

US EPA ARCHIVE DOCUMENT

SPECIAL CONSOLIDATED CHECKLIST  
for the  
Wood Preserving Listings  
as of **December 31, 2002**

Notes:

1) This checklist consolidates the changes to the Federal code addressed by the following Wood Preserving Listings checklists through **December 31, 2002**:

- Revision Checklist 82 [55 FR 50450 (December 6, 1990)];
- Revision Checklist 91 [56 FR 27332 (June 13, 1991)];
- Revision Checklist 92 [56 FR 30192 (July 1, 1991)];
- Revision Checklist 101 [57 FR 5859 (February 18, 1992)];
- Revision Checklist 120 [57 FR 61492 (December 24, 1992)]; and
- Revision Checklist 167 F [63 FR 28556 (May 26, 1998)].

This checklist also includes applicable changes made to the Federal code addressed by the following checklist that is not WPL checklist, but which contain revisions to provisions included in the WPL program, through **December 31, 2002**:

- Revision Checklist 126 [58 FR 46040 (August 31, 1993).

On June 29, 1995, EPA published a final rule removing provisions from the Code of Federal Regulations that are no longer legally in effect (see Revision Checklist 144; 60 FR 33912). While Revision Checklist 144 is not a Wood Preserving Listing checklist, it is noted in the checklist column of this consolidated WPL checklist because it corrects an error regarding the footnote following the table in §261.31(a).

No final rules were promulgated between June 30, 1998 and **December 31, 2002** that affected the Wood Preserving Listings rule. Therefore, this consolidated checklist is identical to that of June 30, 1998.

2) This consolidated checklist adds, to the list of wastes from non-specific sources, three broad categories of wastes from wood preserving processes that use chlorophenolic, creosote, and/or inorganic (arsenical and chromium) preservatives. These wastes, F032, F034 and F035, include wastewaters, process residuals, preservative drippage and spent formulations. The listing of F032 and the permitting and interim status standards applicable to drip pads handling this waste are promulgated pursuant to HSWA. The listings of F034 and F035, the permitting and interim standards for drip pads that handle F034 and F035 wastes, and the addition of a test method to Appendix III of Part 261 are non-HSWA provisions. EPA will implement the addition of F032 to the list of hazardous wastes from non-specific sources in authorized States until the States modify their programs and such modifications are approved by EPA. The non-HSWA requirements are applicable only in those States that do not have interim or final authorization. In authorized States, the non-HSWA requirements will not be applicable until the States revise their programs to adopt equivalent requirements under State law, unless the wastes are designated as hazardous due to the Toxicity Characteristic, which would allow an owner or operator to comply with the drip pad standards administered under Federal law.

3) Note that double lines are used on the checklists to indicate the beginning and ending of optional provisions with subparagraphs or requirements that must all be adopted if the optional provision is adopted.

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	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 "drip pad" in alphabetical order	82	260.10					
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

1 EXCLUSIONS

† Spent Wood Preserving Solutions and Wastewaters

add new paragraph which excludes as a solid waste spent wood preserving solutions that have been reclaimed and are reused for their original intended purpose	82,92	261.4(a)(9)(i)					
add new paragraph which excludes as a solid waste wastewaters from the wood preserving process that have been reclaimed and are reused to treat wood	92	261.4(a)(9)(ii)					
† add paragraph; prior to reuse, wood preserving wastewaters and spent wood preserving solutions described in 261.4(a)(9)(i)&(ii), so long as they meet all specified conditions	167F	261.4(a)(9)(iii)					
	167F	261.4(a)(9)(iii)(A)					
	167F	261.4(a)(9)(iii)(B)					
	167F	261.4(a)(9)(iii)(C)					
	167F	261.4(a)(9)(iii)(D)					
	167F	261.4(a)(9)(iii)(E)					

SUBPART D - LISTS OF HAZARDOUS WASTES

2 HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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3 add the waste codes "F032", "F034" and "F035" in alphanumeric order to list as shown below:	82,†91, †120	261.31(a)/table					

Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
*	*	*
		*
F032	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with § 261.35 of this chapter or potentially cross-contaminated wastes that are otherwise currently regulated as hazardous wastes (i.e., F034 or F035), and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	(T)
F034	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	(T)
F035	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	(T)
*	*	*
		*

