



# ARARs Short Guidance Quarterly Report

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The ARARs Short Guidance Quarterly Report provides an annotated description of all published short guidance on ARARs. Short guidance documents on ARARs include Fact Sheets, Q's & A's, Memoranda resolving ARARs issues, and the Guide to the CERCLA Compliance with Other Laws Manual. Each Quarterly Report is comprehensive to date, and each item below is final unless otherwise noted. The ARARs short guidance documents are designed to supplement, not supplant, the CERCLA Compliance with Other Laws Manual. This report will expressly note any ARARs short guidance that supercedes information provided in the CERCLA Compliance with Other Laws Manual. Single copies of all of these short guidance documents may be obtained by calling or writing the Superfund Docket and Information Center, U.S. EPA, OS-245, 401 M St. SW, Washington, DC 20460; (202) or FTS 382-6940. Copies of the CERCLA Compliance with Other Laws Manual (Part I -- EPA/540/G-89/006, Part II -- EPA/540/G-89/009) may be obtained from CERL, U.S. EPA, 26 West Martin Luther King Drive, Cincinnati, OH 45268; (513) 569-7562.

## ARARs Q's and A's

Publication 9234.2-01/FS

May 1989

4 pages

The ARARs Q's & A's Fact Sheet (first in an expected series of Q's & A's) addresses seven general ARARs policy questions, such as: (1) the distinction between "applicable" and "relevant and appropriate" requirements; (2) whether ARARs that are not required for protectiveness have to be met; and (3) whether environmental resource laws such as the Endangered Species Act are potential ARARs. The Q's & A's also discusses three RCRA ARARs issues: (1) RCRA delisting when wastes remain on-site; (2) RCRA financial responsibility requirements as potential ARARs; and (3) the applicability of minimum technology requirements for existing hazardous waste pits closed before 1980. Finally, the Q's & A's addresses four ARARs questions arising from the Clean Water Act and the Safe Drinking Water Act; one question addresses ground-water antidegradation laws and three focus on MCLs and MCLGs.

## Guide to Manual

Publication 9234.2-02/FS

September 1989

2 pages

The Guide to Manual Fact Sheet describes the overall purpose of the CERCLA Compliance with Other Laws Manual: Parts I and II. It also serves as a table of contents to the manual by describing the contents of each chapter of both parts of the manual.

## ARARs SHORT GUIDANCE QUARTERLY REPORT (cont'd)

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**RCRA ARARs: Focus on  
Closure Requirements**

Publication 9234.2-04/FS

October 1989

5 pages

The RCRA ARARs Fact Sheet provides an overview of RCRA Subtitle C ARARs and describes when RCRA requirements are ARARs. The Fact Sheet also focuses on RCRA closure requirements, discussing when RCRA closure requirements are ARARs, and what the RCRA minimum technology requirements encompass. The elements and consequences of State authorization under RCRA are also summarized.

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**Superfund LDR Guide #1, Overview  
of RCRA LDRs**

Publication 9347.3-01/FS

July 1989

4 pages

The LDR Overview Fact Sheet defines land disposal, describes the RCRA LDR statutory deadlines, and summarizes statutory waste categories. Other topics discussed include: types of LDR restrictions, LDR compliance options, and soil and debris wastes. Finally, it addresses other LDR requirements, including storage prohibitions, exemptions for treatment in surface impoundments, dilution prohibitions, and LDR testing, notification, and compliance certification requirements.

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**Superfund LDR Guide #2, Complying with the  
California List Restrictions under LDR**

Publication 9347.3-02/FS

July 1989

2 pages

The LDR California List Restrictions Fact Sheet defines California List Wastes, describes the California List LDR restrictions, and summarizes the overlap between California List LDR restrictions and other treatment standards. The Fact Sheet also provides a chart that sets forth prohibition levels and treatment standards for California List Wastes.

