

US EPA ARCHIVE DOCUMENT

Revision Checklist 229 Summary

Rule Title: Conditional Exclusions for Solvent Contaminated Wipes

Checklist Title: Conditional Exclusions for Solvent Contaminated Wipes

Reference: 78 FR 46448-46485

Promulgation Date: July 31, 2013

Effective Date: January 31, 2014

Cluster: RCRA Cluster XXIII

Provision Type: Non-HSWA

Linkage: None

Optional: Yes

Summary: The rule revises the definition of solid waste to conditionally exclude solvent-contaminated wipes that are cleaned and reused and revises the definition of hazardous waste to conditionally exclude solvent-contaminated wipes that are disposed. The purpose of this final rule is to provide a consistent regulatory framework that is appropriate to the level of risk posed by solvent-contaminated wipes in a way that maintains protection of human health and the environment, while reducing overall compliance costs for industry, many of which are small businesses.

State Authorization: This rule is placed in RCRA Cluster XXIII. This rule is considered to be less stringent than the existing federal rules. Authorized states whose programs include less stringent requirements than today's final rule are required to modify their programs to maintain consistency with the federal program per the provisions of 40 CFR 271.21(e). In addition, any states that delineate their program for reusable wipes in guidance documents or interpretive letters will need to promulgate enforceable regulations, as required by 40 CFR 271.21(a). Authorized states may specify a different standard or test method for determining that solvent-contaminated wipes contain no free liquids (in lieu of the Paint Filter Liquids test).

Attorney General (AG) Certification Guidance: None

Program Description (PD) Guidance: A state seeking authorization for this checklist should determine whether the revisions impact the program described in the Program Description.

Incorporation by Reference Guidance: States should follow the Incorporation By Reference Guidance.