

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 210

Standardized Permit for RCRA Hazardous Waste Management Facilities

70 FR 53420-53478

September 8, 2005

(RCRA Cluster XVI, Non-HSWA)

Note: The provisions in new Part 267 are not broken down beyond the sections.

Name of State: _____

State Statutory Authority: _____

Title of Regulations: _____ Effective Date: _____

Date Checklist Completed: _____

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

PART 124 PROCEDURES FOR DECISIONMAKING

SUBPART A GENERAL PROGRAM REQUIREMENTS

† PURPOSE AND SCOPE

replace “four” with “five” in the first sentence; add “and Subpart G” after “Subparts B through D” in the third sentence; replace the sixth sentence with the following: “Subpart B contains public participation requirements applicable to all RCRA hazardous waste management facilities.” Add “Subpart G contains specific procedural requirements for RCRA standardized permits, which, in some instances, change how the General Program Requirements of subpart A apply in the context of the RCRA standardized permit.” to the end of the paragraph

124.1(b)

† DEFINITIONS

insert “of this chapter” at the end of the first sentence; in the second sentence insert “RCRA standardized permit (§ 270.67),” after “(§ 270.60),”

124.2(a) “Permit”

add “Standardized permit”

124.2(a)
“Standardized
permit”

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† MODIFICATION, REVOCATION AND REISSUANCE OR TERMINATION OF PERMITS						
at the end of the sentence, move the closing parenthesis inside the period	124.5(c) introductory paragraph					
add “(other than § 270.41(b)(3))” after “270.41” in the first sentence; add “other than under 40 CFR 270.41(b)(3)” after “reissued permits,” in the third sentence; add “In the case of revoked or reissued permits under 40 CFR 270.41(b)(3), the Director and the permittee shall comply with the appropriate requirements in 40 CFR part 124, subpart G for RCRA standardized permits.” to the end of the subparagraph	124.5(c)(1)					
SUBPART B SPECIFIC PROCEDURES APPLICABLE TO RCRA PERMITS						
† PRE-APPLICATION PUBLIC MEETING AND NOTICE						
insert after fourth sentence: “The requirements of this section shall also apply to hazardous waste management facilities for which facility owners or operators are seeking coverage under a RCRA standardized permit (see 40 part 270, subpart J), including renewal of a standardized permit for such units, where the renewal is proposing a significant change in facility operations, as defined at § 124.211(c).”	124.31(a)					
insert “or to the submission of a written Notice of Intent to be covered by a RCRA standardized permit (see 40 CFR part 270, subpart J),” after “part B RCRA permit application for a facility,”.	124.31(b)					
add “, or with the written Notice of Intent to be covered by a RCRA standardized permit (see 40 CFR part 270, subpart J).” to the end of the paragraph	124.31(c)					
† PUBLIC NOTICE REQUIREMENTS AT THE APPLICATION STAGE						

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1 insert after third sentence: “The requirements of this section do not apply to hazardous waste units for which facility owners or operators are seeking coverage under a RCRA standardized permit (see 40 CFR part 270, subpart J).”	124.32(a)					
† SUBPART G PROCEDURES FOR RCRA STANDARDIZED PERMIT						
GENERAL INFORMATION ABOUT STANDARDIZED PERMITS						
What is a RCRA standardized permit?	124.200					
Who is eligible for a standardized permit?	124.201					
APPLYING FOR A STANDARDIZED PERMIT						
How do I as a facility owner or operator apply for a standardized permit?	124.202					
How may I switch from my individual RCRA permit to a standardized permit?	124.203					
ISSUING A STANDARDIZED PERMIT						
What must I do as the Director of the regulatory agency to prepare a draft standardized permit?	124.204					
What must I do as the Director of the regulatory agency to prepare a final standardized permit?	124.205					
In what situations may I require a facility owner or operator to apply for an individual permit?	124.206					
OPPORTUNITIES FOR PUBLIC INVOLVEMENT IN THE STANDARDIZED PERMIT PROCESS						
What are the requirements for public notices?	124.207					
What are the opportunities for public comments and hearings on draft permit decisions?	124.208					
What are the requirements for responding to comments?	124.209					
May I, as an interested party in the permit process, appeal a final standardized permit?	124.210					
MAINTAINING A STANDARDIZED PERMIT						
What types of changes may I make to my standardized permit?	124.211					