4 remove administrative stay	†91,120, 144	261.31(a)/ footnote-1					
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SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
DELETION OF CERTAIN HAZARDOUS WASTE CODES FOLLOWING EQUIPMENT CLEANING AND REPLACEMENT							
wastes from wood preserving processes at plants that do not resume or initiate use of chlorophenolic preservatives will not meet the listing definition of F032 once the 261.35(b) and (c) requirements are met; wastes may continue to meet another hazardous waste listing description or exhibit one or more characteristics	82	261.35(a)					
generators must either clean or replace all specified process equipment that may have come into contact with chlorophenolic formulations or constituents	82,92	261.35(b)					
generators shall do one of the following:	82,92	261.35(b)(1)					
prepare and follow an equipment cleaning plan; clean equipment in accordance with 261.35	92	261.35(b)(1)(i)					
prepare and follow an equipment replacement plan; replace equipment in accordance with 261.35	92	261.35(b)(1)(ii)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
6 document cleaning and replacement in accordance with 261.35, carried out after termination of use of chlorophenolic preservatives	92	261.35(b)(1)(iii)					
cleaning requirements	82,92	261.35(b)(2)					
prepare and sign a written equipment cleaning plan that describes:	92	261.35(b)(2)(i)					
equipment to be cleaned	92	261.35(b)(2)(i)(A)					
how equipment will be cleaned	92	261.35(b)(2)(i)(B)					
solvent to be used in cleaning	92	261.35(b)(2)(i)(C)					
how solvent rinses will be tested	92	261.35(b)(2)(i)(D)					
how cleaning residues will be disposed	92	261.35(b)(2)(i)(E)					
equipment must be cleaned as follows:	92	261.35(b)(2)(ii)					
remove all visible residues from process equipment	92	261.35(b)(2)(ii)(A)					
rinse with appropriate solvent until no dioxin or dibenzofuran detection in final solvent rinse	92	261.35(b)(2)(ii)(B)					
analytical requirements	92	261.35(b)(2)(iii)					
test rinses as per SW-846, Method 8290	92	261.35(b)(2)(iii)(A)					
"not detected" defined	92	261.35(b)(2)(iii)(B)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
generator manages cleaning process residues as F032 waste	92	261.35(b)(2)(iv)					
replacement requirements	82,92	261.35(b)(3)					
prepare and sign written equipment replacement plan that describes:	92	261.35(b)(3)(i)					
equipment to be replaced	92	261.35(b)(3)(i)(A)					
how equipment will be replaced	92	261.35(b)(3)(i)(B)					
how equipment will be disposed	92	261.35(b)(3)(i)(C)					
generator must manage discarded equipment as F032 waste	92	261.35(b)(3)(ii)					
documentation requirements	92	261.35(b)(4)					
document previous equipment cleaning and/or replacement performed in accordance with 261.35 and occurred after cessation of chlorophenolic preservative use	92	261.35(b)(4)(i)					
documentation that must be maintained as part of the facility's operating record	82	261.35(c)					
name and address of the facility	82	261.35(c)(1)					
formulations previously used and the date on which their use ceased in each process at the plant	82	261.35(c)(2)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
formulations currently used in each process at the plant	82	261.35(c)(3)					
equipment cleaning or replacement plan	82	261.35(c)(4)					
name and address of any persons who conducted the cleaning and replacement	82	261.35(c)(5)					
dates on which cleaning and replacement were accomplished	82	261.35(c)(6)					
dates of sampling and testing	82	261.35(c)(7)					
description of sample handling and preparation techniques	82	261.35(c)(8)					
description of the tests performed, the date, and the results of the tests	82	261.35(c)(9)					
name and model numbers of the instrument(s) used in performing the tests	82	261.35(c)(10)					
QA/QC documentation	82	261.35(c)(11)					
signed certification statement	82	261.35(c)(12)					



SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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APPENDIX III TO PART 261

CHEMICAL ANALYSIS TEST METHODS

remove	82, 126	Table 1, Appendix III					
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APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add "F032", "F034", and "F035" to list in alphanumeric order as shown below:	82	Appendix VII					
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EPA hazardous waste No.	Hazardous constituents for which listed
*                      *	*                      *
F032 .....	Benz(a)anthracene, benzo(a)pyrene, dibenz(a,h)-anthracene, indeno(1,2,3-cd)pyrene, pentachlorophenol, arsenic, chromium, tetra-, penta-, hexa-, heptachlorodibenzo-p-dioxins, tetra-, penta-, hexa-, heptachlorodibenzofurans.
F034 .....	Benz(a)anthracene, benzo(k)fluoranthene, benzo(a)pyrene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, naphthalene, arsenic, chromium.
F035 .....	Arsenic, chromium, lead.
*                      *	*                      *

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

add the specified hazardous constituents in alphabetical order as shown below:	82	Appendix VIII					
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as of **December 31, 2002** (cont'd)

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Common Name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.
* * * * *	* * * * *		
Benzo(k)fluoranthene .....	Same	207-08-9	.....
* * * * *	* * * * *		
Heptachlorodibenzofurans .....	.....	.....	.....
Heptachlorodibenzo-p-dioxins .....	.....	.....	.....
* * * * *	* * * * *		

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C - PRE-TRANSPORT REQUIREMENTS

7,8 ACCUMULATION TIME

the waste is placed:	92	262.34(a)(1) intro					
in containers and generator complies with Subpart I of Part 265; and/or	92	262.34(a)(1)(i)					
in tanks and generator complies with Subpart J of Part 265, except 265.197(c) and 265.200; and/or	92	262.34(a)(1)(ii)					
†,9 on drip pads and generator complies with Subpart W of Part 265 and maintains following records:	82,92	262.34(a)(1)(iii) intro					
†,9 description of procedures to ensure all wastes are removed from drip pad and associated collection system at least once every 90 days	82,92	262.34(a)(1)(iii)(A)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†,9 documentation of each waste removal, including quantity, date and time of removal; generator exempt from Subparts G and H of Part 265, except 265.111 and 265.114	82,92	262.34(a)(1)(iii)(B)					
9 date each period of accumulation begins is marked and visible	82,92	262.34(a)(2)					

PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT,  
STORAGE AND DISPOSAL FACILITIES

