

RCRA, SUPERFUND & EPCRA CALL CENTER MONTHLY REPORT  
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**1. Soil Treatment Standards and Constituents Subject to Treatment**

*On May 26, 1998 (63 FR 28556), EPA promulgated alternative treatment standards for hazardous soils subject to land disposal restrictions (LDR) and designated soil as a new treatability group (40 CFR Section 268.49). Under the new soil standards, a facility must treat all constituents subject to treatment to a 90 percent reduction of the constituent level in the soil, capped at 10 times the nonwastewater universal treatment standard (UTS) (Section 268.49(c)(1)). Additionally, facilities must decharacterize any soil that exhibits the characteristic of ignitability, corrosivity, or reactivity (Section 268.49(c)(2)). Under these alternative soil standards, what constituents are subject to treatment?*

Section 268.49(d) defines "constituents subject to treatment" as any constituents listed in Section 268.48 (i.e., the UTS table) that are reasonably expected to be present in any given volume of contaminated soil, except fluoride, selenium, sulfides, vanadium, and zinc, and that are present at concentrations greater than 10 times UTS. Generators of contaminated soil are not required to monitor soil for the entire list of underlying hazardous constituents (UHCs) to determine the constituents subject to treatment. Instead, EPA allows generators of contaminated soil to reasonably apply knowledge of the contaminants that are likely to be present in the soil and use that knowledge to select appropriate UHCs, or classes of constituents, for monitoring (63 FR 28556, 28609; May 26, 1998).

For soils containing a listed waste, using the alternative soil treatment standards may encompass constituents subject to treatment that do not require treatment under the Section 268.40 waste code specific standard. The treatment standards for listed waste in Section 268.40 do not require identification or treatment of UHCs. However, under the alternative soil treatment standards, facilities must identify and treat all UHCs reasonably expected to be present in both characteristic and listed soil.

Finally, the alternative soil treatment standards are not automatically available in all states. Before using the alternative soil standards, facilities should check with their implementing agency to verify which treatment options are available for contaminated soil in their state. Facilities operating in states that have adopted the alternative soil treatment standards have the option of treating hazardous soils in accordance with the original waste code specific standards in Section 268.40 or the alternative Section 268.49 soil standards.

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