

US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C1
 Hazardous Waste Management System: General
 40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District adds several sections to 20 DCMR Chapter 40 (i.e., §§4002 through 4015) that are not found in the Federal regulations. These sections address the District's enforcement procedures and related hearings and appeal procedures.

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

part provides definition of terms, general standards, and overview information	*,34	260.1(a)	4000.1	X			
purpose of 260.2	*,34	260.1(b)(1)	None	NA			
purpose of 260.3	*,34	260.1(b)(2)	None	NA			
purpose of 260.10	*,34	260.1(b)(3)	None	NA			
purpose of 260.20	*,34	260.1(b)(4)	None	NA			
purpose of 260.21	*	260.1(b)(5)	None	NA			
purpose of 260.22	*	260.1(b)(6)	None	NA			

USE OF NUMBER AND GENDER

use of number and gender in 260-265 and 268	*,34	260.3	None	NA			
masculine includes feminine and neuter	*	260.3(a)	None	NA			
words in singular include plural	*	260.3(b)	None	NA			
words in plural include singular	*	260.3(c)	None	NA			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

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SUBPART B - DEFINITIONS

DEFINITIONS

Corporation Counsel Statement Comment: The District also defines the following terms which are not defined in the CFR: "Department", "Director", "District" or "D.C.", "District Agency", "District of Columbia/EPA Agreement", "District only wastes", "hazardous waste transfer facility", "HSWA tank", "HWMA", and "non-HSWA" tank.

The District has also adopted the definitions for "corrective action management unit" and "remediation waste" added by Revision Checklist 121, as well as that checklists changes to the "disposal unit", "facility", "landfill" and "miscellaneous unit"; however, the District is not seeking authorization for the corrective action requirements at this time.

terms have the following meanings throughout 260-266, 268, and 270 through 273	*,34,85, †142 A	260.10(intro)	5400.1	X			
"above ground tank"	28	260.10	5400.1	X			
"Act" or "RCRA"	*	260.10	5400.1	X			
"active life"	24	260.10	5400.1	X			
"active portion"	*	260.10	5400.1	X			
"Administrator"	*	260.10	5400.1	X			
"ancillary equipment"	28	260.10	5400.1	X			
"aquifer"	*	260.10	5400.1	X			
"authorized representative"	*	260.10	5400.1	X			
† "battery"	142 B	260.10	5400.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
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		260.10	5400.1	X			
		260.10(1)(i)	5400.1 "boiler" (a)	X			
		260.10(1)(ii)	5400.1 "boiler" (b)	X			
		260.10(1)(iii)	5400.1 "boiler" (c)	X			
		260.10(1)(iv)	5400.1 "boiler" (d)	X			
"boiler"	13	260.10(2)	5400.1 "boiler" (e)	X			
"carbon regeneration unit"	85	260.10	5400.1	X			
"certification"	*	260.10	5400.1	X			
"closed portion"	*	260.10	5400.1	X			
"component"	28	260.10	5400.1	X			
"confined aquifer"	*	260.10	5400.1	X			
"container"	*	260.10	5400.1	X			
"containment building"	109	260.10	5400.1	X			
"contingency plan"	*	260.10	5400.1	X			
† "corrective action management unit" or "CAMU"	121	260.10	5400.1	X			
"corrosion expert"	28	260.10	5400.1	X			
"designated facility"	*, †13, 71	260.10	5400.1	X			
† "destination facility"	142 A	260.10	5400.1	X			
"dike"	*	260.10	5400.1	X			
"discharge" or "hazardous waste discharge"	*	260.10	5400.1	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

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"disposal"	*	260.10	5400.1	D			

Corporation Counsel Statement Comment: The definition of "disposal" differs from the Federal definition in that the District definition refers only to the disposal of "hazardous waste," while the Federal definition refers to "solid waste" or "hazardous waste". This distinction is without significance, however, since pursuant to both 40 CFR 261.1(b)(1) and 20 DCMR 4100.2 (in the chapter of the regulations on identification and listing of hazardous waste) the definition of solid waste refers only to wastes which are also hazardous under the hazardous waste regulations.

"disposal facility"	*,†121	260.10	5400.1	X			
"drip pad"	82	260.10	5400.1	X			
"elementary neutralization unit"	*,52	260.10	5400.1	X			
		260.10(1)	5400.1(a)	X			
		260.10(2)	5400.1(b)	X			
"EPA hazardous waste number"	*	260.10	5400.1	X			
"EPA identification number"	*	260.10	5400.1	X			
"EPA region"	*	260.10	5400.1	X			
"equivalent method"	*	260.10	5400.1	X			
"existing hazardous waste management (HWM) facility" or "existing facility"	*	260.10	5400.1	X			
		260.10(1)	5400.1(a)	X			
		260.10(2)(i)	5400.1(a)(1)	X			
		260.10(2)(ii)	5400.1(b)	X			
"existing portion"	*	260.10	5400.1	X			
"existing tank system" or "existing component"	28	260.10	5400.1	X			
"explosives or munitions emergency"	156	260.10	5400.1	X			
"explosives or munitions emergency response"	156	260.10	5400.1	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

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				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		260.10	5400.1	X			
		260.10(1)	5400.1	X			
"facility"	*,†121	260.10(2)	5400.1	X			
"Federal agency"	*	260.10	5400.1	X			
"Federal, State and local approvals or permits necessary to begin physical construction"	*	260.10	5400.1	X			
"final closure"	24	260.10	5400.1	X			
"food-chain crops"	*	260.10	5400.1	X			
"free liquids"	*	260.10	5400.1	X			
"freeboard"	*	260.10	5400.1	X			
"generator"	*	260.10	5400.1	X			
"ground water"	*	260.10	5400.1	X			
"hazardous waste"	*	260.10	5400.1	X			
"hazardous waste constituent"	*	260.10	5400.1	X			
"hazardous waste management unit"	24	260.10	5400.1	X			
"in operation"	*	260.10	5400.1	X			
"inactive portion"	*	260.10	5400.1	X			
		260.10	5400.1	X			
		260.10(1)	5400.1	X			
"incinerator"	*,13,85	260.10(2)	5400.1	X			
		260.10	5400.1	X			
		260.10(1)	5400.1(a)	X			
"incompatible waste"	*	260.10(2)	5400.1(b)	X			
"individual generation site"	*	260.10	5400.1	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		260.10	5400.1	X			
		260.10(1)	5400.1	X			
		260.10(2)	5400.1	X			
		260.10(3)	5400.1	X			
		260.10(4)	5400.1	X			
		260.10(5)	5400.1	X			
		260.10(6)	5400.1	X			
		260.10(7)	5400.1	X			
		260.10(8)	5400.1	X			
		260.10(9)	5400.1	X			
		260.10(10)	5400.1	X			
		260.10(11)	5400.1	X			
		260.10(12)	None	X			
		260.10(13)	5400.1	X			
		260.10(13)(i)	5400.1	X			
		260.10(13)(ii)	5400.1	X			
		260.10(13)(iii)	5400.1	X			
		260.10(13)(iv)	5400.1	X			
		260.10(13)(v)	5400.1	X			
"industrial furnace"	13,85	260.10(13)(vi)	5400.1	X			
"infrared incinerator"	85,111	260.10	5400.1	X			
"inground tank"	28	260.10	5400.1	X			
"injection well"	*	260.10	5400.1	X			
"inner liner"	*	260.10	5400.1	X			
"installation inspector"	28	260.10	5400.1	X			
"international shipment"	*	260.10	5400.1	X			
"landfill"	*,45,†121	260.10	5400.1	X			
"landfill cell"	*	260.10	5400.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
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"land treatment facility"	*	260.10	5400.1	X			
"leachate"	*	260.10	5400.1	X			
"leak detection system"	28	260.10	5400.1	X			
"liner"	*	260.10	5400.1	X			
"management" or "hazardous waste management"	*	260.10	5400.1	X			
"manifest"	*,5	260.10	5400.1	D			

Corporation Counsel Statement Comment: The definition "manifest" is equivalent to its Federal counterpart, but because this term is defined in the D.C. Hazardous Waste Management Act, the language of the Act is incorporated with the Federal regulatory definition.

"manifest document number"	*,5	260.10	5400.1	X			
"military munitions"	156	260.10	5400.1	X			
"mining overburden returned to the mine site"	*	260.10	5400.1	X			
"miscellaneous unit"	45,109, †121	260.10	5400.1	X			
"movement"	*	260.10	5400.1	X			
"new hazardous waste management facility" or "new facility"	*	260.10	5400.1	X			
"new tank system" or "new tank component"	28	260.10	5400.1	X			
"on ground tank"	28	260.10	5400.1	X			
"on-site"	*	260.10	5400.1	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
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		260.10	5400.1	X			
		260.10(1)	5400.1(a)	X			
		260.10(2)	5400.1(b)	X			
"open burning"	*	260.10(3)	5400.1(c)	X			
"operator"	*	260.10	5400.1	X			
"owner"	*	260.10	5400.1	X			
"partial closure"	*,24	260.10	5400.1	X			
"person"	*	260.10	5400.1	X			
"personnel" or "facility personnel"	*	260.10	5400.1	X			
† "pesticide"	142 C	260.10	5400.1	X			
"pile"	*,109	260.10	5400.1	X			
"plasma arc incinerator"	85,111	260.10	5400.1	X			
"point source"	*	260.10	5400.1	X			
"publicly owned treatment works" or "POTW"	*	260.10	5400.1	X			
† "qualified ground-water scientist"	99	260.10	5400.1	X			
"Regional Administrator"	*	260.10	5400.1	X			
† "remediation waste"	121	260.10	5400.1	X			
"replacement unit"	100	260.10	5400.1	X			
"representative sample"	*	260.10	5400.1	X			
"run-off"	*	260.10	5400.1	X			
"run-on"	*	260.10	5400.1	X			
"saturated zone" or "zone of saturation"	*	260.10	5400.1	X			
"sludge"	*	260.10	5400.1	X			
"sludge dryer"	85	260.10	5400.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
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"Small Quantity Generator"	23	260.10	5400.1			X	

Corporation Counsel Statement Comment: The "small quantity generator" definition differs from the Federal definition, because District generators of greater than 100 kilograms but less than 1,000 kilograms are considered large quantity generators rather than small quantity generators as they are in the Federal regulations. This definitional difference makes the District more stringent than the Federal program relative to the requirements for generators as is further explained in Section II C in the main portion of the Corporation Counsel's Statement.

"solid waste"	*	260.10	5400.1	X			
"sorbent"	118	260.10	5400.1	X			
"State"	*	260.10	5400.1	X			
"storage"	*	260.10	5400.1	D			

Corporation Counsel Statement Comment: The definition of "storage" is equivalent to its Federal counterpart, but because this term is defined in the D.C. Hazardous Waste Management Act, the language of the Act is incorporated with the Federal regulatory definition.

