

10. Treatment Standards

How were the treatment standards established for the land ban rule?

The treatment standards set forth in the Constituent in Concentration in Waste Extract (CCWE) Table of §268.41 [51 FR 40642] are technology-based standards. These standards are based on the efficiencies that can be achieved using the Best Demonstrated Available Technology (BDAT). As is explained on pages 40588-40589, a technology may be "demonstrated" if it is currently used to treat wastes within the group of wastes judged to be similar. The following criteria must be met for a technology to be "available": (1) the technology does not present a greater total risk than land disposal; (2) if the technology is a proprietary or patented process, it can be purchased from the proprietor; (3) the technology provides substantial treatment; and (4) treatment technologies prohibited under §3004(n) because of air emissions will be excluded as "available" technologies for the purposes of establishing treatment standards. The Agency performed a statistical analysis on the available treatment data to identify the BDAT and determine the treatment standard.