

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 157

Land Disposal Restrictions Phase IV--
 Treatment Standards for Wood Preserving Wastes, Paperwork Reduction and Streamlining,
 Exemptions From RCRA for Certain Processed Materials; and Miscellaneous Hazardous Waste
 Provisions
 62 FR 25998-26040
 May 12, 1997
 (RCRA Cluster VII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
PART 261 -- IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A -- GENERAL						
PURPOSE AND SCOPE						
add new paragraph; definition "Excluded scrap metal"	261.1(c)(9)					
add new paragraph; definition "Processed scrap metal"	261.1(c)(10)					
add new paragraph; definition "Home scrap metal"	261.1(c)(11)					
add new paragraph; definition "Prompt scrap metal"	261.1(c)(12)					
DEFINITION OF SOLID WASTE						
revise table 1; add after entry for scrap metal "other than excluded scrap metal (see 261.1(c)(9))" also add "and 'processed scrap metal'" after "scrap metal" in Note.	261.2(c)/Table 1					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

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† EXCLUSIONS

add paragraph; excluded scrap metal being recycled	261.4(a)(13)					
add paragraph; shredded circuit boards being recycled provided that they are:	261.4(a)(14)					
add paragraph; stored in containers sufficient to prevent release, and	261.4(a)(14)(i)					
add paragraph; free of mercury switches, mercury relays and nickel cadmium batteries and lithium batteries	261.4(a)(14)(ii)					

† REQUIREMENTS FOR RECYCLABLE MATERIALS

scrap metal; add "that is not excluded under 261.4(a)(13)"	261.6(a)(3)(ii)					
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PART 268 -- LAND DISPOSAL RESTRICTIONS

SUBPART A -- GENERAL

† PURPOSE, SCOPE AND APPLICABILITY

no change	268.1(e)intro - (e)(3)					
revise paragraph; <i>de minimis</i> losses of characteristic wastes to wastewaters are not considered prohibited wastes and definition of "de minimis losses"	268.1(e)(4)					

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			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
TREATMENT SURFACE IMPOUNDMENT EXEMPTION						
completely revise subparagraph; sampling and testing and recordkeeping provisions of 264.13 and 265.13 of this chapter apply	268.4(a)(2)(iv)					
remove "and submits a copy of the waste analysis plan under §268.4(a)(2)"	268.4(a)(4)					
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
redesignate old 268.7(a)as 268.7(a)(1); requirements for generators	268.7(a)intro					
old 268.7(a) is new 268.7(a)(1); completely revise paragraph; generator of hazardous waste must determine if it has to be treated before it can be land disposed; this is done by determining if the waste meets treatment standards in 268.40 or 268.45; determination can be made in two ways: test the waste; or use knowledge of the waste; for testing, method 1311 is used and land treatment methods of 268.40 and 268.42 may apply; if characteristic waste, generators must comply with 268.9	268.7(a)(1)					
REMOVED	268.7(a)(1)(i)-(v)					

**RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† revise paragraph; if waste does not meet treatment standard, one-time notice with initial shipment of waste to each treatment or storage facility receiving waste; the generator must place a copy in the file; notice must include information in 268.7(a)(2) column of 268.7(a)(4) table; no further notice is necessary unless waste or facility change	268.7(a)(2)					
† REMOVED	268.7(a)(2)(i)(A)-(D)					
† REMOVED	268.7(a)(2)(ii)					
† completely revise subparagraph; if waste meets treatment standard at original point of generation	268.7(a)(3)					
† completely revise subparagraph; with initial shipment of waste, generator must send one-time written notice to each treatment/storage/ disposal facility receiving waste, and place a copy in the file; notice must include information in the 268.7(a)(3) column of 268.7(a)(4) table; certification statement	268.7(a)(3)(i)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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† completely revise subparagraph; if waste changes, generator must send new notice and certification to receiving facility and place a copy in their files; generators of hazardous debris excluded from definition of hazardous waste under 261.3(f) are not subject to these requirements	268.7(a)(3)(ii)					
† REMOVED	268.7(a)(3)(iii)-(vii)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† insert new 268.7(a)(4) and redesignate old 268.7(a)(4) as 268.7(a)(5); completely revise subparagraph; certain exemptions from the requirement that hazardous wastes meet treatment standards before land disposed include but are not limited to case-by-case extensions under 268.5, disposal in a no-migration unit under 268.6 or national capacity variance or case by case capacity variance under subpart C; with initial shipment, generator must send one-time written notice to each land disposal facility for exempted waste; notice must include information in 268.7(a)(4) column of 268.7(a)(4) table; changed waste requires further notice	268.7(a)(4)					
† add table	268.7(a)(4)/table					