SUBPART J - TANK SYSTEMS

APPLICABILITY

add reference to paragraph (c)	82	264.190 intro					
add new paragraph subjecting tanks, sumps and other collection devices used in conjunction with Subpart W-regulated drip pads to Part 264, Subpart J requirements	82	264.190(c)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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10

SUBPART W - DRIP PADS

APPLICABILITY

Subpart W applies to owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water run-off to an associated collection system; existing drip pads defined; applicability of 264.573(b)(3) leak collection system requirement	82,92,120	264.570(a)					
owner or operator of certain drip pads inside or under a structure not subject to 264.573(e) or 264.573(f) regulations, as appropriate	82,92	264.570(b)					
Subpart W requirements not applicable to management of infrequent, incidental drippage in storage yards provided:	120	264.570(c)					
owner or operator maintains and complies with a written contingency plan describing how owner or operator will respond immediately to discharge of infrequent and incidental drippage; at a minimum, what the contingency plan must describe	120	264.570(c)(1) intro					
		264.570(c)(1)(i)					
		264.570(c)(1)(ii)					
		264.570(c)(1)(iii)					
		264.570(c)(1)(iv)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
ASSESSMENT OF EXISTING DRIP PAD INTEGRITY							
evaluation of existing drip pads; by June 6, 1991, written assessment obtained and kept on file; annual review, update and recertification required until 264.573 standards are met, except 264.573(b) standards for liners and leak detection systems	82,92,120	264.571(a)					
development of written plan for upgrading, repairing and modifying drip pad to meet 264.573 (b) requirements; submittal of plan to Regional Administrator no later than 2 years before completion of modifications; written plan documentation, review and certification requirements	82.92.120	264.571(b) intro					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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12  removed	82,120	264.571(b)(1)					
		264.571(b)(2)					
		264.571(b)(3)					
submittal of required drawings and certification to Regional Administrator or State Director upon completion of all upgrades, repairs, and modifications	82,92	264.571(c)					
if drip pad found to be leaking or unfit for use, compliance with 264.573 (m) provisions or close drip pad in accordance with 264.575	82,92	264.571(d)					
13 DESIGN AND INSTALLATION OF NEW DRIP PADS							
owners and operators of new drip pads must ensure that the pads are designed, installed and operated in accordance with one of the following:	82,92,120	264.572 intro					
all of the requirements of 264.573 (except 264.573 (a)(4)), 264.574 and 264.575	120	264.572(a)					
all of the requirements of 264.573 (except 264.573 (b)), 264.574 and 264.575	120	264.572(b)					
13 DESIGN AND OPERATING REQUIREMENTS							
drip pads must:	82,92	264.573(a) intro					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
be constructed of non- earthen materials, excluding wood and non- structurally supported asphalt	82,92	264.573(a)(1)					
be sloped for free- drainage to the associated collection system	82,92	264.573(a)(2)					
have a curb or berm around the perimeter	82,92	264.573(a)(3)					
14, hydraulic conductivity 15, requirements; maintain 16 surface free of cracks and gaps; sealing material must be chemically compatible with preservatives that contact pad; requirements apply to existing drip pads and drip pads of owners/operators electing to comply with 264.572(a)	82,92,120	264.573(a)(4)(i)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
14 owner or operator must obtain and keep at the facility written assessment of drip pad certified by independent qualified registered engineer; assessment must attest to results of evaluation; assessment must be reviewed, updated and recertified annually; evaluation must document extent to which drip pad meets 264.573 (except 264.573 (b)) design and operating standards	120	264.573(a)(4)(ii)					
17 remove notes regarding administrative stays for new and existing drip pads	†91,92, †101,120	264.573(a)(4)/notes					
18 be of sufficient structural strength and thickness to meet specified conditions	82,92	264.573(a)(5)					
19 if owner/operator elects to comply with § 264.572(b) instead of § 264.572(a), the drip pad must have:	82,92,120	264.573(b) intro					
a synthetic liner that meets certain design, construction and installation specifications	82,92	264.573(b)(1) intro					
specific requirements for liner construction materials	82,92	264.573(b)(1)(i)					
foundation or base requirements	82,92	264.573(b)(1)(ii)					



SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
liner must cover all surrounding earth that could come into contact with the waste or leakage	82,92	264.573(b)(1)(iii)					
leakage detection system immediately above the liner; detection system must be:	82,92	264.573(b)(2) intro					
constructed of materials that are:	82,92	264.573(b)(2)(i) intro					
chemically resistant to relevant waste and leakage	82,92	264.573(b)(2)(i)(A)					
of sufficient strength and thickness to prevent collapse	82,92	264.573(b)(2)(i)(B)					
designed and operated to function without clogging through the scheduled closure of the drip pad; and	82,92	264.573(b)(2)(ii)					
designed to detect drip pad failure or the release of hazardous waste or accumulated liquid at the earliest practicable time	82,92	264.573(b)(2)(iii)					
leakage collection system immediately above the liner designed, constructed, maintained and operated to collect leakage from below the drip pad; date, time and quantity of leakage collected must be documented in operating log	120	264.573(b)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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maintenance of drip pads; note regarding remedial action	82,92	264.573(c)					
convey, drain, and collect liquid resulting from drippage or precipitation in order to prevent run-off	82,92	264.573(d)					
run-on control system requirements	82,92	264.573(e)					
run-off management system requirements, unless system is protected by a structure, as described in 264.570 (b)	82,92	264.573(f)					
evaluation of drip pad for compliance with 264.573 (a)-(f) requirements; design certification required	82,92	264.573(g)					
removal of drippage and accumulated precipitation from associated collection system as necessary to prevent overflow onto the drip pad	82,92	264.573(h)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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thorough cleaning of drip pad surface in a manner and frequency to meet specified conditions; documentation of date, time and cleaning procedure in facility's operating log; owner/operator must determine whether residues are hazardous under 262.11 and, if so, manage them according to Parts 261-268, 270 and RCRA §3010	82,92,120	264.573(i)					
minimize tracking of hazardous waste or constituents off the drip pad	82,92	264.573(j)					
after removal from treatment vessel, treated wood from pressure and non-pressure processes must be held on pad until drippage has ceased; documentation required	82,92	264.573(k)					
collection and holding units for run-on and run-off control systems emptied or otherwise managed as soon as possible after storms to maintain design capacity	82,92	264.573(l)					
throughout the active life of the drip pad and as specified in the permit, repair of detected condition that may have caused or has caused a release of hazardous	82,92	264.573(m) intro					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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upon detection of a condition that may have caused or has caused a release of hazardous waste, the owner must:	82,92	264.573(m)(1) intro					
enter discovery in the facility operating log	82,92	264.573(m)(1)(i)					
immediately remove from service affected portion of drip pad	82,92	264.573(m)(1)(ii)					
determine steps to repair drip pad and clean up any leakage; establish schedule for repairs	82,92	264.573(m)(1)(iii)					
notify Regional Administrator within 24 hours after discovery; provide written notice as specified within 10 working days	82,92	264.573(m)(1)(iv)					
review, determination and notification by Regional Administrator	82,92	264.573(m)(2)					
20 written notification to Regional Administrator and certification of compliance with 264.573(m)(1)(iv) after repairs and clean up	82,92	264.573(m)(3)					
should a permit be necessary, Regional Administrator will specify in the permit all design and operating practices necessary to ensure that 264.573 requirements are met	82,92	264.573(n)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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documentation in operating log, as specified, of past operating and waste handling practices	82.92	264.573(o)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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13 INSPECTIONS

inspection of liners and cover systems for uniformity, damage and imperfections during construction or installation; inspection and certification of liners to meet 264.573 requirements; maintenance of certification as part of the facility operating record; inspection of liners and covers after installation	82,92	264.574(a)					
drip pad must be inspected weekly and after storms to detect evidence of any of the following:	82,92	264.574(b) intro					
deterioration, malfunctions or improper operation of run-on and run-off control systems	82,92	264.574(b)(1)					
presence of leakage in and proper functioning of leak detection system	82,92	264.574(b)(2)					
deterioration or cracking of drip pad surface; note regarding remedial action	82,92	264.574(b)(3)					

13 CLOSURE

at closure, removal and decontamination requirements; management as hazardous waste	82,92	264.575(a)					
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SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
conditions under which owner or operator must close facility and perform post-closure care in accordance with 264.310 requirements; for permitted units, permit requirement continues throughout post-closure period; drip pad is considered a landfill and must meet Subparts G and H requirements of Part 264	82,92	264.575(b)					
owner or operator of an existing drip pad that does not comply with the 264.573(b)(1) liner requirements must:	82,92	264.575(c)(1) intro					
include in closure plans for drip pad under 264.112, a plan for 264.575(a) compliance and a contingent plan for 264.575(b) compliance	82,92	264.575(c)(1)(i)					
prepare a contingent post-closure plan under 264.118 for complying with 264.575(b) in case not all contaminated subsoils can be practicably removed at closure	82,92	264.575(c)(1)(ii)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
cost estimates calculated under 264.112 and 264.144 for closure and post-closure care of drip pad subject to 264.575(c) must include the cost of complying with the contingent closure plan and the contingent post-closure plan; cost of expected closure under 264.575(a) need not be included	82,92	264.575(c)(2)					

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS  
WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

SUBPART J - TANK SYSTEMS

APPLICABILITY

add reference to paragraph (c)	82	265.190 intro					
add new paragraph subjecting tanks, sumps and other collection devices used in conjunction with Subpart W-regulated drip pads to Part 265, Subpart J requirements	82	265.190(c)					



SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART W - DRIP PADS							
APPLICABILITY							
Subpart W applies to owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system; existing drip pads defined; applicability of 265.443(b)(3) leak collection system requirement	82,92,120	265.440(a)					
owner or operator of certain drip pads inside or under a structure not subject to 265.443(e) or 265.443(f) regulations, as appropriate	82	265.440(b)					
Subpart W requirements not applicable to management of infrequent, incidental drippage in storage yards provided:	120	265.440(c) intro					
owner or operator maintains and complies with a written contingency plan describing how owner or operator will respond to discharge of infrequent and incidental drippage; at a minimum, what the contingency plan must describe	120	265.440(c)(1) intro					
		265.440(c)(1)(i)					
		265.440(c)(1)(ii)					
		265.440(c)(1)(iii)					
		265.440(c)(1)(iv)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
ASSESSMENT OF EXISTING DRIP PAD INTEGRITY							
evaluation of existing drip pads; by June 6, 1991, written assessment obtained and kept on file; annual review, update and recertification required until 265.443 standards are met, except for 265.443(b) standards for liners and leak detection systems	82,120	265.441(a)					
development of written plan for upgrading, repairing and modifying drip pad to meet 265.443 (b) requirements; submittal of plan to Regional Administrator no later than 2 years before completion of modifications; written plan documentation, review and certification requirements	82.120	265.441(b) intro					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
21  removed	82,120	265.441(b)(1)					
		265.441(b)(2)					
		265.441(b)(3)					
submittal of required drawings and certification to Regional Administrator or State Director upon completion of all repairs and modifications	82	265.441(c)					
if drip pad found to be leaking or unfit for use, comply with 265.443(m) provisions or close drip pad in accordance with 265.445	82	265.441(d)					

