

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C1

Hazardous Waste Management System: General
40 CFR Part 260 as of **December 31, 2002**

Note: No final rules affecting 40 CFR Part 260 were promulgated between June 30, 2002 and December 31, 2002, therefore, this Consolidated Checklist corresponds to 40 CFR Part 260 as published on July 1, 2002.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

part provides definition of terms, general standards, and overview information	*,34	260.1(a)					
purpose of 260.2	*,34	260.1(b)(1)					
purpose of 260.3	*,34	260.1(b)(2)					
purpose of 260.10	*,34	260.1(b)(3)					
purpose of 260.20	*,34	260.1(b)(4)					
purpose of 260.21	*	260.1(b)(5)					
purpose of 260.22	*	260.1(b)(6)					

USE OF NUMBER AND GENDER

use of number and gender in 260-265 and 268	*,34	260.3					
masculine includes feminine and neuter	*	260.3(a)					
words in singular include plural	*	260.3(b)					
words in plural include singular	*	260.3(c)					

SUBPART B - DEFINITIONS

DEFINITIONS

terms have the following meanings throughout 260-266, 268, and 270 through 273	*,34,85, †142A,† 175	260.10 intro					
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"above ground tank"	28	260.10					
"Act" or "RCRA"	*	260.10					
"active life"	24	260.10					
"active portion"	*	260.10					
"Administrator"	*	260.10					
"ancillary equipment"	28	260.10					
"aquifer"	*	260.10					
"authorized representative"	*	260.10					
† "battery"	142 B	260.10					
"boiler"	13	260.10					
		260.10(1)(i)					
		260.10(1)(ii)					
		260.10(1)(iii)					
		260.10(1)(iv)					
		260.10(2)					
"carbon regeneration unit"	85	260.10					
"certification"	*	260.10					
"closed portion"	*	260.10					
"component"	28	260.10					
"confined aquifer"	*	260.10					
"container"	*	260.10					
"containment building"	109	260.10					
"contingency plan"	*	260.10					
1 "corrective action management unit (CAMU)" removed	†121,†17 5, 196	260.10					
"corrosion expert"	28	260.10					
"designated facility"	*,†13,71	260.10					
† "destination facility"	142 A	260.10					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"dike"	*	260.10					
"dioxins and furans (D/F)"	182	260.10					
"discharge" or "hazardous waste discharge"	*	260.10					
"disposal"	*	260.10					
"disposal facility"	*,†121	260.10					
"drip pad"	82	260.10					
"elementary neutralization unit"	*,52	260.10					
		260.10(1)					
		260.10(2)					
"EPA hazardous waste number"	*	260.10					
"EPA identification number"	*	260.10					
"EPA region"	*	260.10					
"equivalent method"	*	260.10					
"existing hazardous waste management (HWM) facility" or "existing facility"	*	260.10					
		260.10(1)					
		260.10(2)(i)					
		260.10(2)(ii)					
"existing portion"	*	260.10					
"existing tank system" or "existing component"	28	260.10					
"explosives or munitions emergency"	156	260.10					
"explosives or munitions emergency response"	156	260.10					
"explosives or munitions emergency response specialist"	156	260.10					
"facility"	*,†121	260.10					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		260.10(1)					
		260.10(2)					
	†175	260.10(3)					
"Federal agency"	*	260.10					
"Federal, State and local approvals or permits necessary to begin physical construction"	*	260.10					
"final closure"	24	260.10					
"food-chain crops"	*	260.10					
"free liquids"	*	260.10					
"freeboard"	*	260.10					
"generator"	*	260.10					
"ground water"	*	260.10					
"hazardous waste"	*	260.10					
"hazardous waste constituent"	*	260.10					
"hazardous waste management unit"	24	260.10					
"in operation"	*	260.10					
"inactive portion"	*	260.10					
"incinerator"	*,13,85	260.10					
		260.10(1)					
		260.10(2)					
"incompatible waste"	*	260.10					
		260.10(1)					
		260.10(2)					
"individual generation site"	*	260.10					
"industrial furnace"	13,85	260.10					
		260.10(1)					
		260.10(2)					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		260.10(3)					
		260.10(4)					
		260.10(5)					
		260.10(6)					
		260.10(7)					
		260.10(8)					
		260.10(9)					
		260.10(10)					
		260.10(11)					
		260.10(12)					
		260.10(13)					
		260.10(13)(i)					
		260.10(13)(ii)					
		260.10(13)(iii)					
		260.10(13)(iv)					
		260.10(13)(v)					
		260.10(13)(vi)					
"infrared incinerator"	85,111	260.10					
"inground tank"	28	260.10					
"injection well"	*	260.10					
"inner liner"	*	260.10					
"installation inspector"	28	260.10					
"international shipment"	*	260.10					
†,2 "lamp"	181	260.10					
"landfill"	*,45,†12 1	260.10					
"landfill cell"	*	260.10					