"sump"	28,100	260.10	5400.1	X			
"surface impoundment" or "impoundment"	*	260.10	5400.1	X			
"tank"	*	260.10	5400.1	X			
"tank system"	28	260.10	5400.1	X			
"thermal treatment"	*	260.10	5400.1	X			
† "thermostat"	142 D	260.10	5400.1	X			
"totally enclosed treatment facility"	*	260.10	5400.1	X			
"transfer facility"	*	260.10	5400.1	X			
"transport vehicle"	*	260.10	5400.1	X			
"transportation"	*	260.10	5400.1	X			
"transporter"	*	260.10	5400.1	X			
† "treatability study"	49	260.10	5400.1	X			
"treatment"	*	260.10	5400.1	X			
"treatment zone"	*	260.10	5400.1	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
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"underground injection"	*	260.10	5400.1	X			
"underground tank"	28	260.10	5400.1	X			
"unfit-for use tank system"	28	260.10	5400.1	X			
†	142 A	260.10	5400.1	X			
	142 B	260.10(1)	5400.1	X			
	142 C	260.10(2)	5400.1	X			
"universal waste"	142 D	260.10(3)	5400.1	X			
† "universal waste handler"	142 A	260.10	5400.1	X			
† "universal waste transporter"	142 A	260.10	5400.1	X			
"unsaturated zone" or "zone of aeration"	*	260.10	5400.1	X			
"United States"	*	260.10	5400.1	X			
"uppermost aquifer"	*	260.10	5400.1	X			
"used oil"	112	260.10	5400.1	X			
"vessel"	*	260.10	5400.1	X			
"wastewater treatment unit"		260.10	5400.1	X			
		260.10(1)	5400.1(a)	X			
		260.10(2)	5400.1(b)	X			
	*,52	260.10(3)	5400.1(c)	X			
"water (bulk shipment)"	*	260.10	5400.1	X			
"well"	*	260.10	5400.1	X			
"well injection"	*	260.10	5400.1	X			
"zone of engineering control"	28	260.10	5400.1	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
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REFERENCES							
"Parts 260 through 270"	*,39, 158	260.11(a)	4017.1	X			
"ASTM Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester"	*, 158	260.11(a)(1)	4017.1(a)	X			
"ASTM Standard Test Methods for Flash Point by Pensky-Martens Closed Tester"	*, 158	260.11(a)(2)	4017.1(b)	X			
"ASTM Standard Method for Analysis of Reformed Gas by Gas Chromatography"	79, 158	260.11(a)(3)	4017.1(c)	X			
"ASTM Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter"	79, 158	260.11(a)(4)	4017.1(d)	X			
"ASTM Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis"	79, 158	260.11(a)(5)	4017.1(e)	X			
"ASTM Standard Practices for General Techniques of Infrared Quantitative Analysis"	79, 158	260.11(a)(6)	4017.1(f)	X			
"ASTM Standard Practice for Packed Column Gas Chromatography"	79, 158	260.11(a)(7)	4017.1(g)	X			
"ASTM Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography"	79, 158	260.11(a)(8)	4017.1(h)	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
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removed duplicate entry: "ASTM Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteriscope"	79, 158	No designation	NA	X			
"APTI Course 415: Control of Gaseous Emissions"	79, 158	260.11(a)(9)	4017.1(l)	X			
"Flammable and Combustible Liquids Code"	*, 158	260.11(a)(10)	4017.1(m)	X			
"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," Third Edition	*,11,35,67,126,128,132,139,141,158	260.11(a)(11)	4017.1(o)	X			
"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources"	85,125,158	260.11(a)(12)	4017.1(n)	X			
"ASTM Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analyses of Metals," ASTM Standard E926-88, Test Method C-Bomb, Acid Digestion Method	126, 158	260.11(a)(13)	4017.1(i)	X			
"API Publication 2517, Third Edition, February 1989, "Evaporative Loss from External Floating Roof Tanks""	154.1, 158	260.11(a)(14)	4017.1(k)	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

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"ASTM Standard Test Method for Vapor Pressure--Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope"	154.1, 158	260.11(a)(15)	4017.1(j)	X			
references available at Office of the Federal Register; approved by director; incorporation and changes	*,154.1	260.11(b)	4017.3	X			

SUBPART C - RULEMAKING PETITIONS

† GENERAL

petition to modify or revoke any provision in Parts 260-266, 268 and 273; purpose of 260.21 and 260.22	*, †34, 111, †142 E	260.20(a)	4001.1	X			
		260.20(b)	4001.2	X			
		260.20(b)(1)	4001.2(a)	X			
		260.20(b)(2)	4001.2(b)	X			
submission by certified mail and what each petition must contain	*	260.20(b)(3)	4001.2(c)	X			
		260.20(b)(4)	4001.2(d)	X			
Administrator makes tentative decision to grant or deny; notice of decision	*	260.20(c)	4001.3	X			
informal public hearing	*	260.20(d)	4001.4	X			
final decision by Administrator	*	260.20(e)	4001.5	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

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† PETITIONS FOR EQUIVALENT TESTING OR ANALYTICAL METHODS

Corporation Counsel Statement Comment: The authority for making these decisions is left with the EPA Administrator.

petitions for a regulatory amendment to add testing or analytical methods; what must be demonstrated to the Administrator	*	260.21(a)	4001.6	X			
what the petition must include	*	260.21(b)	4001.7	X			
		260.21(b)(1)	4001.7(a)	X			
		260.21(b)(2)	4001.7(b)	X			
		260.21(b)(3)	4001.7(c)	X			
		260.21(b)(4)	4001.7(d)	X			
		260.21(b)(5)	4001.7(e)	X			
additional information	*	260.21(c)	4001.8	X			
where an amendment for a new test method will be incorporated	*,11	260.21(d)	4001.9	X			

† PETITIONS TO AMEND PART 261 TO EXCLUDE A WASTE PRODUCED AT A PARTICULAR FACILITY

petitions to exclude a waste at a particular generating facility	*,†17 B	260.22(a)-(m)	4001.10	X			
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Corporation Counsel Statement Comment: The authority for delisting is left with the EPA Administrator. The MOA addresses the issue of what the District will do relative to the Federal decision.

† PETITIONS TO AMEND 40 CFR PART 273 TO INCLUDE ADDITIONAL HAZARDOUS WASTES

persons seeking to add a hazardous waste or a category to Part 273 universal waste provisions may petition under 260.20, 260.23 and Part 273, Subpart G	142 E	260.23(a)	4001.14	X			
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US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

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what the petitioner must demonstrate to be successful; petition must include 260.20(b) information; petition must address 273.81 factors	142 E	260.23(b)	4001.14(a)	X			
Administrator will use 273.81 factors to evaluate and decide; factors on which the decision will be based	142 E	260.23(c)	4001.14(b)	X			
Administrator may request additional information	142 E	260.23(d)	4001.14(c)	X			

† VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

materials the Administrator may determine as not solid wastes	13, 137	260.30	4001.15	X			
speculative accumulation	13	260.30(a)	4001.15(a)	X			
returned to process	13, 137	260.30(b)	4001.15(b)	X			
further reclamation	13	260.30(c)	4001.15(c)	X			

† STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

speculative accumulation; standards and criteria on which Administrator's decisions will be based	13, 137	260.31(a)	4001.16(a)	X			
	13	260.31(a)(1)	4001.16(a)(1)	X			
		260.31(a)(2)	4001.16(a)(2)	X			
		260.31(a)(3)	4001.16(a)(3)	X			
		260.31(a)(4)	4001.16(a)(4)	X			
		260.31(a)(5)	4001.16(a)(5)	X			
returned to process; criteria on which Administrator's determination will be based	13, 137	260.31(b)	4001.16(b)	X			
	13	260.31(b)(1)	4001.16(b)(1)	X			
		260.31(b)(2)	4001.16(b)(2)	X			

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		260.31(b)(3)	4001.16(b)(3)	X			
		260.31(b)(4)	4001.16(b)(4)	X			
		260.31(b)(5)	4001.16(b)(5)	X			
		260.31(b)(6)	4001.16(b)(6)	X			
		260.31(b)(7)	4001.16(b)(7)	X			
		260.31(b)(8)	4001.16(b)(8)	X			
further reclamation; factors on which Regional Administrator's determination will be based	13	260.31(c)	4001.16(c)	X			
		260.31(c)(1)	4001.16(c)(1)	X			
		260.31(c)(2)	4001.16(c)(2)	X			
		260.31(c)(3)	4001.16(c)(3)	X			
		260.31(c)(4)	4001.16(c)(4)	X			
		260.31(c)(5)	4001.16(c)(5)	X			
		260.31(c)(6)	4001.16(c)(6)	X			

† VARIANCE TO BE CLASSIFIED AS A BOILER

case-by-case determination; criteria which must be considered	13, 137	260.32	4001.17	X			
provisions for recovering and exporting thermal energy	13	260.32(a)	4001.17(a)	X			
integral design	13	260.32(b)	4001.17(b)	X			
efficiency of energy recovery	13	260.32(c)	4001.17(c)	X			
exported energy utilization	13	260.32(d)	4001.17(d)	X			
customary use as a "boiler"	13	260.32(e)	4001.17(e)	X			
other factors	13	260.32(f)	4001.17(f)	X			

† PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
procedures for evaluating applications	13, 137	260.33	4001.18	X			
where to apply and what the application must address	13, 137	260.33(a)	4001.18(a)	X			
tentative decision; notice/public hearing; final decision	13, 137	260.33(b)	4001.18(b)	X			

† ADDITIONAL REGULATION OF CERTAIN HAZARDOUS WASTE RECYCLING ACTIVITIES ON A CASE-BY-CASE BASIS

case-by-case determination; factors which will be considered	13	260.40(a)	4001.11	X			
types of materials accumulated or stored	13	260.40(a)(1)	4001.11(a)	X			
method of accumulation or storage	13	260.40(a)(2)	4001.11(b)	X			
length of time	13	260.40(a)(3)	4001.11(c)	X			
release to the environment	13	260.40(a)(4)	4001.11(d)	X			
other factors	13	260.40(a)(5)	4001.11(e)	X			

† PROCEDURES FOR CASE-BY-CASE REGULATION OF HAZARDOUS WASTE RECYCLING ACTIVITIES

procedures Regional Administrator will use for determination	13	260.41	4001.12, 4001.13	X			
notice to generator who is accumulating, setting forth factual basis for decision and 262 Subpart A, C, D & E compliance; public hearing; final order; appeals	13	260.41(a)	4001.13(a)	X			

Corporation Counsel Statement Comment: In the District, the appeal must be made to the District Court of Appeals.

CONSOLIDATED CHECKLIST C1
40 CFR Part 260 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
accumulation as a storage facility; permit required; when to apply; ways to challenge decision; public comment period	13	260.41(b)	4001.13(b)	X			
prohibitions	NA	No Federal Analog	4018			X	

Corporation Counsel Statement Comment: The District prohibits the use of surface impoundments, land treatment, landfills, and any type of land disposal in the District. The burning or incineration of hazardous waste or used oil is also prohibited. These prohibitions make the District's program more stringent than the Federal program. The use of used oil as a dust suppressant is also prohibited as it is under the Federal program.

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C2
 Identification and Listing of Hazardous Waste
 40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART A - GENERAL

PURPOSE AND SCOPE

† identification of wastes regulated under 262-265, 268, 270, 271, 124 and subject to notification	*,34	261.1(a)	4100.1	X			
† Subpart A's purpose	*,23,34	261.1(a)(1)	No analog	D			
† Subpart B's purpose	*	261.1(a)(2)	No analog	D			
† Subpart C's purpose	*	261.1(a)(3)	No analog	D			
† Subpart D's purpose	*	261.1(a)(4)	No analog	D			

Corporation Counsel Statement Comment: The District does not have analogs to 40 CFR 261.1(a)(1)-(4) because these provisions address the purposes of the subparts of 40 CFR Part 261 and are not required for authorization. The non-inclusion of these provisions does not affect the stringency of 20 DCMR Chapter 41 because they are introductory and added for clarity. Revision Checklists 23 and 34 affected 40 CFR 261.1(a)(1), but only to point in an introductory fashion to requirements found later in 40 CFR Part 261.

solid waste definition applies only to waste also hazardous for purpose of implementing Subtitle C	13	261.1(b)(1)	4100.2	X			
identification of only some of the materials that are solid hazardous wastes	*,13	261.1(b)(2)	4100.3	X			
conditions under which a waste is still a solid/hazardous waste	*,13	261.1(b)(2)(i)&(ii)	4100.3(a)&(b)	X			
definitions	13	261.1(c)	5400.1	X			
"spent material"	13	261.1(c)(1)	5400.1	X			
"sludge"	13	261.1(c)(2)	5400.1	X			
"by-product"	13	261.1(c)(3)	5400.1	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"reclaimed"	13	261.1(c)(4)	5400.1	X			
		261.1(c)(5)	5400.1	X			
		261.1(c)(5)(i)	5400.1	X			
"used or reused"	13	261.1(c)(5)(ii)	5400.1	X			
"scrap metal"	13	261.1(c)(6)	5400.1	X			
"recycled"	13	261.1(c)(7)	5400.1	X			
"accumulated speculatively"	13	261.1(c)(8)	5400.1	X			
"excluded scrap metal"	157	261.1(c)(9)	5400.1	X			
"processed scrap metal"	157	261.1(c)(10)	5400.1	X			
"home scrap metal"	157	261.1(c)(11)	5400.1	X			
"prompt scrap metal"	157	261.1(c)(12)	5400.1	X			

DEFINITION OF SOLID WASTE

discarded/not excluded	13	261.2(a)(1)	4100.4				X
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Corporation Counsel Statement Comment: At 20 DCMR §§4100.4 and 4101.1 (analogous to 40 CFR 261.2(a)(1) and 261.4), the District's program is broader in scope than the Federal program because the District does not include an analog to 40 CFR 261.4(a)(4) which excludes from being a solid waste source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 *et seq.* D.C. Code §§6-701 *et seq.* does not contain a definition analogous to the solid waste definition at RCRA §1004(27) which specifically excludes these wastes from being solid wastes. As such, the District views them as hazardous waste because of their potential danger to human health and the environment and regulates them as a hazardous waste.

