

US EPA ARCHIVE DOCUMENT

### Revision Checklist 134 Summary

**Rule Title:** Hazardous Waste Management System; Correction of Listing of P015--  
Beryllium Powder  
**Checklist Title:** Correction of Beryllium Powder (P015) Listing  
**Reference:** 59 FR 31551-31552  
**Promulgation Date:** June 20, 1994  
**Effective Date:** June 20, 1994  
**Cluster:** RCRA Cluster IV  
**Provision Type:** Non-HSWA  
**Linkage:** None  
**Optional:** No

**Summary:** On April 22, 1988, EPA published a technical correction to the lists of hazardous wastes in 40 CFR 261.33(e) and (f) (Revision Checklist 46, 53 FR 13382). In that notice, the word "dust" was inadvertently omitted from the P015 listing for "beryllium dust" in the 261.33(e) list of hazardous wastes. In addition, the sole manufacturer of this commercial chemical product has since indicated that the term "beryllium dust" is not used by the industry to describe this commercial chemical product; the actual term used by the industry is "beryllium powder". This technical correction, thus, adds "powder" to the P015 hazardous waste listing for "beryllium" and makes conforming changes to the list of hazardous constituents in Part 261 Appendix VIII and to Table 2 in § 268.42(a). Conforming changes were also made to the CERCLA list of hazardous substances, although only the changes to the RCRA regulations are addressed by this checklist.

**State Authorization:** This rule is placed in RCRA Cluster IV. The State modification deadline is July 1, 1995 (or July 1, 1996 if a State statutory change is necessary). These changes do not go into effect until States become authorized for them because this rule was promulgated under pre-HSWA authorities. Only final authorization is available.

The State Revision Application must include applicable regulations, AG statement addendum, Revision Checklist 134, 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:** Subsection I A(28) in the Model Revision Attorney General's Statement should be added to read as follows:

- (28) Listing of Beryllium (P015) is amended to read "Beryllium powder," 40 CFR 261.33 and Part 261 Appendix VIII, as amended June 20, 1994 [59 FR 31551], Revision Checklist 134.

The following new entry should be placed at Subsection XXI P in the Model Revision Attorney General's Statement.

### **Revision Checklist 134 Summary (cont'd)**

P. State statutes and regulations include a revision to P015 listing in the land disposal restrictions technology-based treatment standards as indicated on Revision Checklist 134.

Federal Authority: RCRA §3004(d)-(k) and (m); 40 CFR 268.42(a)/Table 2, as amended June 20, 1994 (59 FR 31551).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General