

US EPA ARCHIVE DOCUMENT

**Revision Checklist 172 Summary**

**Rule Title:** Characteristic Slags Generated From Thermal Recovery of Lead by Secondary Lead Smelters; Land Disposal Restrictions; Final Rule; Extension of Compliance Date

**Checklist Title:** Land Disposal Restrictions Phase IV -- Extension of Compliance Date for Characteristic Slags

**Reference:** 63 FR 48124-48127

**Promulgation Date:** September 9, 1998

**Effective Dates:** August 28, 1998

**Cluster:** RCRA Cluster IX

**Provision Type:** HSWA

**Linkage:** Revision Checklist 167A

**Optional:** Yes

**Summary:** This rule extends the compliance date until November 26, 1998 for a limited portion of the Phase IV Final Rule (63 FR 28556). The Phase IV Final Rule amended the Land Disposal Restriction treatment standards for metal-bearing hazardous wastes exhibiting the toxicity characteristic. This action extends the date for treatment standards only for secondary lead slags exhibiting the toxicity characteristic for one or more metals that are generated from thermal recovery of lead-bearing wastes (principally batteries). This action is being taken because of potential short term logistical difficulties that may result in a temporary shortage of available treatment capacity for these particular wastes. In the interim, the affected wastes are still subject to the treatment standards for TC metals set forth in the Third Third Final Rule (55 FR 22520).

**State Authorization:** This rule is placed in RCRA Cluster IX. The State modification deadline is July 1, 2000 (or July 1, 2001 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. Interim authorization expires January 1, 2003.

The State Revision Application must include applicable regulations, AG statement addendum, Revision Checklist 172, 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 be placed at Subsection XXI (KK) in the Model Revision Attorney General's Statement.

KK. State statutes and regulations provide for an extension of the compliance date until November 26, 1998, for treatment standards for secondary lead slags that exhibit the toxicity characteristic for metals as indicated in Revision Checklist172.

Federal Authority: RCRA § 3004(d)-(k) & (m); 40 CFR 268.34(b) as amended September 9, 1998 (63 FR 48124).

**Revision Checklist 172 Summary (cont'd)**

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

**Incorporation by Reference Guidance:**

The date in 268.34(b) should not be replaced with a State effective date.