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† old 268.7(a)(4) is new 268.7(a)(5); add "and treating" after "managing"; remove ", and is treating such waste in such tank, containers or containment buildings"; add "LDR" before "treatment standards"; replace "under subpart D of this part" with "found at 268.40"; replace "the generator" with "they" after "describes the procedures"	268.7(a)(5)					
† redesignate old 268.7(a)(4)(i) as 268.7(a)(5)(i); replace "Part" with "part"	268.7(a)(5)(i)					
† redesignate 268.7(a)(4)(ii) as 268.7(a)(5)(ii); completely revise subparagraph; plan must be kept on-site and made available to inspectors	268.7(a)(5)(ii)					
† redesignate old 268.7(a)(4)(iii) as 268.7(a)(5)(iii); replace "268.7(a)(2)" with "268.7(a)(3)"	268.7(a)(5)(iii)					
† redesignate old 268.7(a)(5) as 268.7(a)(6); replace "whether the" with "that the"; replace "described in Appendix I of this part" with wording referencing method 1311, SW-846 and 260.11	268.7(a)(6)					

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† redesignate old 268.7(a)(6) as 268.7(a)(7); insert parenthetical phrase addressing characteristic waste subject to CWA	268.7(a)(7)					
† redesignate old 268.7(a)(7) as 268.7(a)(8); replace the two occurrences of "five years" with "three years"	268.7(a)(8)					
†',2 redesignate old 268.7(a)(8) as 268.7(a)(9); completely revise subparagraph and place certification in new 268.7(a)(9)(i); if generator is managing lab packs containing hazardous waste and wishes to use alternative treatment method in 268.42(c):	268.7(a)(9)					
†',2 add new subparagraph; with initial shipment of waste, generator must submit notice with information in the 268.7(a)(9) column of the 268.7(a)(4) table; certification must be placed in files; replace old certification with new certification	268.7(a)(9)(i)					

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†',2 add new subparagraph; no further notification is necessary until wastes or receiving facility change in which case new notice and certification must be sent and copy placed in files	268.7(a)(9)(ii)					
†',2 add new subparagraph; if lab pack contains characteristic hazardous wastes (D001-D043), underlying hazardous constituents need not be determined	268.7(a)(9)(iii)					
†',2 add new subparagraph; generator must also comply with requirements in 268.7(a)(6) and (a)(7)	268.7(a)(9)(iv)					
no change	268.7(a)(10)					
† insert "40 CFR" before "264.13" and "265.13"; insert "(for permitted TSDs)" after "264.13"; insert "(for interim status facilities)" after "265.13"	268.7(b)					
† revise subparagraph; for wastes with treatment standards expressed as concentrations in waste extract, owner or operator must test extract of treatment residues using test method 1311 to assure that treatment residues extract meet applicable treatment standards	268.7(b)(1)					

