

US EPA ARCHIVE DOCUMENT

Revision Checklist 114 Summary

Rule Title: Burning of Hazardous Waste in Boilers and Industrial Furnaces
Checklist Title: Burning of Hazardous Waste in Boilers and Industrial Furnaces;
Technical Amendment IV
Reference: 57 FR 44999-45001
Promulgation Date: September 30, 1992
Effective Dates:

- The effective dates, August 21, 1991 for 56 FR 42504 and August 11, 1992 for 57 FR 38558, remain unchanged
- August 21, 1991 for reinstatement and correction of 266.103(c)(1) and (3)
- August 11, 1992 for technical corrections to 57 FR 38558

Cluster: RCRA III
Provision Type: HSWA/Non-HSWA
Linkage: Revision Checklists 85, 94, 96 and 111
Optional: No

Summary: Due to an administrative error, the amendatory instructions in the August 27, 1991 final rule (56 FR 42504; Revision Checklist 96) resulted in the removal of 266.103(c)(1)(i) through (xiii) and 266.103(c)(3)(ii) and (iii) from the 1992 edition of 40 CFR. This rule clarifies that these paragraphs remain in effect and are regarded by EPA to have been in effect continuously in the form published in the 1991 CFR and as subsequently amended by the August 25, 1992 final rule (57 FR 38558; Revision Checklist 111). This rule also corrects errors introduced into the code by the August 25, 1992 final rule (57 FR 38558; Revision Checklist 111) and makes minor technical corrections to the portions of 266.103 that are reinstated.

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). All changes go into effect immediately, because this rule was promulgated under HSWA authorities. Both interim and final authorization are available, with the former expiring on January 1, 2003. The State Revision Application must include applicable regulations, an AG statement addendum, Revision Checklist 114, 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 Entry: The following entry should replace the entry at Subsection XX C in the Model Revision Attorney General's Statement.

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, 111, and 114. Hazardous waste storage units at regulated burners are subject to the 40 CFR Part 264 requirements.

Federal Authority: RCRA §§1006, 2002, 3001 through 3007, 3010 and 7004; 40 CFR 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

Revision Checklist 114 Summary (cont'd)

21, 1991 (56 FR 7134), July 17, 1991 (56 FR 32688), August 27, 1991 (56 FR 42504),
August 25, 1992 (57 FR 38558), and September 30, 1992 (57 FR 44999).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General