

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 105
[REVISED]

Recycled Coke By-Product Exclusion
57 FR 27880-27888
June 22, 1992
(RCRA Cluster II, HSWA provisions)

Note: This Revision Checklist excludes from the definition of solid waste certain coke by-product plant residues that exhibit the Toxicity Characteristic (TC). The final rule reduces the scope of the Federal program; therefore, authorized States are not required to modify their programs to adopt this checklist. Although States are not required to adopt this checklist, EPA strongly encourages States to do so as quickly as possible in order to minimize disruption to legitimate recycling practices currently taking place in the coking industry.

Special Note for States that Adopted Revision Checklist 98: While Revision Checklist 105 is considered an optional checklist, States that previously adopt the Coke Oven Administrative Stay introduced by Revision Checklist 98 (56 FR 43874) should either remove their analog to the note that follows 266.100(a) or state in their regulations that this stay ends on June 22, 1992.

RCRA REVISION CHECKLIST 105 (REVISED): Recycled Coke By-Product Exclusion (cont'd)

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

† EXCLUSIONS

replace existing paragraph with new paragraph excluding from definition of solid waste K087 and other wastes from coke by-products that are hazardous only because they exhibit the Toxicity Characteristic when recycled as specified; exclusion is conditioned on there being no land disposal of the wastes from point of generation to recycling point	261.4(a)(10)				
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PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

†,1 APPLICABILITY

remove note addressing the Administrative Stay for coke ovens processing coke by-product wastes exhibiting the toxicity characteristic identified in 266.100(a)	266.100(a),note				
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- ¹ This change is conditionally optional. States that adopted the Coke Oven Administrative Stay introduced by Revision Checklist 98 (September 5, 1991; 56 FR 43874) should make this change to assure that their code remains at least as stringent as the Federal code.