"discarded material" is:	13	261.2(a)(2)	4100.5	X			
abandoned	13	261.2(a)(2)(i)	4100.5(a)	X			
recycled	13	261.2(a)(2)(ii)	4100.5(b)	X			
inherently wastelike	13, 156	261.2(a)(2)(iii)	4100.5(c)	X			
a military munition identified as a solid waste in § 266.202	156	261.2(a)(2)(iv)	4100.5(d)	X			
"abandoned" means:	13	261.2(b)	4100.6	X			
disposed of	13	261.2(b)(1)	4100.6(a)	X			
burned/incinerated	13	261.2(b)(2)	4100.6(b)	X			
accumulated, stored, or treated in lieu of disposal	13	261.2(b)(3)	4100.6(c)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
materials are solid wastes when recycled	13	261.2(c)	4100.7	X			
used in a manner constituting disposal	13	261.2(c)(1)	4100.7(a)	X			
		261.2(c)(1)(i)	4100.7(a)	X			
		261.2(c)(1)(i)(A)&(B)	4100.7(a)(1)&(2)	X			
		261.2(c)(1)(ii)	4100.7(b)	X			
for energy recovery	13	261.2(c)(2)	4100.7(c)	X			
		261.2(c)(2)(i)	4100.7(c)	X			
		261.2(c)(2)(i)(A)&(B)	4100.7(c)(1)&(2)	X			
		261.2(c)(2)(ii)	4100.7(d)	X			
reclaimed	13	261.2(c)(3)	4100.7(e)	X			
accumulated speculatively	13	261.2(c)(4)	4100.7(f)	X			
Table 1	157	261.2(c)/Table 1	4100.7/Table 1	X			
inherently wastelike	13	261.2(d)	4100.8	X			
F020, F021, F022, F023, F026, & F028	13	261.2(d)(1)	4100.8(a)	X			
secondary materials fed to a halogen acid furnace that exhibit a characteristic or are a listed waste, except for brominated material that meets certain criteria	85,96	261.2(d)(2)	4100.8(b)	X			
material must contain a bromine concentration of at least 45%	96	261.2(d)(2)(i)	4100.8(b)(1)	X			
material must contain less than a total of 1% of toxic organic compounds listed in Appendix VIII	96	261.2(d)(2)(ii)	4100.8(b)(2)	X			
material is processed continually on-site in the halogen acid furnace via direct conveyance	96	261.2(d)(2)(iii)	4100.8(b)(3)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
criteria Administrator will use to add to list	13,85	261.2(d)(3)	4100.8(c)	X			
		261.2(d)(3)(i)(A)&(B)	4100.8(c)(1)&(2)	X			
		261.2(d)(3)(ii)	4100.8(c)(3)	X			

† Materials That Are Not Solid Waste When Recycled

criteria for showing materials are not solid wastes when recycled	13	261.2(e)(1)	4100.9	X			
		261.2(e)(1)(i)	4100.9(a)	X			
		261.2(e)(1)(ii)	4100.9(b)	X			
	13,†137	261.2(e)(1)(iii)	4100.9(c)	X			
materials that are solid wastes even when recycling involves use, reuse, or return to original process	13	261.2(e)(2)	4100.10	X			
		261.2(e)(2)(i)	4100.10(a)	X			
		261.2(e)(2)(ii)	4100.10(b)	X			
		261.2(e)(2)(iii)	4100.10(c)	X			
	13,111	261.2(e)(2)(iv)	4100.10(d)	X			

documentation of claims for not solid waste or conditionally exempt from regulation	13	261.2(f)	4100.11	X			
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DEFINITION OF HAZARDOUS WASTE

solid waste is hazardous if:	I A, †117 A	261.3(a)	4100.12	X			
not excluded by 261.4(b)	I A, †117 A	261.3(a)(1)	4100.12(a)	X			
criteria to be met	I A, †117 A	261.3(a)(2)	4100.12(b)	X			
exhibits characteristic of Subpart C; exception for specific waste mixtures	I A,65, †117 A, †117 B	261.3(a)(2)(i)	4100.12(b)(1)	X			
is listed in Subpart D	I A, †117 A	261.3(a)(2)(ii)	4100.12(b)(2)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
mixture of solid waste and a Subpart D hazardous waste; exceptions; Part 268 requirements for nonwastewater mixtures not exhibiting a characteristic at point of land disposal	I A, 65,109, †117 A	261.3(a)(2)(iii)	4100.12(b)(3)	X			
		261.3(a)(2)(iv)	4100.12(b)(4)	X			
		261.3(a)(2)(iv)(A)	4100.12(b)(4) (A)	X			
		261.3(a)(2)(iv)(B)	4100.12(b)(4) (B)	X			
		261.3(a)(2)(iv)(C)	4100.12(b)(4) (C)	X			
	I A, †117 A	261.3(a)(2)(iv)(D)	4100.12(b)(4) (D)	X			
	I A, †117 A, †140	261.3(a)(2)(iv)(E)	4100.12(b)(4) (E)	X			
		261.3(a)(2)(iv)(F)	4100.12(b)(4) (F)	X			
mixture exemptions	†140	261.3(a)(2)(iv)(G)	4100.12(b)(4) (G)	X			
rebuttable presumption for used oil containing >1000 ppm total halogens; exceptions	112	261.3(a)(2)(v)	4100.13	D			
		261.3(a)(2)(v)(A)	4100.13(a)			X	
		261.3(a)(2)(v)(B)	4100.13(b)	X			
specific events under which a solid waste becomes hazardous	I A, †117 A	261.3(b)	4100.14	X			

Corporation Counsel Statement Comments: (1) The introductory paragraph to 20 DCMR §4100.13 has been modified to remove the address where EPA publication SW-846 can be purchased. This difference does not affect the stringency of this provision. (2) At 40 CFR 261.3(a)(2)(v)(A), the Federal program includes an exclusion from the used oil rebuttable presumption for metalworking oils/fluids containing chlorinated paraffins meeting certain requirements. At 20 DCMR §4100.13(a), the analog to this Federal provision, the District subjects these oils/fluids to the used oil presumption no matter how they are recycled or disposed of, making the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Subpart D wastes, when first meet listing description	I A, †117 A	261.3(b)(1)	4100.14(a)	X			
mixture, when hazardous waste added	I A, †117 A	261.3(b)(2)	4100.14(b)	X			
when exhibits Subpart C characteristics	I A, †117 A	261.3(b)(3)	4100.14(c)	X			
unless and until waste meets paragraph (d) criteria:	I A, †117 A	261.3(c)	4100.15	X			
remains a hazardous waste	I A, †117 A	261.3(c)(1)	4100.15(a)	X			
derived from a hazardous waste	I A, †8, †13, †117 A	261.3(c)(2)(i)	4100.15(b)	X			
† exemptions:	8, †117 A	261.3(c)(2)(ii)	4100.15(c)	X			
† waste pickle liquor sludge	8, †117 A	261.3(c)(2)(ii)(A)	4100.15(c)(1)	X			
wastes from material exempted at 261.6(a)(3) (iv) through (vi)	19,94, †117 A, †135	261.3(c)(2)(ii)(B)	4100.15(c)(2)	X			
† certain nonwastewater residues resulting from high temperature metals recovery processing of K061, K062 or F006 waste; generic exclusion levels; testing requirements; burden of proof for persons claiming this exclusion in an enforcement action; two tables showing generic exclusion levels	95,109, †117 A	261.3(c)(2)(ii)(C) (J)	4100.15(c)(3) intro, 4100.15(c)(3) (A)&(B)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† one-time notification and certification for K061, K062 or F006 HTMR residues, which meet generic exclusion levels and exhibit no characteristics, that are sent to Subtitle D units; update of notification and certification; annual EPA/State notification; deadline for submission to EPA/State; what the notification must include; certification signed by authorized representative and what it must state	95,109, †117 A	261.3(c)(2)(ii)(C)(2)	4100.15(c)(3)(C)	X			
† biological treatment sludge from the treatment of one of the wastes listed in 261.32--organic waste from the production of carbamates and carbamoyl oximes (EPA Hazardous Waste No. K156), and wastewaters from the production of carbamates and carbamoyl oximes (EPA Hazardous Waste No. K157)	140	261.3(c)(2)(ii)(D)	4100.15(c)(4)	X			
solid waste not hazardous if it meets criteria:	I A, †117 A	261.3(d)	4100.16	X			
wastes not exhibiting characteristics; 268 requirements for wastes not exhibiting a characteristic at point of generation	I A,83, †117 A	261.3(d)(1)	4100.16(a)	X			
excluded under 260.20 and 260.22	I A, †117 A	261.3(d)(2)	4100.16(b)	X			
reserved	117 A	261.3(e)	No analog	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
debris that is excluded from regulation provided it meets specified criteria:	109	261.3(f)	4100.17	X			
Part 268-defined hazardous debris treated using a specified 268.45, Table 1, extraction or destruction technology; burden of proof on claimant in an enforcement action	109	261.3(f)(1)	4100.17(a)	X			
Part 268-defined debris determined by Regional Administrator to no longer be contaminated with hazardous waste	109	261.3(f)(2)	4100.17(b)	X			
EXCLUSIONS							
materials which are not solid wastes:	I A	261.4(a)	4101.1	X			
domestic sewage	I A	261.4(a)(1)(i)	4101.1(a)	X			
domestic sewage mixture	I A	261.4(a)(1)(ii)	4101.1(b)	X			
industrial wastewater discharges	I A	261.4(a)(2)	4101.1(c)	X			
irrigation return flows	I A	261.4(a)(3)	4101.1(d)	X			
nuclear materials as defined by the Atomic Energy Act, 1954	I A	261.4(a)(4)	No analog				X

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: At 20 DCMR §§4100.4 and 4101.1 (analog to 40 CFR 261.2(a)(1) and 261.4), the District's program is broader in scope than the Federal program because the District does not include an analog to 40 CFR 261.4(a)(4) which excludes from being a solid waste source, special nuclear, or by-product material as defined by the Atomic Energy Act (AEA) of 1954, as amended, 42 U.S.C. 2011 *et seq.* D.C. Code §§6-701 *et seq.* does not contain a definition analogous to the solid waste definition at RCRA §1004(27) which specifically excludes these wastes from being solid wastes. As such, the District views them as hazardous waste because of their potential danger to human health and the environment and regulates them as a hazardous waste. The District has the authority to regulate both the hazardous and radioactive components of radioactive mixed wastes through the general authorities of D.C. Code §§6-701(a) and 6-705(a). Whenever there is a direct conflict between the regulatory requirements of the District's hazardous waste program and the AEA regulatory program, the AEA requirements override since they are Federally mandated. If, however, the District's requirements are more stringent, but not in conflict with Federal requirements, the regulated party would have to comply with District requirements.

