

US EPA ARCHIVE DOCUMENT

## RCRA REVISION CHECKLIST 13

Definition of Solid Waste  
 50 FR 614-668  
 January 4, 1985  
 as amended on April 11, 1985, at 50 FR 14216-14220  
 and August 20, 1985, at 50 FR 33541-33543  
 (Non-HSWA Cluster I)

		ANALOGOUS		EQUIV-		MORE		STATE ANALOG IS:
FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE CITATION		ALERT		STRINGENT		BROADER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## DEFINITIONS

	boiler	260.10
†	designated facility	260.10
	incinerator	260.10
	industrial furnace	260.10

## SUBPART C - RULEMAKING PETITIONS

†	VARIANCES FROM CLASSIFICATION AS A SOLID WASTE	
1	speculative accumulation	260.30(a)
	returned to process	260.30(b)
	further reclamation	260.30(c)
†	STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE	
	speculative accumulation	260.31(a)
	returned to process	260.31(b)
	further reclamation	260.31(c)
†	VARIANCE TO BE CLASSIFIED AS A BOILER	
	case-by-case determination	260.32
†	PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER	

RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)

		STATE ANALOG IS:			
		ANALOGOUS	EQUIV-	MORE	BROADER
FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE CITATION	ALERT	STRINGENT	IN SCOPE
application notice/ public hearing	260.33(a) 260.33(b)				
2 ADDITIONAL REGULATION OF CERTAIN HAZARDOUS WASTE RECYCLING ACTIVITIES ON A CASE-BY-CASE BASIS					
case-by-case determination	260.40				
2 PROCEDURES FOR CASE-BY-CASE REGULATION OF HAZARDOUS WASTE RECYCLING ACTIVITIES					
determining procedures	260.41				
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE					
SUBPART A - GENERAL					
PURPOSE AND SCOPE					
applicability	261.1(b)				
definitions	261.1(c)				
DEFINITION OF SOLID WASTE					
discarded/ not excluded	261.2(a)				
abandoned	261.2(b)				
3 use constitutes disposal	261.2(c)(1)				
3 energy recovery	261.2(c)(2)				
reclaimed	261.2(c)(3)				
accumulated speculatively	261.2(c)(4)				
inherently waste-like	261.2(d)				
† not solid waste when recycled	261.2(e)				
documentation	261.2(f)				
† DEFINITION OF HAZARDOUS WASTE					
1 generated for					

RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)

		STATE ANALOG IS:			
		ANALOGOUS	EQUIV-	MORE	BROADER
FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE CITATION	ALERT	STRINGENT	IN SCOPE
treatment	261.3(c)(2)				
† EXCLUSIONS					
1 black liquor	261.4(a)(6)				
spent sulfuric acid	261.4(a)(7)				
† SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY SMALL QUANTITY GENERATORS					
1 quantity determination	261.5(c)				
REQUIREMENTS FOR RECYCLABLE MATERIALS					
recyclable materials	261.6(a)(1)				
regulated under Part 266	261.6(a)(2)				
3 exemption from rule	261.6(a)(3)				
generators and transporters	261.6(b)				
3 recycling facilities	261.6(c)				
SUBPART D - LISTS OF HAZARDOUS WASTES					
HAZARDOUS WASTE FROM NONSPECIFIC SOURCES					
generic listings	261.31				
DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.					
introductory text	261.33				
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES					
SUBPART A - GENERAL					
PURPOSE, SCOPE AND APPLICABILITY					
exemption from rule	264.1(g)(2)				

## SUBPART O - INCINERATORS

RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)

					STATE ANALOG IS:	
		ANALOGOUS	EQUIV-	MORE	BROADER	
FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE CITATION	ALENT	STRINGENT	IN SCOPE	

APPLICABILITY

owners and operators  
with exception

264.340(a)

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF  
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

exemption from rule

265.1(c)(6)

SUBPART O - INCINERATORS

APPLICABILITY

owners and operators  
with exception

265.340(a)

SUBPART P - THERMAL TREATMENT

OTHER THERMAL TREATMENT

thermal treatment

265.370

PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES  
AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER  
CONSTITUTING DISPOSAL

APPLICABILITY

applied to or  
placed on land  
products for  
general use

266.20(a)

266.20(b)

STANDARDS APPLICABLE TO GENERATORS AND TRANSPORTERS OF MATERIALS USED IN  
A MANNER THAT CONSTITUTES DISPOSAL

RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)

		Solid Waste (cont'd)				STATE ANALOG IS:
		ANALOGOUS	EQUIV-	MORE	BROADER	
FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE CITATION	ALENT	STRINGENT	IN SCOPE	
generators and transporters	266.21					
STANDARDS APPLICABLE TO STORERS OF MATERIALS THAT ARE TO BE USED IN A MANNER THAT CONSTITUTES DISPOSAL WHO ARE NOT THE ULTIMATE USERS						
storers of material	266.22					
STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT CONSTITUTES DISPOSAL						
users of material	266.23					
4	SUBPART D - HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY					
APPLICABILITY						
recovery in boilers and industrial furnaces	266.30(a)					
1,3	exemption from rule	266.30(b)				
STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE FUEL						
generate, market, or burn fuel	266.32					
STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE FUEL						
from generators to marketer or burner	266.33(a)					
1	from marketer to burner	266.33(b)				
STANDARDS APPLICABLE TO MARKETERS OF HAZARDOUS WASTE FUELS						
requirements/prohibition	266.34					
STANDARDS APPLICABLE TO BURNERS OF HAZARDOUS WASTE FUELS						
burners that store	266.35(c)					
CONDITIONAL EXEMPTION FOR SPENT MATERIALS AND BY-PRODUCTS EXHIBITING A CHARACTERISTIC OF HAZARDOUS WASTE						
5	exemption	266.36				

## SUBPART F - RECYCLABLE MATERIALS UTILIZED FOR

RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)

					STATE ANALOG IS:	
		ANALOGOUS	EQUIV-	MORE	BROADER	
FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	STATE CITATION	ALENT	STRINGENT	IN SCOPE	

PRECIOUS METAL RECOVERY

APPLICABILITY AND REQUIREMENTS

precious metal reclaimers	266.70(a)
subject to requirements	266.70(b)
records required if store recycled materials	266.70(c)
accumulated speculatively	266.70(d)

SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED

APPLICABILITY AND REQUIREMENTS

3	persons who reclaim batteries	266.80(a)
1,3	storage before reclamation	266.80(b)

- 1 Also see technical correction to the rule at 50 FR 14216 (April 11, 1985).
- 2 Not needed if State does not allow the exclusion of 261.6(a)(2)(iv).
- 3 Also see technical correction to the rule at 50 FR 33541 (August 20, 1985).
- 4 Note that Subpart D of Part 266 was completely revised at November 29, 1985 (50 FR 49164). These changes are addressed by Revision Checklist 19.
- 5 States are not required to incorporate this section into their code as it was removed by 50 FR 49164 (November 29, 1985). This change is addressed by Revision Checklist 19. See Footnote 2 of that checklist.