

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 234

Response to Vacatur of the Comparable Fuels Rule and the Gasification Rule

80 FR 18777-18780

April 8, 2015

(RCRA Cluster XXIV, 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								
Remove the definition of "Gasification."	260.10 "gasification"							
PART 261 IDENTIFICATION AND LISTING OF HAZARDOUS WASTE								
SUBPART A - GENERAL								

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Revise to read: 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, 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)					
Remove and reserve.	261.4(16)					
SUBPART E – EXCLUSIONS/EXEMPTIONS						
Remove and reserve.	261.38					