

US EPA ARCHIVE DOCUMENT

Revision Checklist 161 Summary

Rule Title: Second Emergency Revision of the Land Disposal Restrictions (LDR) Treatment Standards for Listed Hazardous Wastes From Carbamate Production

Checklist Title: Emergency Revision of the Carbamate Land Disposal Restrictions

Reference: 62 FR 45568-45573

Promulgation Date: August 28, 1997

Effective Date: August 21, 1997

Cluster: RCRA Cluster VIII

Provision Type: HSWA

Linkage: Revision Checklists 151 and 171

Optional: No

Summary: The emergency revision extends by one year the time that alternate carbamate treatment standards are in place. EPA is taking this action because analytical problems associated with the measurement of constituent levels in carbamate waste residues have not been resolved. This notice applies only to the carbamate wastes that remain listed as hazardous wastes. This is the second emergency rule related to the carbamate treatment standards. The first was promulgated on August 26, 1996 (61 FR 43924; Revision Checklist 151, Rule 151.5). That rule established temporary alternative treatment standards for carbamate wastes for a one-year period, because the Agency believed that one year was sufficient time for laboratory standards to be developed and for laboratories to take appropriate steps to conduct the necessary analysis for these wastes. This current rule further extends these alternate treatment standards, because not all of the laboratory standards have been developed. Additionally, there is confusion as to which analytical methods can be used to measure carbamate constituents.

State Authorization: This rule is placed in RCRA Cluster VIII. The State modification deadline is July 1, 1999 (or July 1, 2000 if a State statutory change is necessary). Because this rule was promulgated under HSWA authorities, these requirements go into effect in all States on the effective date of the rule. Both interim and final authorization are available. Interim authorization expires January 1, 2003.

The State Revision Application must include applicable regulations, AG statement addendum, and Revision Checklist 161. Revisions to a State's program description and MOA are not needed.

Attorney General's Statement Entry: The following entry should be placed at Subsection XXI (AA) in the Model Revision Attorney General's Statement.

Revision Checklist 161 Summary (*cont'd*)

AA. State statutes and regulations provide an extension until August 26, 1998, the time that alternate carbamate treatment standards are in place as indicated in Revision Checklist 161.

Federal Authority: RCRA §3004(d)-(k) and (m); 40 CFR 268.40(g) and 268.48(a) as amended on August 28, 1997 (62 FR 45568).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

Incorporation by Reference Guidance:

The dates in 268.40(g) and 268.48(a) should not be replaced with State effective dates.