"land treatment facility"	*	260.10					
"leachate"	*	260.10					
"leak detection system"	28	260.10					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"liner"	*	260.10					
"management" or "hazardous waste management"	*	260.10					
"manifest"	*,5	260.10					
"manifest document number"	*,5	260.10					
"military munitions"	156	260.10					
"mining overburden returned to the mine site"	*	260.10					
"miscellaneous unit"	45,109,† 121,†175	260.10					
"movement"	*	260.10					
"new hazardous waste management facility" or "new facility"	*	260.10					
"new tank system" or "new tank component"	28	260.10					
"on ground tank"	28	260.10					
"on-site"	*	260.10					
"open burning"	*	260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
"operator"	*	260.10					
"owner"	*	260.10					
"partial closure"	*,24	260.10					
"person"	*	260.10					
"personnel" or "facility personnel"	*	260.10					
† "pesticide"	142 C	260.10					
		260.10(1)					
		260.10(2)					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		260.10(3)					
"pile"	*,109	260.10					
"plasma arc incinerator"	85,111	260.10					
"point source"	*	260.10					
"publicly owned treatment works" or "POTW"	*	260.10					
† "qualified ground-water scientist"	99	260.10					
"Regional Administrator"	*	260.10					
"remediation waste"	†121,†17 5, 196	260.10					
† "remediation waste management site"	175	260.10					
"replacement unit"	100	260.10					
"representative sample"	*	260.10					
"run-off"	*	260.10					
"run-on"	*	260.10					
"saturated zone" or "zone of saturation"	*	260.10					
"sludge"	*	260.10					
"sludge dryer"	85	260.10					
"Small Quantity Generator"	23	260.10					
"solid waste"	*	260.10					
"sor bent"	118	260.10					
† "staging pile"	175	260.10					
"State"	*	260.10					
"storage"	*	260.10					
"sump"	28,100	260.10					
"surface impoundment" or "impoundment"	*	260.10					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"tank"	*	260.10					
"tank system"	28	260.10					
"TEQ"	182	260.10					
"thermal treatment"	*	260.10					
† "thermostat"	142 D	260.10					
"totally enclosed treatment facility"	*	260.10					
"transfer facility"	*	260.10					
"transport vehicle"	*	260.10					
"transportation"	*	260.10					
"transporter"	*	260.10					
† "treatability study"	49	260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
		260.10(4)					
		260.10(5)					
"treatment"	*	260.10					
"treatment zone"	*	260.10					
"underground injection"	*	260.10					
"underground tank"	28	260.10					
"unfit-for-use tank system"	28	260.10					
2,3 "universal waste"	†142 A, †181	260.10					
	†142 B, †181	260.10(1)					
	†142 C, †181	260.10(2)					
	†142 D, †181	260.10(3)					
	†181	260.10(4)					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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† "universal waste handler"	142 A	260.10					
		260.10(1)					
		260.10(1)(i)					
		260.10(1)(ii)					
		260.10(2)					
		260.10(2)(i)					
		260.10(2)(ii)					
† "universal waste transporter"	142 A	260.10					
"unsaturated zone" or "zone of aeration"	*	260.10					
"United States"	*	260.10					
"uppermost aquifer"	*	260.10					
"used oil"	112	260.10					
"vessel"	*	260.10					
"wastewater treatment unit"	*,52	260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
"water (bulk shipment)"	*	260.10					
"well"	*	260.10					
"well injection"	*	260.10					
"zone of engineering control"	28	260.10					

4 REFERENCES

"Parts 260 through 270"	*,39	260.11(a)					
"ASTM Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester"	*,158	260.11(a)(1)					
"ASTM Standard Test Methods for Flash Point"	*,158	260.11(a)(2)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
by Pensky-Martens Closed Tester"							
"ASTM Standard Method for Analysis of Reformed Gas by Gas Chromatography"	79,158	260.11(a)(3)					
"ASTM Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method)"	79,158	260.11(a)(4)					
"ASTM Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis"	79,158	260.11(a)(5)					
"ASTM Standard Practices for General Techniques of Infrared Quantitative Analysis"	79,158	260.11(a)(6)					
"ASTM Standard Practice for Packed Column Gas Chromatography"	79,158	260.11(a)(7)					
"ASTM Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography"	79,158	260.11(a)(8)					
removed	79,158	260.11(a) [no designation, duplicate entry removed]					
"APTI Course 415: Control of Gaseous Emissions"	79,158	260.11(a)(9)					
"Flammable and Combustible Liquids Code"	*,158	260.11(a)(10)					
"Test Methods for Evaluating Solid Waste,	*,11,35, 67,126,	260.11(a)(11)					