in-situ mining	I A	261.4(a)(5)	4101.1(e)	X			
† pulping liquors	13	261.4(a)(6)	4101.1(f)	X			
† spent sulfuric acid	13	261.4(a)(7)	4101.1(g)	X			
reclaimed secondary materials returned to original process generating them	28	261.4(a)(8)	4101.1(h)	X			
		261.4(a)(8)(i)	4101.1(h)(1)	X			
		261.4(a)(8)(ii)	4101.1(h)(2)	X			
		261.4(a)(8)(iii)	4101.1(h)(3)	X			
		261.4(a)(8)(iv)	4101.1(h)(4)	X			
† spent wood preserving solutions and wastewaters from the wood preserving process that have been reclaimed and reused for their original intended purpose	82,92	261.4(a)(9)(i)	4101.1(i)	X			
	92	261.4(a)(9)(ii)	4101.1(j)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† K060, K087, K141, K142, K143, K144, K145, K147, K148 and any wastes from coke by-products that are hazardous only because they exhibit the Toxicity Characteristic when recycled as specified; exclusion is conditioned on there being no land disposal of the wastes from point of generation to recycling point	85,105, 110	261.4(a)(10)	4101.1(l)	X			
† nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units, provided it is shipped in drums and not land disposed before recovery	95	261.4(a)(11)	4101.1(m)	X			
† recovered oil from petroleum refining, exploration and production, and from transportation incident thereto, which is inserted in the petroleum refining process; applies to recovered oil stored or transported prior to insertion; definition of recovered oil; what "recovered oil" does not include	135,†150	261.4(a)(12)	4101.1(n)	X			
excluded scrap metal being recycled	157	261.4(a)(13)	4101.1(o)	X			
shredded circuit boards being recycled provided that they are:	157	261.4(a)(14)	4101.1(p)	X			
stored in containers sufficient to prevent release, and	157	261.4(a)(14)(i)	4101.1(p)(1)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
free of mercury switches, mercury relays and nickel cadmium batteries and lithium batteries	157	261.4(a)(14)(ii)	4101.1(p)(2)	X			
solid wastes which are not hazardous wastes	I A,	261.4(b)	4101.2	X			
		261.4(b)(1)	4101.2(a)	X			
		261.4(b)(1)(i)	4101.2(a)(1)	X			
		261.4(b)(1)(i)(A)&(B)	4101.2(a)(1)(A)&(B)	X			
household waste	I A, †9, †17 C	261.4(b)(1)(ii)	4101.2(a)(2)	X			
		261.4(b)(2)	4101.2(b)	X			
crop and animal waste returned to soil as fertilizers	I A	261.4(b)(2)(i)	4101.2(b)(1)	X			
		261.4(b)(2)(ii)	4101.2(b)(2)	X			
		261.4(b)(3)	4101.2(c)	X			
mining overburden	I A	261.4(b)(3)	4101.2(c)	X			
ash waste	I A,85	261.4(b)(4)	4101.2(d)	X			
drilling fluids	I A	261.4(b)(5)	4101.2(e)	X			
waste failing Toxicity Characteristic test because of chromium	I A,74	261.4(b)(6)(i)	4101.2(f)	X			
specific provisions for exemption	I A	261.4(b)(6)(i)(A)	4101.2(f)(1)	X			
		261.4(b)(6)(i)(B)	4101.2(f)(2)	X			
		261.4(b)(6)(i)(C)	4101.2(f)(3)	X			
		261.4(b)(6)(ii)	4101.2(g)	X			
specific wastes meeting 261.4(b)(6)(i)(A), (B)&(C) standards	I A,108	261.4(b)(6)(ii)(A)	4101.2(g)(1)	X			
		261.4(b)(6)(ii)(B)	4101.2(g)(2)	X			
		261.4(b)(6)(ii)(C)	4101.2(g)(3)	X			
		261.4(b)(6)(ii)(D)	4101.2(g)(4)	X			
		261.4(b)(6)(ii)(E)	4101.2(g)(5)	X			
		261.4(b)(6)(ii)(F)	4101.2(g)(6)	X			
		261.4(b)(6)(ii)(G)	4101.2(g)(7)	X			
		261.4(b)(6)(ii)(H)	4101.2(g)(8)	X			
ore processing waste	I A,53,65,71,85,90	261.4(b)(7)	4101.2(h), 4101.2(h)(1), 4101.2(h)(2)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
specific solid wastes from the processing of ores and minerals (cont'd)	71	261.4(b)(7)(xviii)	4101.2(h)(2) (R)	X			
		261.4(b)(7)(xix)	4101.2(h)(2) (S)	X			
		261.4(b)(7)(xx)	4101.2(h)(2) (T)	X			
cement kiln dust waste	I A,85	261.4(b)(8)	4101.2(i)	X			
discarded arsenical-treated wood meeting certain criteria	I A, 74,108	261.4(b)(9)	4101.2(j)	X			
petroleum-contaminated media and debris that fail the 261.24 Toxicity Characteristic test (D018 through D043 only) and are subject to Part 280 corrective action	74	261.4(b)(10)	4101.2(k)	X			

† Hydrocarbon Recovery Operations Exclusion

until January 25, 1993, exclusion for injected groundwater exhibiting the 261.24 Toxicity Characteristic that is infiltrated or reinjected pursuant to specified hydrocarbon recovery operations existing on or before March 25, 1991; extension only until six months after final rule publication for groundwater returned through infiltration galleries; conditions for new operations involving injection to qualify for date extension:	80	261.4(b)(11)	No analog				X
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CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
operations are performed pursuant to a written State agreement that includes a provision to assess the groundwater and the need for further remediation once the free phase recovery is completed	80	261.4(b)(11)(i)	No analog			X	
copy of written agreement has been submitted	80	261.4(b)(11)(ii)	No analog			X	

Corporation Counsel Statement Comment: The 40 CFR 261.4(b)(11) exclusion was not included in the District's program because underground injection is prohibited in the District as per 20 DCMR §4018. In addition, this exclusion has already ended. Because this exclusion has ended, the District's program is not broader in scope; however, its program is more stringent because of its prohibition of injection wells.

† used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, provided the refrigerant is reclaimed for further use	84	261.4(b)(12)	4101.2(l)	X			
† non-terne plated used oil filters not mixed with wastes listed in Part 261, Subpart D if oil filters have been gravity hot-drained using one of the following methods:	104,107,122	261.4(b)(13)	4101.2(m)	X			
† puncturing the filter anti-drainback valve of the filter dome end and hot-draining	104,122	261.4(b)(13)(i)	4101.2(m)(1)	X			
† hot-draining and crushing	104,122	261.4(b)(13)(ii)	4101.2(m)(2)	X			
† dismantling and hot-draining	104,122	261.4(b)(13)(iii)	4101.2(m)(3)	X			
† any other equivalent hot-draining method which will remove used oil	104,122	261.4(b)(13)(iv)	4101.2(m)(4)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products	122	261.4(b)(14)	4101.2(n)	X			
exempt hazardous waste	I A,34	261.4(c)	4101.3	X			
Samples		261.4(d)	4101.4	X			
sample exemption	I A,34	261.4(d)(1)	4101.4(a)	X			
criteria	I A	261.4(d)(1)(i)	4101.4(a)(1)	X			
		261.4(d)(1)(ii)	4101.4(a)(2)	X			
		261.4(d)(1)(iii)	4101.4(a)(3)	X			
		261.4(d)(1)(iv)	4101.4(a)(4)	X			
		261.4(d)(1)(v)	4101.4(a)(5)	X			
		261.4(d)(1)(vi)	4101.4(a)(6)	X			
criteria for sample collector & laboratory, to qualify for exemption	I A	261.4(d)(2)	4101.4(b)	X			
		261.4(d)(2)(i)	4101.4(b)(1)	X			
		261.4(d)(2)(ii)	4101.4(b)(2)	X			
		261.4(d)(2)(ii)(A)	4101.4(b)(2) (A)	X			
		261.4(d)(2)(ii)(A) (I)-(5)	4101.4(b)(2) (A)(i)-(v)	X			
		261.4(d)(2)(ii)(B)	4101.4(b)(2) (B)	X			
when exemption does not apply	I A	261.4(d)(3)	4101.4(c)	X			

† Treatability Study Samples

regulation of treatability study samples and relation to quantity determination of 261.5 and 262.34(d)	49	261.4(e)(1)	4101.5				X
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Corporation Counsel Statement Comment: At 20 DCMR §4101.5 introduction, the District requires notification by persons who generate or collect samples for the purpose of conducting treatability studies. Prior approval from the Director is also required. Upon approval, the Director may waive or reduce any requirement of Chapters 41 through 43 (analogs to 40 CFR 261 through 263). Under the Federal requirements, neither notification nor prior approval is required and all of the requirements of 40 CFR Parts 261 through 263 are waived. As such, the District's treatability study requirements are more stringent than the Federal requirements.

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
collection and preparation of sample for transport	49	261.4(e)(1)(i)	4101.5(a)	X			
accumulation or storage of sample prior to transport	49	261.4(e)(1)(ii)	4101.5(b)	X			
transport of sample to laboratory or testing facility	49	261.4(e)(1)(iii)	4101.5(c)	X			
applicability of provisions for exemption under 261.4(e)(1)	49	261.4(e)(2)	4101.6	X			
sample size limit by hazardous waste type for sample collector	49,129	261.4(e)(2)(i)	4101.6(a)			X	

Corporation Counsel Statement Comment: The District has reduced the quantity limitations to 10% of the Federal limits: 1,000 kg for media contaminated with non-acute hazardous waste, 100 kg for non-acute hazardous waste, and 250 kg for media contaminated with acute hazardous waste. The limit for acute hazardous waste was left at 1 kg. Thus, the District's requirements are more stringent than the Federal requirements.

weight limit for each sample shipment	49,129	261.4(e)(2)(ii)	4101.6(b)			X	
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Corporation Counsel Statement Comment: The District has reduced the shipment limits to 10% of the Federal limits: 1,000 kg for media contaminated with non-acute hazardous waste, 100 kg for non-acute hazardous waste, and 250 kg for media contaminated with acute hazardous waste. The limit for acute hazardous waste was left at 1 kg. Thus, the District's requirements are more stringent than the Federal requirements.

packaging requirements for sample	49	261.4(e)(2)(iii)	4101.6(c)	X			
compliance with U.S. DOT, USPS or other shipping requirements	49	261.4(e)(2)(iii)(A)	4101.6(c)(1)	X			
information required if DOT, USPS, or other does not apply to shipment	49	261.4(e)(2)(iii)(B) (J)-(5)	4101.6(c)(2) (A)-(E)	X			
laboratory or testing facility requirements	49	261.4(e)(2)(iv)	4101.6(d)	X			
3-year maintenance of specified records	49	261.4(e)(2)(v)	4101.6(e)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
records which must be maintained	49	261.4(e)(2)(v)(A)-(C)	4101.6(e)(1)-(3)	X			
biennial report requirements	49	261.4(e)(2)(vi)	4101.6(f)	X			
granting of requests for additional two years for treatability studies involving bioremediation; quantity limitations	49,129	261.4(e)(3)	4101.7			X	

Corporation Counsel Statement Comment: The Director may grant, on a case-by-case basis, quantity limits in excess of those specified in 20 DCMR §§4101.6(a)& (b) and 4101.9(d) for up to a total amount of 10,000 kg of media contaminated with non-acute hazardous waste, 1,000 kg of non-acute hazardous waste, 2,500 kg of media contaminated with acute hazardous waste and an additional 1 kg of acute hazardous waste. The District's program is more stringent than Federal because the quantity limitations, including the case-by-case expansion, are the same as the Federal limitations without expansion under 40 CFR 261.4(e)(2)(i)&(ii) and 261.4(f)(4).