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† remove old 268.7(b)(2); redesignate old 268.7(b)(3) as 268.7(b)(2); remove "(268.43)"; replace "the treatment residues" with "they" after "to assure"	268.7(b)(2)					
† redesignate old 268.7(b)(4) as 268.7(b)(3); completely revise paragraph; one- time notice must be sent with initial shipment of waste to land disposal facility; copy of notice must be placed in facility's file	268.7(b)(3)intro					
† redesignate old 268.7(b)(4)(i) as 268.7(b)(3)(i); completely revise subparagraph; no further notification is necessary until waste or receiving facility change in which case new notice must be sent and copy placed in facility's file	268.7(b)(3)(i)					
† redesignate old 268.7(b)(4)(ii) as 268.7(b)(3)(ii); completely revise subparagraph; the one-time notice must include these requirements; remove old 268.7(b)(4)(iii) and (iv)	268.7(b)(3)(ii)					
† add table	268.7(b)(3)(ii)/table					

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3 † redesignate old 268.7(b)(5) as 268.7(b)(4); completely revise subparagraph; treatment facility must submit a one-time certification signed by an authorized representative with initial shipment of waste or treatment residue of restricted waste to land disposal facility; certification	268.7(b)(4)					
3 † redesignate old 268.7(b)(5)(i) as 268.7(b)(4)(i); completely revise subparagraph; copy of the certification must be placed in treatment facility's on-site files; if waste or treatment residue changes, new notice must be sent and copy placed in files	268.7(b)(4)(i)					
3 † redesignate old 268.7(b)(5)(ii) as 268.7(b)(4)(ii); completely revise subparagraph; debris excluded from definition of hazardous waste in 261.3(e) is subject to notification and certification requirements of 268.7(d)	268.7(b)(4)(ii)					

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3 † redesignate old 268.7(b)(5)(iii) as 268.7(b)(4)(iii); completely revise subparagraph; for wastes with organic constituents having treatment standards expressed as concentration levels, if compliance with treatment standards is based in whole or in part on analytical detection limit alternative specified in 268.40(d), certification, signed by authorized representative; certification statement	268.7(b)(4)(iii)					
3 † redesignate old 268.7(b)(6) as 268.7(b)(5); compliance with generator notice and certification requirements if waste sent offsite	268.7(b)(5)					
† redesignate old 268.7(b)(7) as 268.7(b)(6); notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste-derived products	268.7(b)(6)					

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† delete ", and the certification specified in 268.8 if applicable."	268.7(c)(1)					
replace "method described in Appendix I of this part or using any method required by generators under 268.32 of this part" with the wording referencing method 1311 SW-846 and 260.11	268.7(c)(2)					

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SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC						
revise paragraph; initial generator of solid waste must determine each EPA Hazardous Waste Number in order to determine treatment standards under subpart D; for 268, waste will carry the waste code for any applicable listed waste; where waste exhibits characteristic, it will carry one or more of the characteristic waste codes, except when treatment standard operates in lieu of treatment standard for characteristic waste, as specified 268.9(b); if generator determines that waste displays hazardous characteristic, generator must determine defined hazardous constituent except for certain D001 wastes	268.9(a)					

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replace "Hazardous Waste Number(s)" with "hazardous waste code(s)"; replace "in D001 and D002 wastes prohibited under §268.37 or D0012-D0043 wastes under §268.38" with a phrase and sentence renaming listing requirement if all underlying hazardous constituents will be treated and monitored	268.9(d)(1)(ii)					

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SUBPART C -- PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS -- WOOD PRESERVING WASTES						
completely revise paragraph; effective August 11, 1997, the following wastes are prohibited from land disposal: F032, F034, F035	268.30(a)					
REMOVED	268.30(a)(1)-(4)					
completely revise paragraph; effective May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive wastes mixed with F032, F034, F035 are prohibited from land disposal	268.30(b)					
completely revise paragraph; between May 12, 1997 and May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive waste mixed with F032, F034, F035 may be disposed in a landfill or surface impoundment only if 268.5(h)(2) requirements are met	268.30(c)					
completely revise paragraph; requirements of 268.30 (a) and (b) do not apply if:	268.30(d)					

