at its sole discretion, reserves the right to require additional testing of the Special Solid Waste at the Generator's expense or may, at its sole discretion, waive certain testing or other requirements.

12. DSWA reserves the right to accept or reject the Special Solid Waste regardless of whether the above requirements are met. Consideration and approval will be made on a case-by-case basis. Approval/denials shall be issued by DSWA in letter form.
13. For all approved Special Solid Wastes that will be disposed of on a continuous basis, the Generator shall follow the sampling, analysis, and reporting requirements established by the DSWA for their Special Solid Waste. At a minimum, the Generator shall sample and analyze their Special Solid Waste in the manner described in this Special Solid Waste Policy at least once annually. In addition, the generator shall notify the DSWA immediately and request a new Special Solid Waste approval whenever changes to materials or processes result in a change to the waste characteristics of the Special Solid Waste.
14. Generators of approved Special Solid Wastes shall be responsible for ensuring that each delivery of their Special Solid Waste to the designated DSWA facility be accompanied by a copy of DSWA's approval letter.
15. DSWA, at its sole discretion, for any reason whatsoever, reserves the right to withdraw approval given to a Generator of Special Solid Waste.

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