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What procedures must I follow to make routine changes?	124.212					
What procedures must I follow to make routine changes with prior approval?	124.213					
What procedures must I follow to make significant changes?	124.214					
PART 260 HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B DEFINITIONS						
DEFINITIONS						
† in the definition of “Facility”, revise subparagraph (2) by inserting “or 267.101” after “under 40 CFR 264.101”	260.10 “Facility”					
REFERENCES						
insert “270.310(d)(3)” at the end of the subparagraph	260.11(c)(1)					
insert “267.190(a)” between “265.1081” and “268.32.”	260.11(c)(3)(xxvii)					
insert “267.202(b)” at the end of the subparagraph	260.11(d)(1)					
PART 261 IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A GENERAL						
RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS						
† replace “or part” with “267,” between “265,” and “268,”	261.7(a)(1)					
PART 267 STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE FACILITIES OPERATING UNDER A STANDARDIZED PERMIT						
SUBPART A GENERAL						
What are the purpose, scope and applicability if this part?	267.1					
What is the relationship to interim status standards?	267.2					
How does this part affect an imminent hazard action?	267.3					
SUBPART B GENERAL FACILITY STANDARDS						
Does this subpart apply to me?	267.10					
What must I do to comply with this subpart?	267.11					
How do I obtain an identification number?	267.12					
What are my waste analysis requirements?	267.13					

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What are my security requirements?	267.14					
What are my general inspection requirements?	267.15					
What training must my employees have?	267.16					
What are the requirements for managing ignitable, reactive, or incompatible wastes?	267.17					
What are the standards for selecting the location of my facility?	267.18					
SUBPART C PREPAREDNESS AND PREVENTION						
Does this subpart apply to me?	267.30					
What are the general design and operation standards?	267.31					
What equipment am I required to have?	267.32					
What are the testing and maintenance requirements for the equipment?	267.33					
When must personnel have access to communication equipment or an alarm system?	267.34					
How do I ensure access for personnel and equipment during emergencies?	267.35					
What arrangements must I make with local authorities for emergencies?	267.36					
SUBPART D CONTINGENCY PLAN AND EMERGENCY PROCEDURES						
Does this subpart apply to me?	267.50					
What is the purpose of the contingency plan and how do I use it?	267.51					
What must be in the contingency plan?	267.52					
Who must have copies of the contingency plan?	267.53					
When must I amend the contingency plan?	267.54					
What is the role of the emergency coordinator?	267.55					

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What are the required emergency procedures for the emergency coordinator?	267.56					
What must the emergency coordinator do after an emergency?	267.57					
What notification and recordkeeping must I do after an emergency?	267.58					
2 SUBPART E MANIFEST SYSTEM, RECORDKEEPING, REPORTING, AND NOTIFYING						
Does this subpart apply to me?	267.70					
Use of the manifest system.	267.71					
Manifest discrepancies.	267.72					
What information must I keep?	267.73					
Who sees the records?	267.74					
What reports must I prepare and to whom do I send them?	267.75					
What notifications must I make?	267.76					
SUBPART F RELEASES FROM SOLID WASTE MANAGEMENT UNITS						
Who must comply with this section?	267.90					
[Reserved]	267.91—267.100					
What must I do to address corrective action for solid waste management units?	267.101					
SUBPART G CLOSURE						
Does this subpart apply to me?	267.110					
What general standards must I meet when I stop operating the unit?	267.111					
What procedures must I follow?	267.112					
Will the public have the opportunity to comment on the plan?	267.113					
[Reserved]	267.114					
After I stop operating, how long until I must close?	267.115					
What must I do with contaminated equipment, structure, and soils?	267.116					
How do I certify closure?	267.117					
SUBPART H FINANCIAL REQUIREMENTS						
Who must comply with this subpart, and briefly, what do they have to do?	267.140					