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insert "applicable treatment" before "standards"; replace "of Subpart D" with "specified in Subpart D"; remove "or" at end of paragraph	268.30(d)(1)					
remove "or" at end of paragraph	268.30(d)(2)					
redesignate old 268.30(d)(3) as new 268.30(d)(4); add new 268.30(d)(3); the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	268.30(d)(3)					
old 268.30(d)(3) is new 268.30(d)(4); persons have been granted an extension to effective date of prohibition pursuant to 268.5 with respect to wastes covered by extension	268.30(d)(4)					

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add new paragraph; to determine whether a hazardous waste identified in 268.40 exceeds applicable treatment standards, initial generator must test a sample of waste extract or entire waste; if waste contains constituents in excess of applicable treatment levels of 268.48, waste is prohibited from land disposal and all requirements of 268 are applicable unless otherwise specified	268.30(e)					
REMOVED AND RESERVED	268.32 - 268.36					

SUBPART D-- TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

add entries for F032, F034 and F035; revise entries for D001 and F024 as per 62 <u>FR</u> 26023-26025	268.40/ Table of Treatment Standards for Hazardous Wastes					
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† TREATMENT STANDARDS EXPRESSED AS SPECIFIC TECHNOLOGIES

add entry for "POLYM" as per 62 <u>FR</u> 26025	268.42/ Table 1					
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VARIANCE FROM A TREATMENT STANDARD

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4 revise paragraph; the following facilities are excluded from the treatment standards under 268.40 and are subject to the following constituent concentrations:	268.44(o)					
† revise title of table to read "Table--Wastes Excluded from the Treatment Standards Under §268.40"	268.44(o)/ Table 1					

APPENDIX I, II, III and X TO PART 268

REMOVED AND RESERVED	268 Appendices I, II, III and X					
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APPENDIX VI TO PART 268

RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN SECTION 268.42

† revise introduction to appendix; treatment standard for many characteristic wastes is stated in 268.40; characteristic wastes that are not managed in a facility must be treated not only by "deactivating" but also to achieve UTS for underlying constituents; the appendix presents a partial list that may help meet treatment standards; use of these treatment standards is not mandatory	268 Appendix VI					
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APPENDIX VII TO PART 268

LDR EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES

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† revise tables 1 and 2 as shown in 62 <u>FR</u> 26025-26037	268 Appendix VII					

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APPENDIX VIII TO PART 268

5 NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

† revise table as shown in 62 <u>FR</u> 26037-26039	268 Appendix VIII					
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APPENDIX X TO PART 268

RECORDKEEPING, NOTIFICATION, AND/OR CERTIFICATION REQUIREMENTS

† removed and reserved	268 Appendix X					
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† Optional.

†' Conditionally optional. While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditionally optional.

¹ This section heading has been revised. The former heading read "Waste analysis and recordkeeping".

² If a State has chosen to adopt the lab pack option (see Revision Checklist 78), then it must make the revisions specified in this checklist for this provision. If the lab pack option has not been adopted, these revisions are not required. As a reminder, the requirements for the lab pack options are 264.316(f), 265.316(f), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), Appendix IV and V to Part 268.

³ Subparagraphs 268.7(b)(5)-(b)(5)(v) were redesignated and revised by Revision Checklist 157 as 268.7(b)(4)-(b)(4)(iii).

⁴ Note that 268.44(o) was added to the Federal code by a March 25, 1991 rule at 56 FR 12351. The provision contains a variance from the treatment standards under 268.43(a) that only affects two facilities located in Chicago, Illinois. The March 25, 1991 rule also added and reserved paragraphs 268.44(m) and (n). Due to the limited applicability of this variance, no revision checklist was necessary for this rule. Revision Checklist 157 made changes to 268.44(o) and is included in this checklist for completeness. However, States would likely not want to include 268.44(m)-(o) in their code, unless the variance is extended to a facility in that particular State.

⁵ Note that there is an error at 62 FR 26037. The title for Appendix VIII should be listed as "National Capacity LDR Variances for UIC Wastes" but is incorrectly listed in the Federal Register as "LDR Effective Dates of Surface Disposed Prohibited Hazardous Wastes".