, in response to requests for authorization to ship, store and conduct treatability studies on additional quantities in advance of commencing treatability studies; factors to be considered when granting requests	129	261.4(e)(3)(i)	4101.7(a)	X			
factors to consider when granting requests for additional quantities after initiation or completion of initial treatability studies	49,129	261.4(e)(3)(ii)	4101.7(b)	X			
what the additional quantities are subject to; application procedures	49,129	261.4(e)(3)(iii)	4101.8	X			
reason for request and additional time or quantity needed	49,129	261.4(e)(3)(iii)(A)	4101.8(a)	X			
required documentation	49,129	261.4(e)(3)(iii)(B)	4101.8(b)	X			
description of technical modifications	49,129	261.4(e)(3)(iii)(C)	4101.8(c)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
equipment and mechanical failure information	49,129	261.4(e)(3)(iii)(D)	4101.8(d)	X			
other information	49,129	261.4(e)(3)(iii)(E)	4101.8(e)	X			

† Samples Undergoing Treatability Studies at Laboratories and Testing Facilities

requirements for samples undergoing treatability studies at labs and testing facilities	49	261.4(f)	4101.9			X	
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Corporation Counsel Statement Comment: At 20 DCMR §4101.9 introduction, the District requires notification for samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies. Prior approval from the Director is also required. Upon approval, the Director may waive or reduce any requirement of Chapters 42 through 47 and 50 (analogs to 40 CFR 262 through 268, 270 and 124). Under the Federal requirements, neither notification nor prior approval is required and all of the requirements of 40 CFR Parts 262 through 268, 270 and 124 are waived. As such, the District's treatability study requirements are more stringent than the Federal requirements.

notification requirements	49	261.4(f)(1)	4101.9(a)	X			
EPA identification number of laboratory or testing facility	49	261.4(f)(2)	4101.9(b)	X			
single day quantity restrictions on initiation of treatment studies	49,129	261.4(f)(3)	4101.9(c)			X	

Corporation Counsel Statement Comment: The District has reduced the "as received" limits to 10% of the Federal limits: 1,000 kg for media contaminated with non-acute hazardous waste, 250 kg for media contaminated with acute hazardous waste, and 25 kg of other "as received" hazardous waste. The District adds a sentence addressing case-by-case increases of these limits by the Director up to the limits allowed in the Federal counterpart to 20 DCMR §4101.9(c). Thus, the District's requirements are more stringent than the Federal requirements.

limitations on storage of treatability study samples; exclusion of added treatment materials	49,129	261.4(f)(4)	4101.9(d)			X	
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CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District has reduced the “as received” storage limits to 10% of the Federal limits: 1,000 kg for media contaminated with non-acute hazardous waste, 250 kg for media contaminated with acute hazardous waste, and 100 kg of non-acute hazardous wastes other than contaminated media. The limit for acute hazardous waste was left at 1 kg. The District adds a sentence addressing case-by-case increases of these limits by the Director up to the limits allowed in the Federal counterpart to 20 DCMR §4101.9(d). Thus, the District’s requirements are more stringent than the Federal requirements.

removed	49,129	261.4(f)(4)(i)	No analog	X			
text moved to 261.4(f)(4)	49,129	261.4(f)(4)(ii)	4101.9(d)	X			
90-day/1-year limitation on duration of exemption; 2-year limitation for treatability studies involving bioremediation; up to 500 kg treated material may be archived for up to 5 years	49,129	261.4(f)(5)	4101.9(e)	X			
land placement and open of study samples not allowed	49	261.4(f)(6)	4101.9(f)			X	

Corporation Counsel Statement Comment: The District has removed “open” before burning, thus, restricting all types of burning from treatability studies. The Federal provision only restricts open burning. Therefore, the District’s provision is more stringent than its Federal counterpart.

3-year maintenance of treatability study records	49	261.4(f)(7)	4101.9(g)	X			
specific information needed for each treatability study	49	261.4(f)(7)(i)-(vii)	4101.9(g)(1)-(7)	X			
3-year maintenance of shipping records and treatability study contract	49	261.4(f)(8)	4101.9(h)	X			
laboratory or treatability study facility annual report requirement	49	261.4(f)(9)	4101.9(i)	X			
required annual report information	49	261.4(f)(9)(i)-(vii)	4101.9(i)(1)-(7)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
hazardous waste determination for unused samples by facility	49	261.4(f)(10)	4101.9(j)	X			
notification when facility discontinues treatability studies	49	261.4(f)(11)	4101.9(k)	X			

SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS

The District has adopted a two-tier approach to regulating generators of hazardous waste, in contrast to the three-tier approach adopted in the Federal regulations. Generators who generate 100 kilograms or less per calendar month of hazardous waste and who meet the generation limits of 20 DCMR 4102.5 (the analog to 40 CFR 261.5(e)) are small quantity generators. Generators of over 100 kilograms of hazardous waste per month or who do not meet the generation limits of 20 DCMR 4102.5 are “generators” or large quantity generators and are subjected to the same degree of regulation as are generators of over 1,000 kilograms of hazardous waste under the Federal program. The District does not conditionally exempt generators of hazardous waste. Under the District’s program, small quantity generators of 0 to 100 kilos of hazardous waste per month are required to file a biennial report, to have a contingency plan and employee training, and to manifest and dispose of their waste in the same manner as Federal large quantity generators. In fact, the only differences in the District’s treatment of its small quantity generators and its “generators” or large quantity generators is that small quantity generators may accumulate waste for up to 180 days as long as they do not accumulate more than 600 kilograms of hazardous waste nor exceed the accumulation limits for acute hazardous waste. Large quantity generators may only store hazardous waste for 90 days or less. Note that under the Federal program, conditionally exempt small quantity generators may accumulate wastes indefinitely provided that the requirements at 40 CFR 261.5(f)(2) or 261.5(g)(2) are met. These differences between the District and the Federal programs relative to generators make the District’s program both broader in scope and more stringent than the Federal program, as indicated in the comments that follow.

definition of a conditionally exempt small quantity generator	I A,23	261.5(a)	4102.1	D			
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Corporation Counsel Statement Comment: The District’s definition of a small quantity generator is the same as the Federal definition of conditionally exempt small quantity generator. A second sentence is added clarifying that the small quantity generator is also subject to the quantity limits of 20 DCMR §4102.5 (the analog to 40 CFR 261.5(e)) which addresses acute hazardous waste. Under the Federal requirements, the conditionally exempt small quantity generator is subject to these same requirements; however, 40 261.5(a) does not address them. This sentence is added for clarification. However, the requirements at 20 DCMR §4102.5 are broader in scope than their Federal counterpart. These differences are discussed relative to the requirements at 40 CFR 261.5(e).

exceptions to CESQG regulatory exemption	I A,17 A, 19,23,34	261.5(b)	No analog				X
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CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<p>Corporation Counsel Statement Comment: With only a few exceptions, the District does not exempt conditionally except small quantity generators from full status standards. Instead, these generators are subject only to reduced accumulation requirements. The District does allow disposal in a solid waste facility; however, the facility must be outside the District and approved by a State to receive the small quantity generator waste regulated under 20 DCMR §4102 (the analog to 40 CFR 261.5). Therefore, the District's regulation of these generators is broader in scope than the Federal program.</p>							
when making 261.5 and Part 262 quantity determinations, generator must include all hazardous waste except:	I A,†13, 23,34, †142 A	261.5(c)	4102.3	X			
† hazardous waste exempt from regulation under 261.4(c)-(f), 261.6(a)(3), 261.7(a)(1) or 261.8; or	142 A	261.5(c)(1)	4102.3(a)	X			
† hazardous waste managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities as defined in 260.10; or	142 A	261.5(c)(2)	4102.3(b)	X			
† hazardous waste that is recycled, without prior storage or accumulation, only in an on-site process subject to 261.6(c)(2) regulation; or	142 A	261.5(c)(3)	4102.3(c)	X			
† hazardous waste that is used oil managed under 261.6(a)(4) and Part 279; or	142 A	261.5(c)(4)	4102.3(d)	X			
† hazardous waste that is spent lead-acid batteries managed under Part 266, Subpart G; or	142 A	261.5(c)(5)	4102.3(e)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† hazardous waste that is universal waste managed under 261.9 and Part 273	142 A	261.5(c)(6)	4102.3(f)	X			
quantity exclusions	I A,23	261.5(d)	4102.4	X			
		261.5(d)(1)	4102.4(a)	X			
		261.5(d)(2)	4102.4(b)	X			
		261.5(d)(3)	4102.4(c)	X			
acute hazardous quantity limitations	I A,23,34,47	261.5(e)	4102.5			X	

Corporation Counsel Statement Comment: The District has removed the “that acute” between “quantities of” and “hazardous waste”. This change subjects all of the small quantity generator’s (i.e., conditionally exempt small quantity generator) waste to full regulation, not just the acute hazardous waste that exceeds the quantity limits. This difference makes the District’s program more stringent than the Federal program.

1 kg acute hazardous waste listed in 261.31, 261.32 or 261.33(e)	I A,14,23	261.5(e)(1)	4102.5(a)	X			
100 kg of spill debris resulting from a spill of acute hazardous waste	I A,14,23	261.5(e)(2)	4102.5(b)				X

Corporation Counsel Statement Comment: Relative to 40 CFR 261.5(e)(2), the District’s analogous provision at 20 DCMR §4102.5(b) is broader in scope because the quantity limit for any residue or contaminated soil, waste, or other debris resulting from the clean-up of a spill of any acute hazardous waste listed in 40 CFR 261.31, 261.32 or 261.33(e) is 50 kilograms in a calendar month rather than 100 kilograms per month under the Federal program. Individuals generating more than 50 kg in a calendar month but less than 100 kg would not be subject to regulation under the Federal program, but would be regulated under the District's program.

requirements for exclusion of acute hazardous waste:	I A, †17 A,23	261.5(f)	No analog				X
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Corporation Counsel Statement Comment: The D.C. small quantity generators are subject to full regulation except for reduced requirements relative to the accumulation time periods. This makes the District broader in scope because generators that would not be regulated under the Federal program are regulated under the District's program.

Section 262.11	23	261.5(f)(1)	4200.2	D			
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CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District does not have direct analogs to 40 CFR 261.5(f)(1) & (g)(1) in 20 DCMR §4102, its analog to 40 CFR 261.5, because the District does not conditionally exempt any generators. Instead, at 20 DCMR §4200.2, the generators, who qualify for the reduced requirements of 20 DCMR §4102, are subject to all of the generator requirements of Chapter 42 which includes waste analysis requirements identical to those at 40 CFR 262.11.

accumulation on-site	I A,23,34, 47	261.5(f)(2)	4102.6			X	X
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Corporation Counsel Statement Comment: The District allows accumulation for 180 days only rather than indefinitely. This difference makes the District's program broader in scope because the Federal conditionally-exempt generators accumulating waste for more than 180 days are not subject to regulation, whereas the District's analogous generators are subject to regulation.

The District's accumulation limit for any residue or contaminated soil, waste, or other debris resulting from the clean-up of a spill of any acute hazardous waste listed in 40 CFR 261.31, 261.32 or 261.33(e) is 50 kilograms rather than 100 kilograms under the Federal program. The District also limits the overall accumulation of hazardous waste to 600 kilograms rather than the 1,000 kilograms under the Federal program. These differences make the District's program more stringent.

