for obtaining this information, I believe that the nonwastewater organic constituents have been treated by incineration in units operated in accordance with chs. NR 600 to 685 or by combustion in fuel substitution units operating in accordance with applicable technical requirements, and I have been unable to detect the nonwastewater organic constituents despite having used best good faith efforts to analyze for such constituents. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

4. The treatment facility shall keep a copy of this certification with its copy of the manifest.

(f) If the waste or treatment residue will be further managed at a different treatment or storage facility, the treatment, storage or disposal facility sending the waste or treatment residue off-site shall comply with the notice and certification requirements applicable to generators under this section.

(g) The owner or operator of any land disposal facility disposing any waste subject to restrictions under this chapter shall:

1. Have copies of the notice and certifications specified in sub. (1) or (2) and the certification specified in s. NR 675.08.

2. Test the waste, or an extract of the waste or treatment residue developed using the test method described in 40 CFR 261, Appendix II, July 1, 1990, or using any methods required by generators under s. NR 675.13 to assure that the wastes or treatment residues are in compliance with the applicable treatment standards in ss. NR 675.20 to 675.24 and all applicable prohibitions in s. NR 675.13 or 42 USC 6924 (d). Testing shall be performed according to the frequency specified in the facility's waste analysis plan as required by s. NR 630.13.

Note: The publications containing the CFR reference and title 42 of the United States code may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

These publications are available for inspection at the offices of the department, the secretary of state and the revisor of statutes.

History: Cr. Register, February, 1991, No. 422, eff. 3-1-91; am. (2) (a), (b), (d) 1. b., (e) (intro.), 1. and (g) 2., cr. (1) (b), (g), (i) to (k) and (2) (e) 3., renum. (1) (intro.), (a) to (e) and (2) (e) 3. to be (1) (a), (c) to (f), (h) and (2) (e) 4. and am. (1) (a), (c) (intro.), 1. b., (d) (intro.), 1. b., 2., (e) (intro.), 1. b., (f) and (h), Register, August, 1992, No. 440, eff. 9-1-92.

NR 675.09 Special rules regarding wastes that exhibit a characteristic. (1) The initial generator of a solid waste shall determine each hazardous waste number, or hazardous waste code, applicable to the waste in order to determine the applicable treatment standards under ss. NR 675.20 to 675.24. For purposes of this chapter, the waste will carry the waste code for any applicable listing under s. NR 605.09. In addition, the waste will carry one or more of the waste codes under s. NR 605.08 where the waste exhibits a characteristic, except in the case when the treatment standard for the waste code listed in s. NR 605.09 operates in lieu of the standard for the waste code under s. NR 605.08 as specified in sub. (4).

(2) Where a prohibited waste is both listed under s. NR 605.09 and exhibits a characteristic under s. NR 605.08, the treatment standard for the waste code listed in s. NR 605.09 will operate in lieu of the standard

for the waste code under s. NR 605.08, provided that the treatment standard for the listed waste includes a treatment standard for the constituent that causes the waste to exhibit the characteristic. Otherwise, the waste shall meet the treatment standards for all applicable listed and characteristic waste codes.

(3) In addition to any applicable standards determined from the initial point of generation, no prohibited waste which exhibits a characteristic under s. NR 605.08 may be land disposed unless the waste complies with the treatment standards under s. NR 605.09.

(4) Wastes that exhibit a characteristic are also subject to s. NR 675.07 requirements, except that once the waste is no longer hazardous, for each shipment of the wastes to a subtitle D facility the initial generator or the treatment facility need not send a s. NR 675.07 notification to the facility. In such circumstances, a notification and certification shall be sent to the department. The notification shall include:

(a) The name and address of the subtitle D facility receiving the waste shipment;

(b) A description of the waste as initially generated, including the applicable hazardous waste number, the applicable wastewater or nonwastewater category and the subdivisions made within a waste code based on waste specific criteria;

(c) The treatment standards applicable to the waste at the initial point of generation.

(5) Notifications sent under sub. (4) shall be signed by an authorized representative and shall state the language found in s. NR 675.07 (2) (e) 1.

History: Cr. Register, August, 1992, No. 440, eff. 9-1-92.

NR 675.10 Schedule for land disposal prohibition and establishment of treatment standards. (1) IDENTIFICATION OF WASTES TO BE EVALUATED BY AUGUST 8, 1988. EPA will take action under 42 USC 6924 (g) (5) and 42 USC 6924 (m) by August 8, 1988, for the following wastes:

Note: The publication containing title 42 of the United States code may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

For ease of understanding the wastes have been listed by the section of ch. NR 605 under which they were listed.

(a) s. NR 605.09 (2) (a) Wastes

F006 - Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.

F007 - Spent cyanide plating bath solutions from electroplating operations.