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Physical/Chemical Methods," Third Edition	128,132, 139,141, 158,180, 193						
"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised"	85,125, 158	260.11(a)(12)					
"ASTM Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analyses of Metals," ASTM Standard E926- 88, Test Method C- Bomb, Acid Digestion Method	126,158	260.11(a)(13)					
"API Publication 2517, Third Edition, February 1989, "Evaporative Loss from External Floating Roof Tanks""	154,158	260.11(a)(14)					
"ASTM Standard Test Method for Vapor Pressure--Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope"	154,158	260.11(a)(15)					
"Method 1664, Revision A, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Non-polar Material) by Extraction and Gravimetry"	180	260.11(a) (16)					
removed	73,126	260.11(a) [no designation, was "47 analytical test methods"]					
references available at Office of the Federal	*,154	260.11(b)					

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Register; approved by director; incorporation and changes							

SUBPART C - RULEMAKING PETITIONS

† GENERAL

petition to modify or revoke any provision in Parts 260-266, 268 and 273; purpose of 260.21 and 260.22	*,†34,11 1, †142 E	260.20(a)					
submission by certified mail and what each petition must contain	*	260.20(b)					
		260.20(b)(1)					
		260.20(b)(2)					
		260.20(b)(3)					
		260.20(b)(4)					
Administrator makes tentative decision to grant or deny; notice of decision	*	260.20(c)					
informal public hearing	*	260.20(d)					
final decision by Administrator	*	260.20(e)					

† PETITIONS FOR EQUIVALENT TESTING OR ANALYTICAL METHODS

petitions for a regulatory amendment to add testing or analytical methods; what must be demonstrated to the Administrator	*	260.21(a)					
what the petition must include	*	260.21(b)					
		260.21(b)(1)					
		260.21(b)(2)					
		260.21(b)(3)					
		260.21(b)(4)					
		260.21(b)(5)					
additional information	*	260.21(c)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
where an amendment for a new test method will be incorporated	*,11	260.21(d)					

† PETITIONS TO AMEND PART 261 TO EXCLUDE A WASTE PRODUCED AT A PARTICULAR FACILITY

petitions to exclude a waste at a particular generating facility	*,†17 B	260.22(a)					
		260.22(a)(1)					
		260.22(a)(2)					
procedures for exclusion from 261.3(a)(2)(ii) or (c) for a waste described in these sections and listed in or derived from a waste in Subpart D; demonstration the petitioner must make; operation of 261, Subpart C	*,†17 B	260.22(b)					
waste listed with codes "I", "C", "R" or "E" in Subpart D	*,†17 B	260.22(c)					
		260.22(c)(1)					
	†17 B	260.22(c)(2)					
waste listed with code "T" in Subpart D	*,†17 B	260.22(d)					
		260.22(d)(1)					
	*,†17 B,126	260.22(d)(1)(i)					
	*,†17 B	260.22(d)(1)(ii)					
	†17 B	260.22(d)(2)					
		260.22(d)(3)					
		260.22(d)(4)					
waste listed with an "H" code in Subpart D	*,†17 B	260.22(e)					
		260.22(e)(1)					
		260.22(e)(2)					
	†17 B	260.22(e)(3)					
		260.22(e)(4)					
reserved for listing radioactive waste	*	260.22(f)					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
reserved for listing infectious waste	*	260.22(g)					
demonstration samples	*	260.22(h)					
what each petition must include in addition to 260.20(b) requirements	*	260.22(i)					
		260.22(i)(1)					
		260.22(i)(2)					
		260.22(i)(3)					
		260.22(i)(4)					
		260.22(i)(5)					
		260.22(i)(6)					
		260.22(i)(7)					
		260.22(i)(8)					
		260.22(i)(9)					
		260.22(i)(10)					
		260.22(i)(11)					
		260.22(i)(12)					
additional information	*	260.22(j)					
waste to which exclusion applies	*	260.22(k)					
exclusion by Administrator of only part of waste for which demonstration was submitted	*	260.22(l)					
remove paragraph 260.22(m)	*,†17 B	260.22(m)					