RCRA REVISION CHECKLIST 157

Land Disposal Restrictions Phase IV--
 Treatment Standards for Wood Preserving Wastes, Paperwork Reduction and Streamlining,
 Exemptions From RCRA for Certain Processed Materials; and Miscellaneous Hazardous Waste
 Provisions
 62 FR 25998-26040
 May 12, 1997
 (RCRA Cluster VII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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PART 261 -- IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A -- GENERAL						
PURPOSE AND SCOPE						
add new paragraph; definition "Excluded scrap metal"	261.1(c)(9)					
add new paragraph; definition "Processed scrap metal"	261.1(c)(10)					
add new paragraph; definition "Home scrap metal"	261.1(c)(11)					
add new paragraph; definition "Prompt scrap metal"	261.1(c)(12)					
DEFINITION OF SOLID WASTE						
revise table 1; add after entry for scrap metal "other than excluded scrap metal (see 261.1(c)(9))" also add "and 'processed scrap metal'" after "scrap metal" in Note.	261.2(c)/Table 1					

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† EXCLUSIONS

add paragraph; excluded scrap metal being recycled	261.4(a)(13)					
add paragraph; shredded circuit boards being recycled provided that they are:	261.4(a)(14)					
add paragraph; stored in containers sufficient to prevent release, and	261.4(a)(14)(i)					
add paragraph; free of mercury switches, mercury relays and nickel cadmium batteries and lithium batteries	261.4(a)(14)(ii)					

† REQUIREMENTS FOR RECYCLABLE MATERIALS

scrap metal; add "that is not excluded under 261.4(a)(13)"	261.6(a)(3)(ii)					
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PART 268 -- LAND DISPOSAL RESTRICTIONS

SUBPART A -- GENERAL

† PURPOSE, SCOPE AND APPLICABILITY

no change	268.1(e)intro - (e)(3)					
revise paragraph; <i>de minimis</i> losses of characteristic wastes to wastewaters are not considered prohibited wastes and definition of "de minimis losses"	268.1(e)(4)					

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TREATMENT SURFACE IMPOUNDMENT EXEMPTION						
completely revise subparagraph; sampling and testing and recordkeeping provisions of 264.13 and 265.13 of this chapter apply	268.4(a)(2)(iv)					
remove "and submits a copy of the waste analysis plan under §268.4(a)(2)"	268.4(a)(4)					
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
redesignate old 268.7(a)as 268.7(a)(1); requirements for generators	268.7(a)intro					
old 268.7(a) is new 268.7(a)(1); completely revise paragraph; generator of hazardous waste must determine if it has to be treated before it can be land disposed; this is done by determining if the waste meets treatment standards in 268.40 or 268.45; determination can be made in two ways: test the waste; or use knowledge of the waste; for testing, method 1311 is used and land treatment methods of 268.40 and 268.42 may apply; if characteristic waste, generators must comply with 268.9	268.7(a)(1)					
REMOVED	268.7(a)(1)(i)-(v)					

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			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† revise paragraph; if waste does not meet treatment standard, one-time notice with initial shipment of waste to each treatment or storage facility receiving waste; the generator must place a copy in the file; notice must include information in 268.7(a)(2) column of 268.7(a)(4) table; no further notice is necessary unless waste or facility change	268.7(a)(2)					
† REMOVED	268.7(a)(2)(i)(A)-(D)					
† REMOVED	268.7(a)(2)(ii)					
† completely revise subparagraph; if waste meets treatment standard at original point of generation	268.7(a)(3)					
† completely revise subparagraph; with initial shipment of waste, generator must send one-time written notice to each treatment/storage/ disposal facility receiving waste, and place a copy in the file; notice must include information in the 268.7(a)(3) column of 268.7(a)(4) table; certification statement	268.7(a)(3)(i)					