DESIGN AND INSTALLATION OF NEW DRIP PADS

owners and operators of new drip pads must ensure that the pads are designed, installed and operated in accordance with one of the following:	82,120	265.442 intro					
all of the applicable requirements of 265.443 (except 265.443(a)(4)), 265.444 and 265.445	120	265.442(a)					
all of the applicable requirements of 265.443 (except 265.443(b)), 265.444 and 265.445	120	265.442(b)					

DESIGN AND OPERATING REQUIREMENTS

drip pads must:	82	265.443(a) intro					
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SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
be constructed of non-earthen materials, excluding wood and non-structurally supported asphalt	82	265.443(a)(1)					
be sloped to free-drain wastes to the associated collection system	82	265.443(a)(2)					
have a curb or berm around the perimeter	82	265.443(a)(3)					
22, 23 hydraulic conductivity requirements; maintain surface free of cracks and gaps; surface material must be chemically compatible with preservatives that contact pad; requirements apply to existing drip pads and drip pads of owners/operators electing to comply with 265.442(a)	82,120	265.443(a)(4)(i)					
22 owner or operator must obtain and keep at the facility a written assessment of drip pad certified by independent qualified registered engineer; assessment must attest to results of evaluation; assessment must be reviewed, updated and recertified annually; evaluation must document extent to which drip pad meets 265.443 (except 265.443 (b)) design and operating standards	120	265.443(a)(4)(ii)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
24 remove notes regarding administrative stays for new and existing drip pads	†91,†101, 120	265.443(a)(4)/notes					
be of sufficient structural strength and thickness to meet specified conditions; note regarding structural integrity standards	82	265.443(a)(5)					
25 if an owner/operator elects to comply with § 265.442(b) instead of § 265.442(a), the drip pad must have:	82,120	265.443(b) intro					
a synthetic liner that meets certain specifications	82	265.443(b)(1) intro					
specific requirements for liner construction materials	82	265.443(b)(1)(i)					
foundation or base requirements	82	265.443(b)(1)(ii)					
liner must cover all surrounding earth that could come into contact with the waste or leakage	82	265.443(b)(1)(iii)					
leakage detection system immediately above the liner; detection system must be:	82	265.443(b)(2) intro					
constructed of materials that are:	82	265.443(b)(2)(i) intro					
chemically resistant to relevant waste and leakage	82	265.443(b)(2)(i)(A)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
of sufficient strength and thickness to prevent collapse	82	265.443(b)(2)(i)(B)					
26 designed and operated to function without clogging through scheduled drip pad closure	92	265.443(b)(2)(ii)					
26 designed to detect the failure of the drip pad or the presence of hazardous waste release or accumulated liquid at the earliest practicable time	82,92	265.443(b)(2)(iii)					
leakage collection system immediately above the liner designed, constructed, maintained and operated to collect leakage from below the drip pad for removal; date, time and quantity of leakage collected must be documented in operating log	120	265.443(b)(3)					
maintenance of drip pads; note regarding remedial action	82	265.443(c)					
convey, drain, and collect liquid resulting from drippage or precipitation in order to prevent run-off	82	265.443(d)					
run-on control system requirements, unless drip pad is protected by a structure, as described in 265.440(b)	82	265.443(e)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
run-off management system requirements, unless drip pad is protected by a structure, as described in 265.440 (b)	82	265.443(f)					
evaluation of drip pad for compliance with 265.443 (a)-(f) requirements; design certification required	82	265.443(g)					
removal of drippage and accumulated precipitation from associated collection system as necessary to prevent overflow onto the drip pad	82	265.443(h)					
thorough cleaning of drip pad surface in a manner and frequency to meet specified conditions; documentation of date, time and cleaning procedure in facility's operating log	82,120	265.443(i)					
minimize tracking of hazardous waste or constituents off the drip pad	82	265.443(j)					
after removal from treatment vessel, treated wood from pressure and non-pressure processes must be held on pad until drippage has ceased; documentation required	82	265.443(k)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
collection and holding units for run-on and run-off control systems emptied or otherwise managed as soon as possible after storms to maintain design capacity	82	265.443(l)					
throughout the active life of the drip pad and as specified in the permit, repair of detected condition that may have caused or has caused a release of hazardous waste within a reasonable period of time, in accordance with the following procedures:	82,92	265.443(m) intro					
upon detection of a condition that may have caused or has caused a release of hazardous waste, the owner must:	82,92	265.443(m)(1) intro					
entry of discovery in the facility operating log	82	265.443(m)(1)(i)					
immediate removal from service of affected portion of drip pad	82	265.443(m)(1)(ii)					
determination of steps to repair drip pad, remove any leakage, and establish schedule for clean up and repairs	82	265.443(m)(1)(iii)					



SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
notify Regional Administrator within 24 hours after discovery; provide written notice as specified within 10 working days	82	265.443(m)(1)(iv)					
review, determination and notification by Regional Administrator	82	265.443(m)(2)					
27 written notification to Regional Administrator and certification of compliance with 265.443 (m)(1)(iv) after repairs and clean up	82,92	265.443(m)(3)					
documentation in operating log, as specified, of past operating and waste handling practices	82	265.443(n)					
<b>INSPECTIONS</b>							
inspection of liners and cover systems for uniformity, damage and imperfections during construction or installation; inspection and certification of liners to meet 265.443 requirements; maintenance of certification as part of the facility operating record; inspection of liners and covers after installation	82	265.444(a)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
drip pad must be inspected weekly and after storms to detect evidence of any of the following:	82	265.444(b) intro					
deterioration, malfunctions or improper operation of run-on and run-off control systems	82	265.444(b)(1)					
presence of leakage in and proper functioning of leak detection system	82	265.444(b)(2)					
deterioration or cracking of drip pad surface; note regarding remedial action	82	265.444(b)(3)					
<b>CLOSURE</b>							
at closure, removal and decontamination requirements; management as hazardous waste	82	265.445(a)					
closure and post-closure care of drip pad as a landfill under 265.310, if some contaminated subsoils cannot be removed or decontaminated; for permitted units, permit requirement continues throughout post-closure period	82	265.445(b)					
owner or operator of an existing drip pad not in compliance with the 265.443(b)(1) liner requirements must:	82	265.445(c)(1) intro					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
include in the closure plan for the drip pad under 265.112, a plan for 265.445(a) compliance and a contingent plan for 265.445(b) compliance	82	265.445(c)(1)(i)					
prepare contingent post-closure plan under 265.118 for complying with 265.445(b) in case not all contaminated subsoils can be practicably removed at closure	82	265.445(c)(1)(ii)					
cost estimates calculated under 265.112 and 265.144 for closure and post-closure care of drip pad subject to 265.445(c) must include cost of complying with contingent closure plan and contingent post-closure plan; cost of expected closure under 265.445(a) need not be included	82	265.445(c)(2)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

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

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:  
THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART B - PERMIT APPLICATION

28 SPECIAL PART B INFORMATION REQUIREMENTS FOR DRIP PADS

additional information to be provided by owners and operators of hazardous waste treatment, storage, or disposal facilities that collect, store, or treat hazardous waste on drip pads, except as otherwise provided by 264.1	82	270.26 intro					
list of hazardous wastes placed or to be placed on each drip pad	82	270.26(a)					
detailed plans and an engineering report describing how 264.90 (b)(2) will be met, if an exemption is sought to Subpart F of Part 264	82	270.26(b)					
detailed plans and an engineering report describing the design, construction, operation and maintenance of drip pad to meet 264.573 requirements; submission must address 264.571 items	82,92	270.26(c) intro					
design characteristics of the drip pad	82	270.26(c)(1)					
liner system	82	270.26(c)(2)					
leakage detection system	82	270.26(c)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
practices designed to maintain drip pads	82	270.26(c)(4)					
associated collection system	82	270.26(c)(5)					
control of run-on to the drip pad	82	270.26(c)(6)					
control of run-off from the drip pad	82	270.26(c)(7)					
removal intervals and demonstration of sufficiency to prevent overflow	82	270.26(c)(8)					
procedures for cleaning drip pad at least once every seven days; provisions for documentation of date, time and cleaning procedure	82	270.26(c)(9)					
operating practices and procedures to minimize tracking of hazardous waste or waste constituents off the drip pad	82	270.26(c)(10)					
procedures for ensuring that treated wood from pressure and non-pressure processes is held on the drip pad until drippage has ceased; recordkeeping practices	82	270.26(c)(11)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
provisions for ensuring that collection and holding units for run-on and run-off control systems are emptied or managed as soon as possible after storms to maintain design capacity	82	270.26(c)(12)					
if treatment is carried out on the drip pad, details of process equipment used, and the nature and quality of residuals	82	270.26(c)(13)					
description of drip pad inspections to meet 264.573 requirements; include in 270.14(b)(5) inspection plan	82,92	270.26(c)(14)					
certification that drip pad design meets 264.573(a)-(f) requirements	82,92	270.26(c)(15)					
description of removal procedures at closure under 264.575(a); for waste not removed at closure, submittal of detailed plan and engineering report to describe compliance with 264.310(a) and (b); information should be included in closure plan and, where applicable, 270.14(b)(13) post-closure plan	82,92	270.26(c)(16)					

SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

- 1 261.4(a)(9)(i) was originally 261.4(a)(9) on Revision Checklist 82. Revision Checklist 92 redesignated it as  
261.4(a)(9)(i) and added a new paragraph designated as 261.4(a)(9)(ii).
- 2 Note the Federal Register 56 FR 27332 (June 13, 1991; Revision Checklist 91) incorrectly refers to 261.31  
rather than to 261.31(a) as the place where the list of hazardous wastes from non-specific sources can be  
found. Revision Checklist 81 redesignated 261.31 as 261.31(a) and added 261.31(b).
- 3 Waste codes F032, F034, and F035 were added to the table in 261.31(a) by Revision Checklist 82. Revision  
Checklist 91 (56 FR 27332; June 13, 1991) addressed an administrative stay of these listings. Revision  
Checklist 120 (57 FR 61492; December 24, 1992) terminated the June 13, 1991 administrative stay by  
amending the listings. For the States that did not adopt the June 13, 1991 administrative stay, the Revision  
Checklist 120 changes to these listings represent a narrowing of the F032, F034, and F035 listings. Thus, the  
Revision Checklist 120 changes are optional for States that did not adopt the administrative stay. For those  
States that did adopt the June 13, 1991 administrative stay, the wording added by the stay (i.e., the  
parenthetical note concerning the stay) should be removed and replaced with the wording presented in the  
December 24, 1992 rule (Revision Checklist 120) and in this consolidated checklist.
- 4 Only those States that added the administrative stay addressed by the June 13, 1992 rule (56 FR 27332;  
Revision Checklist 91) to their code need to make the Revision Checklist 120 (57 FR 61492; December 24,  
1992) change. Note that, although Revision Checklist 120 removed this footnote, this change was not  
included in the July 1, 1993 and 1994 CFRs. The rule addressed by Revision Checklist 144 (60 FR 33912;  
June 29, 1995) corrects the CFR error.
- 5 Revision Checklist 82 originally introduced §261.35 into the code. Revision Checklist 92 made extensive  
formatting and word changes to 261.35(b).
- 6 There is a typographical error in the July 1, 1991, rule (56 FR 30192; Revision Checklist 92). In 261.35(b)(1)  
(iii), "preservations," at the end of the sentence, should be "preservatives." The CFR has reflected this error  
since July 1, 1992. The correct word is included on this checklist.
- 7 Note Revision Checklist 82 redesignated 262.34(a)(2)-(4) as 262.34(a)(3)-(5). Revision Checklist 92 changed  
these paragraphs back to their original numbering, i.e., 262.34(a)(2)-(4). Because these two changes canceled  
each other out, they were not directly addressed by this checklist.
- 8 The technical correction for §262.34, 56 FR 30192 (July 1, 1991; Revision Checklist 92), contains the text of  
the introductory paragraph, 262.34(a). As no revisions were made to this paragraph, it has not been included  
in this consolidated checklist. Also, because this technical correction made extensive changes to this section  
of the code, the "Federal Requirements" column summarizes the requirements rather than the changes.
- 9 An error in the July 1, 1991, and 1992 CFRs makes it appear that there are two paragraphs designated as  
262.34(a)(2) (see the editorial note in the CFR). Revision Checklist 82 inserted new text at 262.34(a)(2) and  
(a)(2)(i)-(ii) and redesignated the old 262.34(a)(2)-(4) as 262.34(a)(3)-(5). However, Revision Checklist 92  
redesignated 262.34(a)(3)-(5) as 262.34(a)(2)-(4), returning the code to its original numbering and effectively  
removing the text at 262.34(a)(2) and incorporating these requirements into 262.34(a)(1) at 262.34(a)(1)(iii)  
and (iii)(A)&(B). It was not the Agency's intent to include these requirements both at 262.34(a)(1)(iii)(A)&  
(B) and at 262.34(a)(2) as is indicated in the July 1, 1991 and 1992 CFRs. The first 262.34(a)(2) in that CFR  
should not be in the code. This error was corrected by Revision Checklist 109 (57 FR 37194).
- 10 The entire text of Subpart W of Part 264 was printed in the Federal Register (56 FR 30192; July 1, 1991) for  
Revision Checklist 92. This was done to demonstrate the numbering of each citation following the



SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

redesignation of sections to correspond with Subpart W, Part 265. Numerous paragraphs within the redesignated sections had no revisions made to them. Paragraphs in this consolidated checklist, where Revision Checklist 92 is indicated in the "Checklist Reference" column, reflect revisions to wording, internal references, or numbering that were addressed in Revision Checklist 92.

