

US EPA ARCHIVE DOCUMENT

Revision Checklist 102 Summary

Rule Title: Land Disposal Restrictions for Third Third Scheduled Wastes
Checklist Title: Second Correction to the Third Third Land Disposal Restrictions
Reference: 57 FR 8086-8089
Promulgation Date: March 6, 1992
Effective Date: March 6, 1992
Cluster: RCRA II
Provision Type: HSWA
Linkage: Checklists 78, 83, 137, 151, and 157
Optional: No

Summary: This rule corrects errors and clarifies the language in the preamble and regulations of the June 1, 1990 Third Third final rule (55FR 22520; Revision Checklist 78). This rule is the second correction to the Third Third rule, preceded by a January 31, 1991 rule (56FR 3864; Revision Checklist 83) that made extensive amendments to the Third Third rule. Specific sections of code affected include 264.13 and 265.13, 268.3, 268.41, and Table 2 in 268.42.

State Authorization: This rule is placed in RCRA Cluster II. The State modification deadline is July 1, 1993 (or July 1, 1994 if a State statutory change is necessary). States which have not adopted the Third Third Land Disposal Restrictions are strongly encouraged to adopt the changes addressed by this March 6, 1992 rule at the same time the other Third Third provisions (55FR 22520 and 56FR 3864) are adopted. Both interim and final authorizations are available. An interim final rule was published in mid December, 1992, extending interim authorization for HSWA provisions until January 1, 2003. The State Revision Application must include applicable regulations, AG statement addendum, Revision Checklist 102, other associated checklists and other application materials, i.e. a program description and an MOA, as determined by the Regional office.

AttorneyGeneral's Statement Entry: The following entry should replace the entry at XXIF in the Model Revision Attorney General's Statement:

F. State statutes and regulations provide specific treatment standards and effective dates for the "Third Third" wastes, "soft hammer" First and Second Third wastes, five newly listed wastes, four wastes that fall into the F002 and F005 (spent solvent) waste codes, F025, mixed radioactive/hazardous wastes, characteristic wastes, and multi-source leachate, as well as establish revised treatment standards for petroleum refining hazardous wastes (K048-K052) as indicated in Revision Checklists 78, 83 and 102.

Federal Authority: RCRA §§3001 and 3004 (d)-(k) and (m); 40 CFR 261, 262, 264, 265, 268, and 270 as amended June 1, 1990 (55FR 22520), January 31, 1991 (56FR 3864) and March 6, 1992 (57 FR 8086).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General