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Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
† completely revise subparagraph; if waste changes, generator must send new notice and certification to receiving facility and place a copy in their files; generators of hazardous debris excluded from definition of hazardous waste under 261.3(f) are not subject to these requirements	268.7(a)(3)(ii)					
† REMOVED	268.7(a)(3)(iii)-(vii)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† insert new 268.7(a)(4) and redesignate old 268.7(a)(4) as 268.7(a)(5); completely revise subparagraph; certain exemptions from the requirement that hazardous wastes meet treatment standards before land disposed include but are not limited to case-by-case extensions under 268.5, disposal in a no-migration unit under 268.6 or national capacity variance or case by case capacity variance under subpart C; with initial shipment, generator must send one-time written notice to each land disposal facility for exempted waste; notice must include information in 268.7(a)(4) column of 268.7(a)(4) table; changed waste requires further notice	268.7(a)(4)					
† add table	268.7(a)(4)/table					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† old 268.7(a)(4) is new 268.7(a)(5); add "and treating" after "managing"; remove ", and is treating such waste in such tank, containers or containment buildings"; add "LDR" before "treatment standards"; replace "under subpart D of this part" with "found at 268.40"; replace "the generator" with "they" after "describes the procedures"	268.7(a)(5)					
† redesignate old 268.7(a)(4)(i) as 268.7(a)(5)(i); replace "Part" with "part"	268.7(a)(5)(i)					
† redesignate 268.7(a)(4)(ii) as 268.7(a)(5)(ii); completely revise subparagraph; plan must be kept on-site and made available to inspectors	268.7(a)(5)(ii)					
† redesignate old 268.7(a)(4)(iii) as 268.7(a)(5)(iii); replace "268.7(a)(2)" with "268.7(a)(3)"	268.7(a)(5)(iii)					
† redesignate old 268.7(a)(5) as 268.7(a)(6); replace "whether the" with "that the"; replace "described in Appendix I of this part" with wording referencing method 1311, SW-846 and 260.11	268.7(a)(6)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† redesignate old 268.7(a)(6) as 268.7(a)(7); insert parenthetical phrase addressing characteristic waste subject to CWA	268.7(a)(7)					
† redesignate old 268.7(a)(7) as 268.7(a)(8); replace the two occurrences of "five years" with "three years"	268.7(a)(8)					
†',2 redesignate old 268.7(a)(8) as 268.7(a)(9); completely revise subparagraph and place certification in new 268.7(a)(9)(i); if generator is managing lab packs containing hazardous waste and wishes to use alternative treatment method in 268.42(c):	268.7(a)(9)					
†',2 add new subparagraph; with initial shipment of waste, generator must submit notice with information in the 268.7(a)(9) column of the 268.7(a)(4) table; certification must be placed in files; replace old certification with new certification	268.7(a)(9)(i)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
†',2 add new subparagraph; no further notification is necessary until wastes or receiving facility change in which case new notice and certification must be sent and copy placed in files	268.7(a)(9)(ii)					
†',2 add new subparagraph; if lab pack contains characteristic hazardous wastes (D001-D043), underlying hazardous constituents need not be determined	268.7(a)(9)(iii)					
†',2 add new subparagraph; generator must also comply with requirements in 268.7(a)(6) and (a)(7)	268.7(a)(9)(iv)					
no change	268.7(a)(10)					
† insert "40 CFR" before "264.13" and "265.13"; insert "(for permitted TSDs)" after "264.13"; insert "(for interim status facilities)" after "265.13"	268.7(b)					
† revise subparagraph; for wastes with treatment standards expressed as concentrations in waste extract, owner or operator must test extract of treatment residues using test method 1311 to assure that treatment residues extract meet applicable treatment standards	268.7(b)(1)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
† remove old 268.7(b)(2); redesignate old 268.7(b)(3) as 268.7(b)(2); remove "(268.43)"; replace "the treatment residues" with "they" after "to assure"	268.7(b)(2)					
† redesignate old 268.7(b)(4) as 268.7(b)(3); completely revise paragraph; one- time notice must be sent with initial shipment of waste to land disposal facility; copy of notice must be placed in facility's file	268.7(b)(3)intro					
† redesignate old 268.7(b)(4)(i) as 268.7(b)(3)(i); completely revise subparagraph; no further notification is necessary until waste or receiving facility change in which case new notice must be sent and copy placed in facility's file	268.7(b)(3)(i)					
