

US EPA ARCHIVE DOCUMENT

Summary for State Program Advisory Sixteen

This SPA covers the period July 1, 1994, through June 30, 1995, and includes this summary plus three attachments. The first attachment, Attachment A, contains new Revision Checklists 135-137, 139-142 and 144 and their corresponding summaries and ER articles. Guidance relative to withdrawn Revision Checklists 138 and 143 is also provided in this attachment. Attachment B contains updates to the State Authorization Manual (SAM), including Tables G-1 and G-2, the Checklist Linkage Table, and the Model Revision Attorney General's Statement. Attachment C includes the updated (through June 30, 1995) consolidated checklists for the Land Disposal Restrictions, Boilers and Industrial Furnaces, Toxicity Characteristic, Wood Preserving, the Bevill Exclusion for Mining Wastes, Recycled Used Oil Management Standards Consolidated Checklist, and Treatability Studies Consolidated Checklist. This SPA also adds a new consolidated checklist (Phase I and Phase II of the Land Disposal Restrictions) that consolidates all of the Land Disposal Restriction Checklists addressing newly listed wastes and includes Revision Checklists 109, 116, 123, 124, 136, 137, and 142A-D.

The following points briefly highlight the content of SPA 16. These points are organized by topic.

Checklists

New

- ! This SPA provides twelve new checklists (numbers 135 through 137, 139 through 142 and 144, including Revision Checklist 142A-E) covering regulatory changes for the period July 1, 1994, through June 30, 1995. All of the checklists in SPA 16 are in RCRA Cluster V. Revision Checklists 136 and 140 contain only HSWA provisions; Checklists 135, 139, 141, 142A, 142B, 142C, 142D, and 142E contain only Non-HSWA provisions; and Revision Checklists 137 and 144 contain both HSWA and Non-HSWA provisions.
- ! Revision Checklists 138 and 143 have been withdrawn from SPA 16. The rules formerly addressed by these checklists will be placed in SPA 18 as part of Revision Checklist 154 that will consolidate all of the rules associated with the amendment to the organic air emission standards for tanks, surface impoundments and containers including the final amendment promulgated on November 25, 1996. The approach used for this consolidated checklist is similar to that used for Revision Checklist 113. As per guidance from Bruce C. Jordan, Director of EPA's Emission Standards Division, States have been advised not to adopt the RCRA Subpart CC standards until the promulgation of the amendment that was published in November of 1996.
- ! Portions of the rule addressed by Revision Checklist 140 were vacated by the U.S. Federal Court of Appeals for the District of Columbia. The checklist included in this SPA reflects this vacatur. States may choose to include the vacated provisions in their regulations as a matter of State law. Further guidance is included with Revision Checklist 140.

Existing

- ! No changes were made to existing checklists.

Cluster Information

SPA 16

- ! SPA 16 delineates timeframes by which States must obtain authorization for RCRA Cluster V. The due date is July 1, 1996 (July 1, 1997 if a State statutory change is necessary). For further information on the Cluster Rule, see September 26, 1986 (51 FR 33712).

SAM

- ! This SPA provides updated Tables G-1 and G-2, a Model Revision Attorney General's Statement, and a Checklist Linkage Table to insert into the SAM.