	23,31	261.5(f)(3)	4102.7	X			
	23,31	261.5(f)(3)(i)	4102.7(a)	X			
	23,31	261.5(f)(3)(ii)	4102.7(b)	X			
	23,31	261.5(f)(3)(iii)	4102.7(c)	X			
	23,31, 153	261.5(f)(3)(iv)	4102.7(d)			X	
	153	261.5(f)(3)(v)	4102.7(e)			X	
	23,31, 153	261.5(f)(3)(vi)	4102.7(f)	X			
	23,31, 153	261.5(f)(3)(vi)(A)	4102.7(f)(1)	X			
	23,31, †142 A, 153	261.5(f)(3)(vi)(B)	4102.7(f)(2)	X			
treatment/disposal	†142 A, 153	261.5(f)(3)(vii)	4102.7(g)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District includes two additional requirements for the facilities addressed by its analogs to 40 CFR 261.5(f)(3)(iv)&(v). First, the facility must be an off-site facility located outside the District because the District does not allow any hazardous waste to be placed in a facility in the District which is not permitted by the District to receive hazardous waste. Second, the District requires that the facilities addressed by its analogs to 40 CFR 261.5(f)(3)(iv)&(v) be approved by a State to receive conditionally exempt small quantity generator waste. Note also that these facilities will also need to follow manifest requirements as a designated facility, because the generators subject to reduced regulations under 20 DCMR §4102 are subject to the generator manifest requirements under 20 DCMR Chapter 42. These differences make the District's program more stringent than the Federal program.

generator requirements for hazardous waste to be conditionally exempt:	I A, †17 A,23	261.5(g)	No analog				X
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Corporation Counsel Statement Comment: The D.C. small quantity generators are subject to full regulation except for reduced requirements relative to the accumulation time periods. This makes the District broader in scope because generators that would not be regulated under the Federal program are regulated under the District's program.

Section 262.11	I A	261.5(g)(1)	4200.2	D			
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Corporation Counsel Statement Comment: The District does not have direct analogs to 40 CFR 261.5(f)(1) & (g)(1) in 20 DCMR §4102, its analog to 40 CFR 261.5, because the District does not conditionally exempt any generators. Instead, at 20 DCMR §4200.2, the generators, who qualify for the reduced requirements of 20 DCMR §4102, are subject to all of the generator requirements of Chapter 42 which includes waste analysis requirements identical to those at 40 CFR 262.11.

accumulation on-site	I A,23,34	261.5(g)(2)	4102.6			X	X
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Corporation Counsel Statement Comment: The District allows accumulation for 180 days only rather than indefinitely. This difference makes the District's program broader in scope because the Federal conditionally-exempt generators accumulating waste for more than 180 days are not subject to regulation, whereas the District's analogous generators are subject to regulation.

The District's accumulation limit for any residue or contaminated soil, waste, or other debris resulting from the clean-up of a spill of any acute hazardous waste listed in 40 CFR 261.31, 261.32 or 261.33(e) is 50 kilograms rather than 100 kilograms under the Federal program. The District also limits the overall accumulation of hazardous waste to 600 kilograms rather than the 1,000 kilograms under the Federal program. These differences make the District's program more stringent.

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
	I A,23,31	261.5(g)(3)	4102.7	X			
	I A,23,31	261.5(g)(3)(i)	4102.7(a)	X			
	I A,23,31	261.5(g)(3)(ii)	4102.7(b)	X			
	I A,23,31	261.5(g)(3)(iii)	4102.7(c)	X			
	I A,23,31,153	261.5(g)(3)(iv)	4102.7(d)			X	
	153	261.5(g)(3)(v)	4102.7(e)			X	
	I A,23,31,153	261.5(g)(3)(vi)	4102.7(f)	X			
	I A,23,31,153	261.5(g)(3)(vi)(A)	4102.7(f)(1)	X			
	I A,23,31,†142 A,153	261.5(g)(3)(vi)(B)	4102.7(f)(2)	X			
treatment/disposal	†142 A,153	261.5(g)(3)(vii)	4102.7(g)	X			

Corporation Counsel Statement Comment: The District includes two additional requirements for the facilities addressed by its analogs to 40 CFR 261.5(g)(3)(iv)&(v). First, the facility must be an off-site facility located outside the District because the District does not allow any hazardous waste to be placed in a facility in the District which does not have a hazardous waste permit from the Department of Health. Second, the District requires that the facilities addressed by its analogs to 40 CFR 261.5(g)(3)(iv)&(v) be approved by a State to receive conditionally exempt small quantity generator waste. Note also that these facilities will also need to follow manifest requirements as a designated facility, because the generators subject to reduced regulations under 20 DCMR §4102 are subject to the generator manifest requirements under 20 DCMR Chapter 42. Differences make the District's program more stringent than the Federal program.

mixing with non-hazardous waste	I A, †17 A,23	261.5(h)	4102.8	X			
mixtures exceeding exclusion level	I A, †17 A,23	261.5(i)	4102.9	X			
mixtures with used oil subject to part 279 requirements	I A, †17 A,23,112,122	261.5(j)	4102.10			X	

Corporation Counsel Statement Comment: At 20 DCMR §4102.10, the District's analog to 40 CFR 261.5(j), the District is more stringent because the District regulates mixtures of used oil and the District's small quantity generator's hazardous waste as a hazardous waste rather than as used oil.

removed	19,23	261.5(k)	No analog	X			
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CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
REQUIREMENTS FOR RECYCLABLE MATERIALS							
requirements recycled hazardous waste is subject to	I A,13	261.6(a)(1)	4103.1	X			
regulation under Part 266	I A,13,94	261.6(a)(2)	4103.2	X			
	13	261.6(a)(2)(i)	4103.2(a)	X			
	13,94	261.6(a)(2)(ii)	4103.2(b)			X	
	13,17 J, 19,112	261.6(a)(2)(iii)	4103.2(c)	X			
	13,112	261.6(a)(2)(iv)	4103.2(d)	X			
	Corporation Counsel Statement Comment: At §4103.2(b), the burning of hazardous waste is prohibited in the District. However, hazardous waste destined to be burnt for energy recovery outside the District is subject to §4507. This makes the District more stringent.						
recyclable materials which are exempt from rule	I A,13,34	261.6(a)(3)	4103.3	X			
	13,31	261.6(a)(3)(i)	4103.3(a)	X			
	31	261.6(a)(3)(i)(A)	4103.3(a)(1)	X			
		261.6(a)(3)(i)(B)	4103.3(a)(2)	X			
	13,19, †142 B, 157	261.6(a)(3)(ii)	4103.3(b)	X			
	13,19, 112, †142 B	261.6(a)(3)(iii)	4103.3(c)	X			
	†19,85, 112, †135, †142 B	261.6(a)(3)(iv)(A)	4103.3(d)	X			
		261.6(a)(3)(iv)(B)	4103.3(e)	X			
		261.6(a)(3)(iv)(C)	4103.3(f)	X			
261.6(a)(3)(v)		4103.3(g)	X				
used oil that is recycled and is hazardous waste solely because it exhibits a characteristic is not subject to Parts 260-268 but is regulated under Part 279; definition of used oil that is recycled	112	261.6(a)(4)	4103.3(h)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† hazardous waste exported to or imported from designated member countries of OECD for recovery is subject to 40 CFR part 262 subpart H, if subject to either manifesting requirements in part 262, universal waste management standards in part 273 or State requirements analogous to part 273	152	261.6(a)(5)	4103.3(i)	X			
generator and transporter requirements	I A,13	261.6(b)	4103.4	X			
recycling facility requirements	13,34,79,154	261.6(c)(1)	4103.5	X			
		261.6(c)(2)	4103.6	X			
		261.6(c)(2)(i)	4103.6(a)	X			
	13	261.6(c)(2)(ii)	4103.6(b)	X			
	79	261.6(c)(2)(iii)	4103.6(c)	X			
owners or operators of RCRA facilities are subject to Subparts AA and BB of Part 264 or 265 if they recycle hazardous wastes	79	261.6(d)	4103.7	X			
RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS							
waste remaining in container	I A,34	261.7(a)(1)	4104.1	X			
container not empty	I A,34	261.7(a)(2)	4104.2	X			
definition of empty	I A,14	261.7(b)(1)	4104.3	X			
		261.7(b)(1)(i)	4104.3(a)	X			
		261.7(b)(1)(ii)	4104.3(b)	X			
		261.7(b)(1)(iii)(A)	4104.3(c)	X			
	I A	261.7(b)(1)(iii)(B)	4104.3(d)	X			
definition of empty for compressed gas	I A	261.7(b)(2)	4104.4	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
definition of empty for acute hazardous wastes listed in 261.31, 261.32 or 261.33(e)	I A,14	261.7(b)(3)	4104.5	X			
	I A	261.7(b)(3)(i)	4104.5(a)	X			
		261.7(b)(3)(ii)	4104.5(b)	X			
		261.7(b)(3)(iii)	4104.5(c)	X			

PCB WASTES REGULATED UNDER TOXIC SUBSTANCE CONTROL AC

exemption for certain PCB-containing wastes	74	261.8	4105.1	X			
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† **REQUIREMENTS FOR UNIVERSAL WASTE**

wastes listed in 261.9 are exempt from regulation under Parts 262 through 270, except as specified in Part 273; wastes regulated under Part 273	142 A	261.9 intro	4106.1			X	
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Corporation Counsel Statement Comment: The District is more stringent because to be regulated as a universal waste, the waste must be recycled. Once the waste is destined for disposal, the handlers are subject to full regulation under Chapters 42 through 46 and Chapter 50. Pesticides which are universal wastes are excluded from this requirement.

batteries as described in 273.2	142 B	261.9(a)	4106.1(a)	X			
pesticides as described in 273.3	142 C	261.9(b)	4106.1(b)	X			
thermostats as described in 273.4	142 D	261.9(c)	4106.1(c)	X			

Corporation Counsel Statement Comment: The District also includes mercury-containing lamps as a universal waste as indicated at §4106.1(d).

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

† SUBPART B - CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTE

CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF HAZARDOUS WASTE

Administrator shall identify and define a characteristic of hazardous waste in Subpart C, only upon specific determinations	*	261.10(a)	4107.1	X			
		261.10(a)(1)	4107.1(a)	X			
		261.10(a)(1)(i)&(ii)	4107.1(a)(1)&(2)	X			
		261.10(a)(2)	4107.1(b)	X			
		261.10(a)(2)(i)&(ii)	4107.1(b)(1)&(2)	X			

CRITERIA FOR LISTING HAZARDOUS WASTE

meets one of the following criteria	*	261.11(a)	4107.2	X			
exhibits a Subpart C characteristic	*	261.11(a)(1)	4107.2(a)	X			
fatal to humans; specific toxicity levels; acute hazardous waste	*	261.11(a)(2)	4107.2(b)	X			
contains any Appendix VIII toxic constituent; factors the Administrator must assess; toxic hazardous waste	*,76	261.11(a)(3)	4107.2(c)	X			
		261.11(a)(3)(i)	4107.2(c)(1)	X			
		261.11(a)(3)(ii)	4107.2(c)(2)	X			
		261.11(a)(3)(iii)	4107.2(c)(3)	X			
		261.11(a)(3)(iv)	4107.2(c)(4)	X			
		261.11(a)(3)(v)	4107.2(c)(5)	X			
		261.11(a)(3)(vi)	4107.2(c)(6)	X			
		261.11(a)(3)(vii)	4107.2(c)(7)	X			
		261.11(a)(3)(viii)	4107.2(c)(8)	X			
		261.11(a)(3)(ix)	4107.2(c)(9)	X			
		261.11(a)(3)(x)	4107.2(c)(10)	X			
	*	261.11(a)(3)(xi)	4107.2(c)(11)	X			
hazardous under the RCRA 1004(5) definition of hazardous waste	*	261.11(b)	4107.3	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
criteria for establishing exclusion limits	*	261.11(c)	4107.4	X			

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

GENERAL

solid waste exhibiting characteristics of Subpart C	*	261.20(a)	4108.1	X			
EPA hazardous waste number	*,34,78,83	261.20(b)	4108.2	X			
sample obtained using Appendix I sampling methods	*	261.20(c)	4108.3	X			

