

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 183

Land Disposal Restrictions Phase IV -- Technical Corrections

64 FR 56469-56472

October 20, 1999

(RCRA Cluster X, HSWA/Non-HSWA)

Note that the revisions to 262.34(a)(4), 268.7(a)(3)(iii), 268.40(j), 268.40 Table, 268.49(c)(1)(A) and 268.49(c)(1)(B) were made pursuant to HSWA. The revisions to 261.32 were made relative to non-HSWA authority. Those provisions designated as HSWA are identified by a “E” (diamond symbol) in this checklist.

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 D – LISTS OF HAZARDOUS WASTES						
HAZARDOUS WASTES FROM SPECIFIC SOURCES						
remove entries for K064, K065, K066, K090 and K091	261.32					
PART 262 – STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE						
SUBPART C – PRE-TRANSPORT REQUIREMENTS						
ACCUMULATION TIME						
replace “268.7(a)(4)” with “268.7(a)(5)”	262.34(a)(4)					
PART 268 – LAND DISPOSAL RESTRICTIONS						
SUBPART A – GENERAL						
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						

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SPA 21

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN - GENT	MORE STRIN -GENT	BROADE R IN SCOPE
†i ,E add new paragraph; if waste changes, generator must send new notice & certification to receiving facility, & place copy in files; generators excluded under 261.3(f) are not subject to these requirements	268.7(a)(3)(iii)					

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SPA 21

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

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

<p>Ë replace old 268.40(j) with new paragraph; effective September 4, 1998, treatment standards for certain “P” and “U” wastes specified in 261.33 may be satisfied by either meeting constituent concentrations in “Treatment Standards for Hazardous Wastes” table, or by treating the waste by technologies specified</p>	268.40(j)					
<p>2,Ë revise K088 entry as shown at 64 <u>FR</u> 56471</p>	268.40/Table					

ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL

<p>†i ,Ë add “except carbon disulfide, cyclohexanone, and methanol”after “non-metals”</p>	268.49(c)(1)(A)					
<p>†i ,Ë add “and carbon disulfide, cyclohexanone, and methanol”after “metals”</p>	268.49(c)(1)(B)					

†i These changes are conditionally optional. If the State has adopted the optional revisions to the recordkeeping and paperwork requirements in Revision Checklist 157, then the State is required to adopt the change to 262.34(a)(4) in this checklist. Also, if the State has adopted the optional treatment standards for contaminated soils in Revision Checklists 167 B, then the State is required to adopt the changes to 268.7(a)(3) and 268.49(c)(1) in this checklist.

¹ The listings of K064, K065, K066, K090, and K091 were initially added to the Federal code by the September 12, 1988 final rule addressed by Revision Checklist 53 (53 FR 35412). However, the listings were remanded by the U.S. Court of Appeals for the D.C. Circuit in American Mining Congress v. EPA, 907 F.2d 1179 (D.C. Cir. 1990). As such, Revision Checklist 53 was modified to not include the addition of these listings. Therefore, States may never have added these listings to their regulations.

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² There are typographical errors in the K088 entry at 64 FR 56471. “Benz(a)anthracene” should be “Benzo(a)anthracene” and “Indeno(1,2,3,-c,d)pyrene” should be “Indeno(1,2,3-cd)pyrene”. The second error was in the Federal code prior to this checklist.