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Definitions of terms as used in this subpart.	267.141					
Cost estimate for closure.	267.142					
Financial assurance for closure.	267.143					
[Reserved]	267.144—267.146					
Liability requirements.	267.147					
Incapacity of owners or operators, guarantors, or financial institutions.	267.148					
[Reserved]	267.149					
3 State assumption of liability.	267.150	Non-delegable				
Wording of the instruments.	267.151					
SUBPART I USE AND MANAGEMENT OF CONTAINERS						
Does this subpart apply to me?	267.170					
What standards apply to the containers?	267.171					
What are the inspection requirements?	267.172					
What standards apply to the container storage areas?	267.173					
What special requirements must I meet for ignitable or reactive waste?	267.174					
What special requirements must I meet for incompatible wastes?	267.175					
What must I do when I want to stop using the containers?	267.176					
What air emission standards apply?	267.177					
SUBPART J TANK SYSTEMS						
Does this subpart apply to me?	267.190					
What are the required design and construction standards for new tank systems or components?	267.191					
What handling and inspection procedures must I follow during installation of new tank systems?	267.192					
What testing must I do?	267.193					
What installation requirements must I follow?	267.194					
What are the secondary containment requirements?	267.195					

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What are the required devices for secondary containment and what are their design, operating and installation requirements?	267.196					
What are the requirements for ancillary equipment?	267.197					
What are the general operating requirements for my tank systems?	267.198					
What inspection requirements must I meet?	267.199					
What must I do in case of a leak or a spill?	267.200					
What must I do when I stop operating the tank system?	267.201					
What special requirements must I meet for ignitable or reactive wastes?	267.202					
What special requirements must I meet for incompatible wastes?	267.203					
What air emission standards apply?	267.204					
SUBPARTS K THROUGH CC [RESERVED]						
SUBPART DD CONTAINMENT BUILDINGS						
Does this subpart apply to me?	267.1100					
What design and operating standards must my containment building meet?	267.1101					
What other requirements must I meet to prevent releases?	267.1102					
What additional design and operating standards apply if liquids will be in my containment building?	267.1103					
How may I obtain a waiver from secondary containment requirements?	267.1104					
What do I do if my containment building contains areas both with and without secondary containment?	267.1105					
What do I do if I detect a release?	267.1106					
Can a containment building itself be considered secondary containment?	267.1107					

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What must I do when I stop operating the containment building?	267.1108					

**PART 270 EPA ADMINISTERED PERMIT PROGRAMS; THE HAZARDOUS WASTE PERMIT
PROGRAM**

SUBPART A GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

† add “Treatment, storage, and disposal facilities (TSDs) that are otherwise subject to permitting under RCRA and that meet the criteria in paragraph (b)(1), or paragraph (b)(2) of this section, may be eligible for a standardized permit under subpart J of this part.” after the second sentence	270.1(b) introductory paragraph					
add new subparagraph (b)(1): Facility generates hazardous waste and then non-thermally treats or stores hazardous waste on-site	270.1(b)(1)					
add new subparagraph (b)(2): Facility receives hazardous waste generated off-site by a generator under the same ownership as the receiving facility	270.1(b)(2)					

† **DEFINITIONS**

insert “and standardized permit (subpart J of this part)” after “(§ 270.61)” in the second sentence.	270.2 “Permit”					
add “Standardized permit”	270.2 “Standardized Permit”					

SUBPART B PERMIT APPLICATION

† **GENERAL APPLICATION REQUIREMENTS**

4 completely revise and subdivide existing paragraph (a) into an introductory paragraph followed by subparagraphs (a)(1 – (a)(5): Applying for a permit.	270.10(a) introductory paragraph					
RCRA permits by rule	270.10(a)(1)					
Interim status	270.10(a)(2)					
Required to have a permit—submit an application	270.10(a)(3)					
Emergency permits	270.10(a)(4)					

