

US EPA ARCHIVE DOCUMENT

### Revision Checklist 111 Summary

**Rule Title:** Burning Hazardous Waste in Boilers and Industrial Furnaces  
**Checklist Title:** Burning of Hazardous Waste in Boilers and Industrial Furnaces;  
Technical Amendment III  
**Reference:** 57 FR 38558-38566  
**Promulgation Date:** August 25, 1992  
**Effective Date:** August 11, 1992  
**Cluster:** RCRA III  
**Provision Type:** Both HSWA and non-HSWA  
**Linkage:** Revision Checklists 85, 94, 96, 114 and 127  
**Optional:** No

**Summary:** This rule makes several technical clarification amendments and corrections to the final rule for boilers and industrial furnaces burning hazardous waste, that was published on February 21, 1991 (56 FR 7134; Revision Checklist 85). This rule is the third correction to that rule. These revisions provide clarification and correct unintended consequences of the initial rule.

**State Authorization:** This rule is placed in RCRA Cluster III. The State modification deadline is July 1, 1994 (or July 1, 1995 if a State statutory change is necessary). This rule contains both HSWA and non-HSWA provisions. The provisions are non-HSWA to the extent that they apply to sludge dryers, carbon regeneration units, infrared incinerators and plasma arc incinerators. Specifically, the revisions to the plasma arc and infrared incinerator definitions are non-HSWA provisions and do not take effect in an authorized State until the State becomes authorized. Both interim and final authorization are available for the HSWA provisions, with the former expiring on January 1, 2003. The State Revision Application must include applicable regulations, an AG statement addendum, Revision Checklist 111, other associated checklists and other application materials, i.e., a program description and an MOA, as determined by the Regional office.

**Attorney General's Statement Entries:** The following entry should replace the entry at Subsection II B in the Model Revision Attorney General's Statement.

B. State statutes and regulations include as solid waste secondary materials, fed to a halogen acid furnace, that exhibit a characteristic of a hazardous waste or are listed as a hazardous waste in 40 CFR 261, Subparts C and D as indicated in Revision Checklists 85, 96, and 111.

Federal Authority: RCRA §3001; 40 CFR Part 261.2(d)(2) and (e)(2)(iv) as amended February 21, 1991 (56 FR 7134), August 27, 1991 (56 FR 42504) and August 25, 1992 (57 FR 38558).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

The following entry should replace the entry at Subsection XX C in the Model Revision Attorney General's Statement.

**Revision Checklist 111 Summary (cont'd)**

C. State statutes and regulations include control standards for emissions of toxic organic compounds, toxic metals, hydrogen chloride, chlorine gas and particulate matter from boilers and industrial furnaces burning hazardous waste, and require owners and operators of such facilities to comply with the general facility standards applicable to hazardous waste treatment, storage and disposal facilities, as indicated in Revision Checklists 85, 94, 96, and 111. Hazardous waste storage units at regulated burners are subject to 40 CFR 264 requirements.

Federal Authority: RCRA §§1006, 2002, 3001 through 3007, 3010 and 7004; 40CFR 260.10, 260.11, 260.20, 261.3, 261.6, 264.1, 264.112, 264.340, 265.1, 265.112, 265.113, 265.340, 265.370, Part 266 Subpart H and Part 266 Appendices I-X as amended February 21, 1991 (56 FR 7134), July 17, 1991 (56 FR 32688), August 27, 1991 (56 FR 42504), and August 25, 1992 (57 FR 38558).

Citation of Laws and Regulations: Date of Enactment and Adoption

Remarks of the Attorney General