

US EPA ARCHIVE DOCUMENT

## RCRA REVISION CHECKLIST 216

Exclusion of Oil-Bearing Secondary Materials Processed in a Gasification System to Produce Synthesis Gas

73 FR 57-72

January 2, 2008

(RCRA Cluster XVIII, 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 260—HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B -- DEFINITIONS

† DEFINITIONS

add in alphabetical order the definition of "Gasification" to read as follows:	260.10					
<i>Gasification.</i> For the purpose of complying with 40 CFR 261.4(a)(12)(i), gasification is a process, conducted in an enclosed device or system, designed and operated to process petroleum feedstock, including oil-bearing hazardous secondary materials through a series of highly controlled steps utilizing thermal decomposition, limited oxidation, and gas cleaning to yield a synthesis gas composed primarily of hydrogen and carbon monoxide gas.	260.10					

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A -- GENERAL

† EXCLUSIONS

Revise 261.4(a)(12)(i) to read as follows:	261.4					
--	-------	--	--	--	--	--

**RCRA REVISION CHECKLIST 216: Exclusion of Oil-Bearing Secondary Materials Processed in a Gasification System to Produce Synthesis Gas (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Oil-bearing hazardous secondary materials (i.e., sludges, byproducts, or spent materials) that are generated at a petroleum refinery (SIC code 2911) and are inserted into the petroleum refining process (SIC code 2911 – including, but not limited to, distillation, catalytic cracking, fractionation, gasification (as defined in 40 CFR 260.10) or thermal cracking units (i.e., cokers)) unless the material is placed on the land, or speculatively accumulated before being so recycled. Materials inserted into thermal cracking units are excluded under this paragraph, provided that the coke product also does not exhibit a characteristic of hazardous waste. Oil-bearing hazardous secondary materials may be inserted into the same petroleum refinery where they are generated, or sent directly to another petroleum refinery and still be excluded under this provision. Except, as provided in paragraph (a)(12)(ii) of this section, oil-bearing hazardous secondary materials generated elsewhere in the petroleum industry (i.e., from sources other than petroleum refineries) are not excluded under this section. Residuals generated from processing or recycling materials excluded under this paragraph (a)(12)(i), where such materials as generated would have otherwise met a listing under subpart D of this part, are designated as F037 listed wastes when disposed of or intended for disposal.	261.4(a)(12)(i)					

† Optional Provisions