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**ARARs SHORT GUIDANCE  
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**Superfund LDR Guide #3, Treatment Standards  
and Minimum Technology Requirements under LDR**

Publication 9347.3-03/FS

July 1989

4 pages

The LDR Treatment Standards and Minimum Technology Requirements Fact Sheet describes the three types of treatment standards (concentration levels, specified technologies, and no land disposal) and discusses the two types of tests for evaluating compliance with LDR treatment standards (the Total Waste Analysis and the Toxicity Characteristic Leaching Procedure). The Fact Sheet also reviews treatment standards in effect for RCRA hazardous wastes, and explains minimum technology requirements that apply during a national capacity extension. Charts illustrate effective dates and LDR restrictions for Solvents and Dioxins, California List Wastes, and certain First Third Wastes.

**Superfund LDR Guide #4, Complying with Hammer  
Restrictions under LDR**

Publication 9347.3-04/FS

July 1989

4 pages

The LDR Hammer Restrictions Fact Sheet discusses soft hammer wastes, restrictions, and requirements for notifications, certifications, and demonstrations. Other topics include the overlap between California List Wastes, soft hammer wastes, and hard hammer wastes. The Fact Sheet also highlights soft hammer notification, certification, and demonstration requirements, hard hammer deadlines, and the process for identifying soft hammer waste restrictions.

**Superfund LDR Guide #5, Determining when LDRs  
are Applicable**

Publication 9347.3-05/FS

July 1989

4 pages

The LDR Applicability Fact Sheet addresses three questions: (1) Does the response constitute placement? (2) Is the CERCLA substance a RCRA hazardous waste? and (3) Is the RCRA waste restricted under the LDRs? In addition, the Fact Sheet provides examples of areas of contamination (AOCs), highlights LDR statutory deadlines, and illustrates the process of determining when LDRs are applicable requirements.

## **ARARs SHORT GUIDANCE QUARTERLY REPORT (cont'd)**

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### **Superfund LDR Guide #6A, Obtaining a Soil and Debris Treatability Variance for Remedial Actions**

Publication 9347.3-06/FS

July 1989

6 pages

The LDR Soil and Debris Treatability Variance Fact Sheet discusses the basis for a treatability variance, describes how to obtain a treatability variance for soil and debris wastes, and summarizes compliance with a treatability variance for soil and debris wastes. The Fact Sheet also highlights information to be included when documenting a soil and debris treatability variance in an RI/FS report for on-site and off-site CERCLA response actions. Sample language concerning treatability variances is provided for the Proposed Plan and Record of Decision (ROD). A chart illustrates alternate treatability variance levels and technologies established by EPA for structural/functional groups. The Fact Sheet also highlights stages in the RI/FS process when LDRs are evaluated, and the identification of treatment levels for a treatability variance.

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### **Memorandum of Applicability of LDRs to RCRA and CERCLA GW Treatment Reinjection**

Publication 9234.1-06

December 1989

5 pages

This Memorandum establishes that LDR is not applicable to underground disposal of hazardous waste into Class IV injection wells during CERCLA response actions or RCRA corrective actions. The Memorandum explains that because LDR is not applicable, BDAT does not have to be met prior to each reinjection or at the completion of the action in a pump-and-treat reinjection remediation system. The Memorandum additionally explains why LDRs generally will not be relevant and appropriate requirements for CERCLA response actions that involve ground-water reinjection.

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### **Overview of ARARs – Focus on ARAR Waivers**

Publication 9234.2-03/FS

December 1989

5 pages

The Overview ARARs Fact Sheet defines ARARs and To Be Considered (TBCs). It additionally focuses on ARARs waivers by describing each waiver and providing waiver examples. Other topics discussed include: (1) factors for identifying relevant and appropriate requirements; (2) "freezing" ARARs at the ROD; (3) compliance with ARARs for on-site versus off-site actions; (4) types of ARARs; and (5) ARARs documentation.

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## ARARs SHORT GUIDANCE QUARTERLY REPORT (cont'd)

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<b>CERCLA Compliance with State Requirements</b>	Publication 9234.2-05/FS
December 1989	5 pages
<p>The CERCLA Compliance with State Requirements Fact Sheet describes the statutory requirements for State ARARs and defines such terms as "promulgated" and "more stringent." The Fact Sheet additionally discusses policies with respect to the applicability of some typical State environmental or facility siting laws. It also discusses roles of lead and support agencies with respect to the identification of ARARs, and procedures to be followed when communicating ARARs.</p>	

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