

US EPA ARCHIVE DOCUMENT

Revision Checklist 177 Summary

Rule Title: Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators; Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers

Checklist Title: Organic Air Emission Standards: Clarification and Technical Amendments

Reference: 64 FR 3382

Promulgation Date: January 21, 1999

Effective Date: January 21, 1999

Cluster: RCRA Cluster IX

Provision Type: HSWA

Linkage: Revision Checklists 154 and 163

Optional: No

Summary: Previously, the EPA set standards to reduce organic air emissions from certain hazardous waste management activities to levels that are protective of human health and the environment (59 FR 62896, December 6, 1994; see Revision Checklist 154 for a complete history). The standards were amended by the December 8, 1997 rule (62 FR 64636-64671, Revision Checklist 163), in response to public comments and inquiries. Today's amendments clarify certain regulatory text and reinstate certain regulatory provisions that were previously contained in the rules and later inadvertently removed.

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 177, 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 entry at Subsection XV (W) in the Model Revision Attorney General's Statement should be replaced with the following revised entry:

W. State statutes and regulations provide for organic air emission standards for tanks, surface impoundments and containers and provide that air emission control requirements be added to the permit terms and provisions specified for miscellaneous units as specified in Revision Checklists 154, 163 and 177.

Federal Authority: RCRA § 3004(n); 40 CFR 60 Appendix A, 260, 261, 262, 264, 265, and 270 as amended December 6, 1994 (59 FR 62896); May 19, 1995 (60 FR

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26828); September 29, 1995 (60 FR 50426); November 13, 1995 (60 FR 56952); February 9, 1996 (61 FR 4903); June 5, 1996 (61 FR 28508); November 25, 1996 (61 FR 59932); December 8, 1997 (62 FR 64636); and January 21, 1999 (64 FR 3382).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

Incorporation by Reference Guidance: There is no special guidance for States that incorporate by reference with respect to this checklist.