

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 211

Revision of Wastewater Treatment Exemptions
for Hazardous Waste Mixtures (“Headworks exemptions”)70 FR 57769-57785

October 4, 2005

(RCRA Cluster XVI, Non-HSWA)

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 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A GENERAL

DEFINITION OF HAZARDOUS WASTE

¹ † insert “benzene,” before “carbon tetrachloride”; insert “or the scrubber waters derived-from the combustion of these spent solvents” before “— <i>Provided</i> , That”; add new text addressing the direct monitoring option at the end of existing provision	261.3(a)(2)(iv)(A)					
† insert “2-ethoxyethanol, or the scrubber waters derived-from the combustion of these spent solvents” before “— <i>Provided</i> , That”; add new text addressing the direct monitoring option at the end of existing provision	261.3(a)(2)(iv)(B)					

**RCRA REVISION CHECKLIST 211: Revision of Wastewater Treatment Exemptions
for Hazardous Waste Mixtures (“Headworks exemptions”) (cont’d)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† in the first sentence insert “hazardous waste,” before “commercial chemical product”, replace “§261.31” with “§§ 261.31 through 261.33”, and remove “from manufacturing...process” after “of these materials”; in the second sentence remove the parentheses (“...”) around “ <i>de minimis</i> ”, insert “are inadvertent releases to a wastewater treatment system,” after “ <i>de minimis</i> losses”, replace “include” with “including” and insert a period (.) after “rendered empty by that rinsing”; After second sentence add new text addressing conditions for claiming the <i>de minimis</i> exemption	261.3(a)(2)(iv)(D)					
† remove “s” from the end of “dilution”; add new text at the end of existing provision: concentration of chemicals entering headworks does not exceed 5 parts per million weekly; file sampling and analysis plan with the Regional Administrator, or State Director; contents of sampling plan; eligibility for the direct monitoring option	261.3(a)(2)(iv)(F)					
† add new text at the end of existing provision: concentration of chemicals entering headworks does not exceed 5 parts per million weekly; file sampling and analysis plan with the Regional Administrator, or State Director; contents of sampling plan; eligibility for the direct monitoring option	261.3(a)(2)(iv)(G)					

† Optional provisions.

¹ Note that in the 10/4/2005 Final Rule and in the July 1, 2006 CFR, the capitalization and punctuation of the phrase “-*Provided, That...*” is inconsistent in the existing text at 40 CFR 261.3(a)(2)(A) – (G) . In order to set apart the condition limiting weekly solvent usage, States may want to adopt the phrase consistently as “-*Provided, That...*”.