† PETITIONS TO AMEND 40 CFR PART 273 TO INCLUDE ADDITIONAL HAZARDOUS WASTES

persons seeking to add a hazardous waste or a category to Part 273 universal waste provisions may petition under 260.20, 260.23 and Part 273, Subpart G	142 E	260.23(a)					
what the petitioner must	142 E	260.23(b)					

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demonstrate to be successful; petition must include 260.20(b) information; petition must address 273.81 factors							
Administrator will use 273.81 factors to evaluate and decide; factors on which the decision will be based	142 E	260.23(c)					
Administrator may request additional information	142 E	260.23(d)					

† VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

materials the Administrator may determine as not solid wastes	13, 137	260.30					
speculative accumulation	13	260.30(a)					
returned to process	13, 137	260.30(b)					
further reclamation	13	260.30(c)					

† STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

speculative accumulation; standards and criteria on which Administrator's decisions will be based	13, 137	260.31(a)					
	13	260.31(a)(1)					
		260.31(a)(2)					
		260.31(a)(3)					
		260.31(a)(4)					
		260.31(a)(5)					
returned to process; criteria on which Administrator's determination will be based	13, 137	260.31(b)					
	13	260.31(b)(1)					
		260.31(b)(2)					
		260.31(b)(3)					
		260.31(b)(4)					
		260.31(b)(5)					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		260.31(b)(6)					
		260.31(b)(7)					
		260.31(b)(8)					
further reclamation; factors on which Regional Administrator's determination will be based	13	260.31(c)					
		260.31(c)(1)					
		260.31(c)(2)					
		260.31(c)(3)					
		260.31(c)(4)					
		260.31(c)(5)					
		260.31(c)(6)					

† VARIANCE TO BE CLASSIFIED AS A BOILER

case-by-case determination; criteria which must be considered	13, 137	260.32					
provisions for recovering and exporting thermal energy	13	260.32(a)					
integral design	13	260.32(b)					
efficiency of energy recovery	13	260.32(c)					
exported energy utilization	13	260.32(d)					
customary use as a "boiler"	13	260.32(e)					
other factors	13	260.32(f)					

† PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER

procedures for evaluating applications	13, 137	260.33					
where to apply and what the application must address	13, 137	260.33(a)					
tentative decision; notice/public hearing;	13, 137	260.33(b)					

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
final decision							

†,5 ADDITIONAL REGULATION OF CERTAIN HAZARDOUS WASTE RECYCLING ACTIVITIES ON A CASE-BY-CASE BASIS

case-by-case determination; factors which will be considered	13	260.40(a)					
types of materials accumulated or stored	13	260.40(a)(1)					
method of accumulation or storage	13	260.40(a)(2)					
length of time	13	260.40(a)(3)					
release to the environment	13	260.40(a)(4)					
other factors	13	260.40(a)(5)					

†,5 PROCEDURES FOR CASE-BY-CASE REGULATION OF HAZARDOUS WASTE RECYCLING ACTIVITIES

procedures Regional Administrator will use for determination	13	260.41					
notice to generator who is accumulating, setting forth factual basis for decision and 262 Subpart A, C, D & E compliance; public hearing; final order; appeals	13	260.41(a)					
accumulation as a storage facility; permit required; when to apply; ways to challenge decision; public comment period	13	260.41(b)					

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of **December 31, 2002** (cont'd)

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- ¹ The CAMU definition at 40 CFR § 260.10, introduced by Revision Checklist 121 (2/16/93; 58 FR 8658) and amended by Revision Checklist 175 (11/30/98; 63 FR 65874), was removed by Revision Checklist 196 (1/22/02; 67 FR 2962). Revision Checklist 196 also added the CAMU definition to the newly redesignated provision at 264.551(a) (previously 264.552(a)). For further details please refer to the Revision Checklist 196 summary and the checklist entry for 264.551(a).
- ² Revision Checklist 181 is optional for States that have not added spent lamps to their universal waste program or that have added spent lamps to their universal waste program and regulate spent lamps as stringently as the Federal program. For States that have universal waste programs that include spent lamps, but do not regulate spent lamps as stringently as the Federal program, Revision Checklist 181 is not optional.
- ³ There is a typographical error in the Federal Register for Revision Checklist 181 (64 FR 36466; July 6, 1999): in the introduction, “part § 273 of this chapter” should be “part 273 of this chapter” (there should not be a section (§) symbol).
- ⁴ Revision Checklist 158 (62 FR 32452-32463; June 13, 1997) redesignated the test methods listed at 260.11(a)(1) as numbered subparagraphs (i.e., the first test method was designated as 260.11(a)(1), and so on).
- ⁵ Not needed if the State does not allow the exclusion of 261.6(a)(2)(iv).