- 11 The Federal Register for Revision Checklist 92 (56 FR 30192; July 1, 1991) introduced a typographical error by incorrectly changing "in sufficient detail" to "insufficient detail". This typographical error was corrected by Revision Checklist 120 (57 FR 61492; December 24, 1992) to read "in sufficient detail".
- 12 When this paragraph was revised by Revision Checklist 120, the instructions for revising it were unclear. According to EPA, the last sentence of 264.571(b), which introduces the subparagraphs, is to be removed, as well as subparagraphs (b)(1), (2), and (3). A technical correction will be published in the Federal Register in the near future.
- 13 Revision Checklist 92 redesignated the original 264.575 (as introduced by Revision Checklist 82) as 264.572 and redesignated the original 264.572, 264.573 and 264.574 as 264.573, 264.574 and 264.575, respectively.
- 14 This paragraph was originally introduced into the Federal code as 264.572(a)(4) by Revision Checklist 82 and redesignated as 264.573(a)(4) by Revision Checklist 92. Revision Checklist 120 completely revised the paragraph by removing the old 264.573(a)(4) and replacing it with 264.573(a)(4)(i) and 264.573(a)(4)(ii) .
- 15 There are two typographical errors in this paragraph in the Federal Register for Revision Checklist 120; in both occurrences, "1x10<sup>-7</sup>" should be "1x10<sup>-7</sup>". This error has been reflected in the CFR since July 1, 1993.
- 16 Note that the Federal Register for Revision Checklist 120 is in error. According to EPA, the last line of 264.573(a)(4)(i) should read "§ 264.572(b) instead of § 264.572(a)" rather than "§ 264.572(a) instead of § 264.572(b)." As written, the code contradicts what is said in the 264.572(a)&(b) requirements.
- 17 Note that there were two administrative stays at this citation. Revision Checklist 91 (56 FR 27332; June 13, 1991) added a note regarding an administrative stay with no ending date for new pads at 264.572(a)(4). However, 264.572(a)(4) was redesignated as 264.573(a)(4) by revision Checklist 92. Because of this redesignation, the Revision Checklist 91 administrative stay was incorrectly omitted in the July 1, 1991 and July 1, 1992 CFRs. Revision Checklist 101 (57 FR 5859; February 18, 1992) added a second note addressing an administrative stay for existing drip pads at wood preserving plants until October 31, 1992. These notes were removed by Revision Checklist 120 (57 FR 61492; December 21, 1992) when the administrative stays were terminated by the Federal Register for that checklist. This same Federal Register does not clearly indicate that these notes regarding administrative stays be removed; however, according to EPA, they should be removed. A technical correction will be published in the Federal Register in the near future.
- 18 Note that a typographical error occurs in the text of 264.573(a)(5) in the Federal Register at 56 FR 30192 (July 1, 1991; Revision Checklist 92); "daily perations" should be "daily operations" as introduced into the code by Revision Checklist 82 (55 FR 50450; December 6, 1990). This error has been reflected in the CFR since July 1, 1992.
- 19 There is an error in the Federal Register for Revision Checklist 120 at 264.573(b). According to EPA, the phrase "§ 264.572(b) instead of § 264.572(a)" likely should be "§ 264.572(a) instead of § 264.572(b)." As currently written, the code contradicts the 264.572(a)&(b) requirements.
- 20 Note that paragraph 264.573(m)(3) was originally 264.572(m)(3) in the Federal Register at 55 FR 50450 (December 6, 1990; Revision Checklist 82). This paragraph had an incorrect reference; "paragraph (m)(3) of this section" should be "paragraph (m)(1)(iv) of this section." This error was addressed by the July 1, 1991 technical corrections to the rule (56 FR 30192; Revision Checklist 92).



SPECIAL CONSOLIDATED CHECKLIST: Wood Preserving Listings  
as of **December 31, 2002** (cont'd)

- 21 When this paragraph was revised by Revision Checklist 120, the instructions for revising it were unclear. According to EPA, the last sentence of 265.441(b), which introduces the subparagraphs, is to be removed, as well as subparagraphs (b)(1), (2), and (3). A technical correction will be published in the Federal Register in the near future.
- 22 This paragraph was introduced into the Federal code by Revision Checklist 82 as 265.443(a)(4). Revision Checklist 120 completely revised the paragraph by removing the old 265.443(a)(4) and replacing it with 265.443(a)(4)(i) and 265.443(a)(4)(ii).
- 23 Note that the Federal Register for Revision Checklist 120 is in error. According to EPA, the last line of 265.443(a)(4)(i) should read "§ 265.442(b) instead of § 265.442(a)" rather than "§ 265.442(a) instead of § 265.442(b)". As written, the code contradicts what is said in the 265.442(a)&(b) requirements.
- 24 Revision Checklist 91 added a note regarding an administrative stay with no ending date for new drip pads. Revision Checklist 101 added a second note addressing an administrative stay for existing drip pads at wood preserving plants until October 31, 1992. These notes were removed by Revision Checklist 120 when the administrative stays were terminated by the Federal Register for that checklist. This same Federal Register does not clearly indicate that the notes regarding the administrative stays be removed; however, according to EPA, they should be removed. A technical correction will be published in the Federal Register in the near future.
- 25 There appears to be an error in the Federal Register for Revision Checklist 120 at 265.443(b). The phrase "§ 265.442(b) instead of § 265.442(a)" likely should be "§ 265.442(a) instead of § 265.442(b)." As currently written, the code contradicts the 265.442(a)&(b) requirements.
- 26 Revision Checklist 82 introduced the original 265.443(b)(2)(ii) into the code. Revision Checklist 92 redesignated the original 265.443(b)(2)(ii) as 265.443(b)(2)(iii) and added a new paragraph 265.443(b)(2)(ii).
- 27 Note that 265.443(m)(3) in the Federal Register at 55 FR 50450 (December 6, 1990; Revision Checklist 82) has an incorrect reference. The reference to "paragraph (m)(3) of this section" should be to "paragraph (m)(1)(iv) of this section." This error was addressed by the July 1, 1991 technical corrections to the rule (56 FR 30192; Revision Checklist 92).
- 28 Note that the "Special Part B Information Requirements for Drip Pads" was originally at 270.22 as introduced into the code by Revision Checklist 82. The Boilers and Industrial Furnaces rule (56 FR 7134; February 21, 1991; Revision Checklist 85) inadvertently removed section 270.22 from the code. The July 1, 1991 (56 FR 30192; Revision Checklist 92) Wood Preserving technical corrections notice rectified this problem by redesignating that section, as introduced by Revision Checklist 82, as 270.26.