† redesignate old 268.7(b)(4)(ii) as 268.7(b)(3)(ii); completely revise subparagraph; the one-time notice must include these requirements; remove old 268.7(b)(4)(iii) and (iv)	268.7(b)(3)(ii)					
† add table	268.7(b)(3)(ii)/table					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
3 † redesignate old 268.7(b)(5) as 268.7(b)(4); completely revise subparagraph; treatment facility must submit a one-time certification signed by an authorized representative with initial shipment of waste or treatment residue of restricted waste to land disposal facility; certification	268.7(b)(4)					
3 † redesignate old 268.7(b)(5)(i) as 268.7(b)(4)(i); completely revise subparagraph; copy of the certification must be placed in treatment facility's on-site files; if waste or treatment residue changes, new notice must be sent and copy placed in files	268.7(b)(4)(i)					
3 † redesignate old 268.7(b)(5)(ii) as 268.7(b)(4)(ii); completely revise subparagraph; debris excluded from definition of hazardous waste in 261.3(e) is subject to notification and certification requirements of 268.7(d)	268.7(b)(4)(ii)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
3 † redesignate old 268.7(b)(5)(iii) as 268.7(b)(4)(iii); completely revise subparagraph; for wastes with organic constituents having treatment standards expressed as concentration levels, if compliance with treatment standards is based in whole or in part on analytical detection limit alternative specified in 268.40(d), certification, signed by authorized representative; certification statement	268.7(b)(4)(iii)					
3 † redesignate old 268.7(b)(6) as 268.7(b)(5); compliance with generator notice and certification requirements if waste sent offsite	268.7(b)(5)					
† redesignate old 268.7(b)(7) as 268.7(b)(6); notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste-derived products	268.7(b)(6)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
† delete ", and the certification specified in 268.8 if applicable."	268.7(c)(1)					
replace "method described in Appendix I of this part or using any method required by generators under 268.32 of this part" with the wording referencing method 1311 SW-846 and 260.11	268.7(c)(2)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC						
revise paragraph; initial generator of solid waste must determine each EPA Hazardous Waste Number in order to determine treatment standards under subpart D; for 268, waste will carry the waste code for any applicable listed waste; where waste exhibits characteristic, it will carry one or more of the characteristic waste codes, except when treatment standard operates in lieu of treatment standard for characteristic waste, as specified 268.9(b); if generator determines that waste displays hazardous characteristic, generator must determine defined hazardous constituent except for certain D001 wastes	268.9(a)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
replace "Hazardous Waste Number(s)" with "hazardous waste code(s)"; replace "in D001 and D002 wastes prohibited under §268.37 or D0012-D0043 wastes under §268.38" with a phrase and sentence renaming listing requirement if all underlying hazardous constituents will be treated and monitored	268.9(d)(1)(ii)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
SUBPART C -- PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS -- WOOD PRESERVING WASTES						
completely revise paragraph; effective August 11, 1997, the following wastes are prohibited from land disposal: F032, F034, F035	268.30(a)					
REMOVED	268.30(a)(1)-(4)					
completely revise paragraph; effective May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive wastes mixed with F032, F034, F035 are prohibited from land disposal	268.30(b)					
completely revise paragraph; between May 12, 1997 and May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive waste mixed with F032, F034, F035 may be disposed in a landfill or surface impoundment only if 268.5(h)(2) requirements are met	268.30(c)					
completely revise paragraph; requirements of 268.30 (a) and (b) do not apply if:	268.30(d)					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
insert "applicable treatment" before "standards"; replace "of Subpart D" with "specified in Subpart D"; remove "or" at end of paragraph	268.30(d)(1)					
remove "or" at end of paragraph	268.30(d)(2)					
redesignate old 268.30(d)(3) as new 268.30(d)(4); add new 268.30(d)(3); the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	268.30(d)(3)					
old 268.30(d)(3) is new 268.30(d)(4); persons have been granted an extension to effective date of prohibition pursuant to 268.5 with respect to wastes covered by extension	268.30(d)(4)					

**RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
add new paragraph; to determine whether a hazardous waste identified in 268.40 exceeds applicable treatment standards, initial generator must test a sample of waste extract or entire waste; if waste contains constituents in excess of applicable treatment levels of 268.48, waste is prohibited from land disposal and all requirements of 268 are applicable unless otherwise specified	268.30(e)					
REMOVED AND RESERVED	268.32 - 268.36					

SUBPART D-- TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

add entries for F032, F034 and F035; revise entries for D001 and F024 as per 62 <u>FR</u> 26023-26025	268.40/ Table of Treatment Standards for Hazardous Wastes					
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† **TREATMENT STANDARDS EXPRESSED AS SPECIFIC TECHNOLOGIES**

add entry for "POLYM" as per 62 <u>FR</u> 26025	268.42/ Table 1					
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VARIANCE FROM A TREATMENT STANDARD

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN - GENT	BROADE R IN SCOPE
4 revise paragraph; the following facilities are excluded from the treatment standards under 268.40 and are subject to the following constituent concentrations:	268.44(o)					
† revise title of table to read "Table--Wastes Excluded from the Treatment Standards Under §268.40"	268.44(o)/ Table 1					

APPENDIX I, II, III and X TO PART 268

REMOVED AND RESERVED	268 Appendices I, II, III and X					
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APPENDIX VI TO PART 268

RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN SECTION 268.42

† revise introduction to appendix; treatment standard for many characteristic wastes is stated in 268.40; characteristic wastes that are not managed in a facility must be treated not only by "deactivating" but also to achieve UTS for underlying constituents; the appendix presents a partial list that may help meet treatment standards; use of these treatment standards is not mandatory	268 Appendix VI					
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APPENDIX VII TO PART 268

LDR EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
† revise tables 1 and 2 as shown in 62 <u>FR</u> 26025-26037	268 Appendix VII					

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

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

APPENDIX VIII TO PART 268

5 NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

† revise table as shown in 62 <u>FR</u> 26037-26039	268 Appendix VIII					
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APPENDIX X TO PART 268

RECORDKEEPING, NOTIFICATION, AND/OR CERTIFICATION REQUIREMENTS

† removed and reserved	268 Appendix X					
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† Optional.

†' Conditionally optional. While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditionally optional.

¹ This section heading has been revised. The former heading read "Waste analysis and recordkeeping".

² If a State has chosen to adopt the lab pack option (see Revision Checklist 78), then it must make the revisions specified in this checklist for this provision. If the lab pack option has not been adopted, these revisions are not required. As a reminder, the requirements for the lab pack options are 264.316(f), 265.316(f), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), Appendix IV and V to Part 268.

³ Subparagraphs 268.7(b)(5)-(b)(5)(v) were redesignated and revised by Revision Checklist 157 as 268.7(b)(4)-(b)(4)(iii).

⁴ Note that 268.44(o) was added to the Federal code by a March 25, 1991 rule at 56 FR 12351. The provision contains a variance from the treatment standards under 268.43(a) that only affects two facilities located in Chicago, Illinois. The March 25, 1991 rule also added and reserved paragraphs 268.44(m) and (n). Due to the limited applicability of this variance, no revision checklist was necessary for this rule. Revision Checklist 157 made changes to 268.44(o) and is included in this checklist for completeness. However, States would likely not want to include 268.44(m)-(o) in their code, unless the variance is extended to a facility in that particular State.

⁵ Note that there is an error at 62 FR 26037. The title for Appendix VIII should be listed as "National Capacity LDR Variances for UIC Wastes" but is incorrectly listed in the Federal Register as "LDR Effective Dates of Surface Disposed Prohibited Hazardous Wastes".