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Research, development, and demonstration permits	270.10(a)(5)					
Add new subparagraph (a)(6): Standardized permits	270.10(a)(6)					
5 Revise existing paragraph (h) by subdividing it into an introductory paragraph and subparagraph (h)(1): Reapplying for a permit	270.10(h) introductory paragraph					
Submit a new application at least 180 days before the expiration date of the effective permit, unless the Director allows a later date; or	270.10(h)(1)					
add new subparagraph (h)(2): If you intend to be covered by a standardized permit; submit a notice of intent at least 180 days before effective permit's expiration date; Director may not allow application or notice of intent submittal later than the effective permit's expiration date	270.10(h)(2)					
SUBPART D CHANGES TO PERMITS						
† TRANSFER OF PERMITS						
insert "or as a routine change with prior approval under 40 CFR 124.213" after "§ 270.42" in the first sentence.	270.40(b)					
† MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS						
insert ", or § 270.320 and 40 CFR part 124, subpart G" after "§ 270.42" in the next to last sentence.	270.41 introductory paragraph					
add a new subparagraph (b)(3): "The Director has received notification under 40 CFR 124.202(b) of a facility owner or operator's intent to be covered by a standardized permit."	270.41(b)(3)					
SUBPART E EXPIRATION AND CONTINUATION OF PERMITS						
† CONTINUATION OF EXPIRING PERMITS						
add a new paragraph (e): Standardized permits; conditions continue until effective date of new permit if all of the following apply:	270.51(e)(1)					

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EPA is permit-issuing authority,	270.51(e)(1)(i)					
submit a timely complete notice of intent,	270.51(e)(1)(ii)					
and Director does not issue permit until previous permit expires	270.51(e)(1)(iii)					
notification by Director of ineligibility for standardized permit	270.51(e)(2)					

SUBPART F SPECIAL FORMS OF PERMITS

† **RCRA STANDARDIZED PERMITS FOR STORAGE AND TREATMENT UNITS**

RCRA standardized permits for storage treatment units;	270.67 introductory paragraph					
Generate and non-thermally treat or store on-site,	270.67(a)					
Receive hazardous waste generated off-site by a generator under the same ownership of receiving facility	270.67(b)					

† **SUBPART J RCRA STANDARDIZED PERMITS FOR STORAGE AND TREATMENT UNITS**

GENERAL INFORMATION ABOUT STANDARDIZED PERMITS						
What is a RCRA standardized permit?	270.250					
Who is eligible for a standardized permit?	270.255					
What requirements of Part 270 apply to a standardized permit?	270.260					
APPLYING FOR A STANDARDIZED PERMIT						
How do I apply for a standardized permit?	270.270					
What information must I submit to the permitting agency to support my standardized permit application?	270.275					
What are the certification requirements?	270.280					
INFORMATION THAT MUST BE KEPT AT YOUR FACILITY						
What general types of information must I keep at my facility?	270.290					
What container information must I keep at my facility?	270.300					
What tank information must I keep at my facility?	270.305					
What equipment information must I keep at my facility?	270.310					

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What air emissions control information must I keep at my facility?	270.315					
MODIFYING A STANDARDIZED PERMIT						
How do I modify my RCRA standardized permit?	270.320					

† Optional Provisions

- 1 There is a typographical error in the Federal Register for Revision Checklist 210 (70 FR 53420; September 8, 2005); in the amended language for § 124.32 in the third column of page 53449 “(see 40 CFR part 270, subpart J))” should be “(see 40 CFR part 270, subpart J), there should not be two close parentheses.
- 2 There is an error in the September 8, 2005 Federal Register notice associated with the heading for part 267, subpart E. The text “– Manifest,” is missing after “Subpart E”. The error is present in the 2006 CFR.
- 3 40 CFR 267.150 applies only to unauthorized States and is not appropriate in the code of States applying for authorization. This situation is analogous to that for 40 CFR 264.150.
- 4 Note that § 270.10(a) has been completely revised by Revision Checklist 210 by subdividing the previously existing paragraph into multiple subparagraphs (a)(1) through (5). Although the information contained in these subparagraphs is substantially similar to the language as it existed previously, the format is newly revised. The language addressing standardized permits at § 270.10(a)(6) is completely new.
- 5 Note that § 270.10(h) has been completely revised by Revision Checklist 210 by subdividing the previously existing paragraph into subparagraphs (h) introductory paragraph and (1). Although the information contained in these subparagraphs is substantially similar to the language as it existed previously, the format is newly revised. The language addressing standardized permits at § 270.10(h)(2) is completely new.