CHARACTERISTIC OF IGNITABILITY

liquid; flash point less than 60°C	I C	261.21(a)	4108.4	X			
		261.21(a)(1)	4108.4(a)	X			
non-liquid; burns under standard temperature and pressure	I C	261.21(a)(2)	4108.4(b)	X			
ignitable compressed gas	I C	261.21(a)(3)	4108.4(c)	X			
oxidizer	I C	261.21(a)(4)	4108.4(d)	X			
EPA Number D001	I C,78	261.21(b)	4108.5	X			

CHARACTERISTIC OF CORROSIVITY

a solid waste exhibits the characteristic of corrosivity if a representative sample of the waste has either of the following properties	I C	261.22(a)	4108.6	X			
aqueous; pH ≤ 2 or ≥ 12.5	I C,126	261.22(a)(1)	4108.6(a)	X			
liquid; corrodes steel	I C,126	261.22(a)(2)	4108.6(b)	X			
EPA Number D002	I C,78	261.22(b)	4108.7	X			

CHARACTERISTIC OF REACTIVITY

unstable; undergoes violent change	I C	261.23(a)	4108.8	X			
		261.23(a)(1)	4108.8(a)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
reacts violently with water	I C	261.23(a)(2)	4108.8(b)	X			
potentially explosive	I C	261.23(a)(3)	4108.8(c)	X			
generates toxic gases	I C	261.23(a)(4)	4108.8(d)	X			
cyanide or sulfide bearing and can generate toxic gases	I C	261.23(a)(5)	4108.8(e)	X			
detonation or explosion, if heated	I C	261.23(a)(6)	4108.8(f)	X			
detonation or explosion at STP	I C	261.23(a)(7)	4108.8(g)	X			
forbidden explosive	I C	261.23(a)(8)	4108.8(h)	X			
EPA Number D003	I C,78	261.23(b)	4108.9	X			

TOXICITY CHARACTERISTIC

test criteria and waste list	I C,74,126	261.24(a)	4108.10	X			
EPA Numbers as in Table 1	I C,74,78	261.24(b), Table 1	4108.11, Table 3	X			

SUBPART D - LISTS OF HAZARDOUS WASTES

GENERAL

hazardous if listed in this subpart; exclusions	I B	261.30(a)	4109.1	X			
hazard codes	I B,74	261.30(b)	4109.2	X			
EPA hazardous waste number	I B,34	261.30(c)	4109.3	X			
261.31 or 261.32 listed wastes subject to 261.5 exclusion limits--F020, F021, F022, F023, F026 and F027	14	261.30(d)	4109.4	X			

HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

list of "F" wastes	I B,4,13,14,20,22,69,†72,78,81,82,83,†89,†91,†120	261.31(a), table	4109.5, Table 4	X			
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CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
listing specific definitions	81	261.31(b)	4109.6	X			
definition of oil/water/solids for the purposes of F037 and F038 listings	81	261.31(b)(1)	4109.6	X			
for the purposes of F037 and F038, aggressive biological treatment units are defined as units which employ one of four specified treatment methods; specific requirements for high-rate aeration:	81	261.31(b)(2)(i)	4109.7	X			
units employ a minimum of 6 hp per million gallons of treatment volume and either:	81	261.31(b)(2)(i)(A)	4109.7	X			
the hydraulic retention time of the unit is no longer than 5 days	81	261.31(b)(2)(i)(B)	4109.7	X			
the hydraulic retention time is no longer than 30 days and the unit does not generate a sludge that is hazardous waste by the Toxicity Characteristic	81	261.31(b)(2)(i)(C)	4109.7	X			
generators and treatment, storage and disposal facilities must prove their sludges are exempt from listing as F037 and F038 wastes; maintenance of documents and data sufficient to prove that:	81	261.31(b)(2)(ii)	4109.8	X			
unit is an aggressive biological treatment unit as defined in 261.31(b)(2)	81	261.31(b)(2)(ii)(A)	4109.8	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sludges were actually generated in the aggressive biological treatment unit	81	261.31(b)(2)(ii)(B)	4109.8	X			
sludges are considered to be generated at the moment of deposition in the unit for the purposes of the F037 listing; deposition defined	81	261.31(b)(3)(i)	4109.9	X			
for the purposes of the F038 listing	81	261.31(b)(3)(ii)	4109.10	X			
sludges are considered to be generated at the moment of deposition in the unit; deposition defined	81	261.31(b)(3)(ii)(A)	4109.10	X			
floats are considered to be generated at the moment they are formed in the top of the unit	81	261.31(b)(3)(ii)(B)	4109.10	X			

HAZARDOUS WASTES FROM SPECIFIC SOURCES

list of "K" wastes	I B,18,21, 26,33,53, 68,75, †88,110, 115,140, 159	261.32, table	4109.11, Table 5	X			
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DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF

hazardous when discarded	I B,13,17 J,37, 159	261.33	4109.12	X			
chemical product or intermediate	I B	261.33(a)	4109.12(a)	X			
off-specification product or chemical intermediate	I B	261.33(b)	4109.12(b)	X			
container/inner liner residues	I B,41,78	261.33(c)	4109.12(c)	X			
spill cleanup debris	I B	261.33(d)	4109.12(d)	X			

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
acute hazardous wastes	I B,7,29,46,57,†86,134,140	261.33(e), table	4109.12(e), Table 6	X			
toxic wastes	I B,7,14,18,22,23,29,46,56,140,159	261.33(f), table	4109.12(f), Table 7	X			

DELETION OF CERTAIN HAZARDOUS WASTE CODES FOLLOWING EQUIPMENT CLEANING AND REPLACEMENT

wastes from wood preserving processes at plants that do not resume or initiate use of chlorophenolic preservatives will not meet the listing definition of F032 once the 261.35(b) and (c) requirements are met; wastes may continue to meet another hazardous waste listing description or exhibit one or more characteristics	82	261.35(a)	4110.1	X			
generators must either clean or replace all specified process equipment that may have come into contact with chlorophenolic formulations or constituents in a manner which eliminates escape of hazardous waste or constituents, leachate, contaminated drippage or hazardous waste decomposition	82,92	261.35(b)	4110.2	X			
generators shall do one of the following:	92	261.35(b)(1)	4110.3	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
prepare and follow an equipment cleaning plan; clean equipment in accordance with 261.35	92	261.35(b)(1)(i)	4110.3(a)	X			
prepare and follow an equipment replacement plan; replace equipment in accordance with 261.35	92	261.35(b)(1)(ii)	4110.3(b)	X			
document cleaning and replacement in accordance with 261.35, carried out after termination of use of chlorophenolic preservations	92	261.35(b)(1)(iii)	4110.3(c)	X			
cleaning requirements	82,92	261.35(b)(2)	4110.4	X			
prepare and sign a written equipment cleaning plan that describes:	92	261.35(b)(2)(i)	4110.4	X			
equipment to be cleaned	92	261.35(b)(2)(i)(A)	4110.4(a)	X			
how equipment will be cleaned	92	261.35(b)(2)(i)(B)	4110.4(b)	X			
solvent to be used in cleaning	92	261.35(b)(2)(i)(C)	4110.4(c)	X			
how solvent rinses will be tested	92	261.35(b)(2)(i)(D)	4110.4(d)	X			
how cleaning residues will be disposed	92	261.35(b)(2)(i)(E)	4110.4(e)	X			
equipment must be cleaned as follows:	92	261.35(b)(2)(ii)	4110.5	X			
remove all visible residues from process equipment	92	261.35(b)(2)(ii)(A)	4110.5(a)	X			
rinse with appropriate solvent until no dioxin or dibenzofuran detection in final solvent rinse	92	261.35(b)(2)(ii)(B)	4110.5(b)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
analytical requirements	92	261.35(b)(2)(iii)	4110.6	X			
test rinses as per SW-846, Method 8290	92	261.35(b)(2)(iii)(A)	4110.6(a)	X			
"not detected" defined	92	261.35(b)(2)(iii)(B)	4110.6(b)	X			
generator manages cleaning process residues as F032 waste	92	261.35(b)(2)(iv)	4110.7	X			
replacement requirements	82,92	261.35(b)(3)	4110.8	X			
prepare and sign written equipment replacement plan that describes:	92	261.35(b)(3)(i)	4110.8	X			
equipment to be replaced	92	261.35(b)(3)(i)(A)	4110.8(a)	X			
how equipment will be replaced	92	261.35(b)(3)(i)(B)	4110.8(b)	X			
how equipment will be disposed	92	261.35(b)(3)(i)(C)	4110.8(c)	X			
generator must manage discarded equipment as F032 waste	92	261.35(b)(3)(ii)	4110.9	X			
documentation requirements	82,92	261.35(b)(4)	4110.10	X			
document previous equipment cleaning and/or replacement performed in accordance with 261.35 and occurred after cessation of chlorophenolic preservative use	92	261.35(b)(4)(i)	4110.10	X			
documentation that must be maintained as part of the facility's operating record:	82	261.35(c)	4110.11	X			
name and address of the facility	82	261.35(c)(1)	4110.11(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
formulations previously used and the date on which their use ceased in each process at the plant	82	261.35(c)(2)	4110.11(b)	X			
formulations currently used in each process at the plant	82	261.35(c)(3)	4110.11(c)	X			
equipment cleaning or replacement plan	82	261.35(c)(4)	4110.11(d)	X			
name and address of any persons who conducted the cleaning and replacement	82	261.35(c)(5)	4110.11(e)	X			
dates on which cleaning and replacement were accomplished	82	261.35(c)(6)	4110.11(f)	X			
dates of sampling and testing	82	261.35(c)(7)	4110.11(g)	X			
description of sample handling and preparation techniques	82	261.35(c)(8)	4110.11(h)	X			
description of the tests performed, the date, and the results of the tests	82	261.35(c)(9)	4110.11(i)	X			
name and model numbers of the instrument(s) used in performing the tests	82	261.35(c)(10)	4110.11(j)	X			
QA/QC documentation	82	261.35(c)(11)	4110.11(k)	X			
signed certification statement	82	261.35(c)(12)	4110.11(l)	X			

APPENDIX I TO PART 261

REPRESENTATIVE SAMPLING METHODS

list of sampling protocols to be followed in collecting waste samples with various properties	*	Appendix I	4112.1(a), 4016	X			
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APPENDIX II TO PART 261

CONSOLIDATED CHECKLIST C2
40 CFR Part 261 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

METHOD 1311 TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

note referencing the TCLP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	*,74, †119,126	Appendix II	4112.1(b), 4016	X			
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APPENDIX III TO PART 261

CHEMICAL ANALYSIS TEST METHODS

note referencing Chapter 2 of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	*,14,18, 21,22,33, 67,68,73, 75,82,126	Appendix III	4112.1(c), 4016	X			
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APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

table of EPA hazardous waste numbers and the hazardous constituents for which each is listed	*,4,14,18, 21,22,33, 53,68,69, 75,78,81, 82, 110,115,1 40,159	Appendix VII	Appendix I to Chapter 41	X			
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APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

table listing common names, chemical abstracts names, chemical abstracts numbers, and EPA hazardous waste numbers for all hazardous constituents	*,4,14,18, 22,29,46, 56,57,69, 82,†86, 128, 134,140,1 59	Appendix VIII	Appendix II to Chapter 41	X			
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APPENDIX X TO PART 261

METHOD OF ANALYSIS FOR CHLORINATED DIBENZO-P-DIOXINS AND -DIBENZOFURANS

removed	14,126	Appendix X	NA	X			
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DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C3
 Standards Applicable to Generators of Hazardous Waste
 40 CFR PART 262 as of June 30, 1997

General Comment: The District has adopted a two-tiered approach for regulating generators, rather than a three-tiered approach like the Federal program. No generators are conditionally exempt under the District's regulations and at 20 DCMR §4200.2, the District's small quantity generators (those generating 100 kilos or less of hazardous waste per month—analogue to the Federal conditionally exempt small quantity generator) are subject to the generator requirements of 20 DCMR Chapter 42 rather than just the reduced requirements of the District's analog to 40 CFR 261.5. As such, the District's program is more stringent than the Federal program with regard to these generators as well as with regard to generators of between 100 kilograms and 1,000 kilograms per calendar month.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

establish standards for generators	*	262.10(a)	4200.1	X			
261.5(c) and (d) must be used to determine the applicability of Part 262 for those provisions dependent on a quantity determination	†142 A	262.10(b)	4200.2			X	

Corporation Counsel Statement Comment: The District subjects all generators to the Chapter 42 generator requirements regardless of the amount of waste generated. This difference makes the District's program more stringent.

on-site generator requirements	II,48, †142 A	262.10(c)	4200.3	X			
† requirements for exporters/importers of waste subject to Part 262 manifest requirements or Part 273 universal waste standards, to or from countries listed in 262.58 (a)(1)	152	262.10(d)	4200.4	X			
importer requirements	II, †142 A, †152	262.10(e)	4200.5	X			
farmer's requirements	II,48, †142 A, †152	262.10(f)	4200.6	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
compliance requirements and penalties	II, ‡142 A, ‡152	262.10(g)	4200.7	X			
requirements for initiators of shipment	II, ‡142 A, ‡152	262.10(h)	4200.8	X			
persons responding to an explosives or munitions emergency not required to comply with Part 262	156	262.10(i)	4200.9	X			

HAZARDOUS WASTE DETERMINATION

determine if a waste is a hazardous waste	*	262.11	4200.10	X			
excluded under 261.4	II	262.11(a)	4200.10(a)	X			
listed in Subpart D, Part 261	II	262.11(b)	4200.10(b)	X			
identified in subpart C, Part 261	II,78,83	262.11(c)	4200.10(c)	X			
testing	II	262.11(c)(1)	4200.10(c)(1)	X			
characteristics	II	262.11(c)(2)	4200.10(c)(2)	X			
refer to Parts 261, 264, 265, 266, 268 and 273 for possible exclusions or restrictions pertaining to management of specific wastes	34, ‡142 A	262.11(d)	4200.10(d)	X			

EPA IDENTIFICATION NUMBERS

EPA identification number required	II	262.12(a)	4200.11	X			
application for EPA ID number	II	262.12(b)	4200.12	X			
hazardous waste must not be offered to transporters or TSDFs without EPA ID numbers	II	262.12(c)	4200.13	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: (1) 20 DCMR §§4200.14 and 4200.15 address the issuance of provisional identification numbers. While these are not specifically addressed in the Federal hazardous waste regulations, EPA does issue these types of identification numbers in emergency situations or for a one time generator. This is the same manner in which the District will utilize its provisional identification numbers. (2) 20 DCMR §4200.16 requires that all generators obtain a permit under 20 DCMR §4208. Such a permit must be renewed on a biennial basis. The generator must also pay a fee to obtain a permit. These requirements make the District's program broader in scope than the Federal program.

SUBPART B - THE MANIFEST

GENERAL REQUIREMENTS

offsite transportation; manifest preparation	II,5	262.20(a)	4201.1	X			
designated facility permitted to handle waste	II	262.20(b)	4201.2	X			
designated alternate facility	II	262.20(c)	4201.3	X			
procedures when transporter unable to deliver	II	262.20(d)	4201.4	X			
exemption for generators of 100 kg to 1000 kg/month under specified conditions	23	262.20(e)	No analog			X	
		262.20(e)(1)	No analog			X	
		262.20(e)(1)(i)	No analog			X	
		262.20(e)(1)(ii)	No analog			X	
		262.20(e)(2)	No analog			X	

Corporation Counsel Statement Comment: 20 DCMR Chapter 42 does not contain an analog to 40 CFR 262.20(e) which subjects generators of between 100 kilograms to 1,000 kilograms per calendar month to reduced manifest requirements. Under the District's program, all generators are subject to the same requirements as the large quantity generators. As such, the District's program is more stringent than the Federal program.

exemption for transporters of hazardous waste on a right-of-way within or along a border of contiguous property; generator/transporter requirements if discharge	156	262.20(f)	4201.5	X			
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ACQUISITION OF MANIFESTS

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
use consignment State's manifest	5	262.21(a)	4201.6	X			
use generator State's manifest	5	262.21(b)	4201.7	X			
obtain manifest from any source	5	262.21(c)	4201.8	X			
NUMBER OF COPIES							
file copies; copy returned to generator	II	262.22	4201.9	X			
USE OF THE MANIFEST							
generator's duties	II	262.23(a)	4201.10	X			
generator's signature	II	262.23(a)(1)	4201.10(a)	X			
initial transporter's signature and date	II	262.23(a)(2)	4201.10(b)	X			
retain copy	II	262.23(a)(3)	4201.10(c)	X			
Corporation Counsel Statement Comment: At §4201.10(d) the District has an additional provision that requires that one copy of the manifest signed by the generator also be sent to the Department within 7 days after shipment acceptance by the initial transporter. This requirements make the District's program more stringent than the Federal program.							
copies to transporter	II	262.23(b)	4201.11	X			
Corporation Counsel Statement Comment: At §4201.12, the District includes an additional provision that requires a copy of the manifest, signed by the designated facility, also be sent to the Department within seven days of receipt of the copies. This requirement makes the District's program more stringent than the Federal program.							
shipment by water	II	262.23(c)	4201.13	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
shipment by rail	II	262.23(d)	4201.14	X			
		262.23(d)(1)	4201.14(a)	X			
		262.23(d)(2)	4201.14(b)	X			
		262.23(d)(3)	4201.14(c)	X			
shipment to State lacking authorization for particular waste	71	262.23(e)	4201.15	X			

SUBPART C - PRE-TRANSPORT REQUIREMENTS

PACKAGING

package according to DOT regulations on packaging under 49 CFR 173, 178 and 179	II	262.30	4202.1	X			
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LABELING

label according to DOT regulations on hazardous materials under 49 CFR 172	II	262.31	4202.2	X			
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MARKING

mark each package according to DOT regulations on hazardous materials under 49 CFR 172	II	262.32(a)	4202.3	X			
mark each container of 110 gal. or less; specific wording in accordance with 49 CFR 172.304	II	262.32(b)	4202.4	X			

PLACARDING

placard prior to off-site shipment; DOT regulations for hazardous materials under 49 CFR 172, Subpart F	II	262.33	4202.5	X			
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ACCUMULATION TIME

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
90 days accumulation without a permit; specific provisions which must be met	II,23	262.34(a)	4202.6, 4202.7 intro, 4202.7(a)	X			
the waste is placed:	II,28,92	262.34(a)(1)	4202.7(b)	D			

Corporation Counsel Statement Comment: The unnumbered requirement after 40 CFR 262.34(a)(iii)(B) has been moved to 20 DCMR §4202.7(b) for clarity. The paragraph has also been rewritten slightly to accommodate the District's formatting requirements.

in containers and generator complies with Subparts I,AA,BB and CC of Part 265; and/or	II,92, 154.1, 154.6	262.34(a)(1)(i)	4202.7(b)(1)			X	
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Corporation Counsel Statement Comment: At 20 DCMR §4202.7(b)(1), the analog to 40 CFR 262.34(a)(1)(i), the District subjects accumulation containers to the more stringent standards of the District's analog to 40 CFR 264 Subpart I rather than its analog to 40 CFR 265 Subpart I. This difference makes the District's program more stringent than the Federal program.

in tanks and generator complies with Subparts J, AA, BB and CC of Part 265, except 265.197(c) and 265.200; and/or	II,92, 154.1	262.34(a)(1)(ii)	4202.7(b)(2)			X	
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Corporation Counsel Statement Comment: At 20 DCMR §4202.7(b)(2), the analog to 40 CFR 262.34(a)(1)(ii), the District subjects generators accumulating in tanks to its 40 CFR 264, Subpart J analog rather than its analog to 40 CFR 265, Subpart J. In general, the District's 40 CFR 264 Subpart J analog is either equivalent to or more stringent than 40 CFR 265, Subpart J. The District has included additional requirements at 20 DCMR §4202.7(b)(2) to take into account those few situations where the District's 40 CFR 264 Subpart J analog is less stringent than its 40 CFR 265 Subpart J counterpart. In addition, the District's 40 CFR 264, Subpart J analog is more stringent because it also subjects the handler to provisions equivalent to 40 CFR 265.197(c) and 40 CFR 265.200 which 40 CFR 262.34(a)(1)(ii) specifically excludes from being required.

† on drip pads; generator compliance with Subpart W of Part 265; maintenance of the following records at the facility:	82,92, 109	262.34(a)(1)(iii)	4202.7(b)(3)	X			
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CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† description of procedures to ensure wastes are removed from drip pad and associated collection system at least once every 90 days	82,92	262.34(a)(1)(iii)(A)	4202.7(b)(3)(A)	X			
† documentation of each waste removal, including quantity, date and time of removal; and/or	82,92,109	262.34(a)(1)(iii)(B)	4202.7(b)(3)(B)	X			
waste placed in containment buildings; compliance with 265, Subpart DD; professional engineer certification of compliance with 265.1101 design standards placed in operating record no later than 60 days after the date of initial unit operation; requirements after February 18, 1993; records which must be maintained	109	262.34(a)(1)(iv)	4202.7(b)(4)	X			
Corporation Counsel Statement Comment: Note the February 18, 1993 date has been revised because this compliance date has past and the District cannot conduct retroactive enforcement. The District requires the PE certification prior to operation of the unit.							
written description of procedures to ensure each waste volume remains in unit for no more than 90 days; written description of waste generation and management practices for the facility showing that they respect the 90 day limit; documentation that procedures are complied with	109	262.34(a)(1)(iv)(A)	4202.7(b)(4)(A)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
documentation that unit is emptied at least once every 90 days	109	262.34(a)(1)(iv)(B)	4202.7(b)(4)(B)	X			
generator exemption from Subparts G and H of Part 265 requirements, except 265.111 and 265.114	82,92,109	unnumbered paragraph following 262.34(a)(1)(iv)(B)	4202.7(b) last sentence	X			
date each period of accumulation begins is marked and visible	II,82,92,109	262.34(a)(2)	4202.7(c)	X			
labeled or marked "Hazardous Waste"	II,82,92	262.34(a)(3)	4202.7(d)	X			
compliance with 265, Subparts C and D, 265.16, and 268.7(a)(4)	II,78,82,92	262.34(a)(4)	4202.7(e)	X			
consequences of accumulation for longer than 90 days; criteria for extension beyond this period	II	262.34(b)	4202.6(c), 4202.8	X			
accumulation of up to 55 gal. of hazardous waste or 1 qt. acutely hazardous waste at point of generation; provisions which must be complied with; procedure if quantity limit is exceeded	12	262.34(c)(1)	No analog			X	
		262.34(c)(1)(i)	No analog			X	
		262.34(c)(1)(ii)	No analog			X	
		262.34(c)(2)	No analog			X	
Corporation Counsel Statement Comment: The District's regulations do not contain an analog to 40 CFR 262.34(c) which addresses satellite accumulation because the District does not allow this type of accumulation. This difference makes the District's program more stringent than the Federal program.							
180 day accumulation for 100 kg to 1,000 kg/month generator, provided:	23	262.34(d)	No analog			X	
quantity never exceeds 6000 kg	23	262.34(d)(1)	No analog			X	

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
compliance with 265 of this chapter, Subpart I, except 265.176 and 265.178	23,28, 154.1	262.34(d)(2)	No analog			X	
compliance with 265.201	28	262.34(d)(3)	No analog			X	
compliance with 262.34 (a)(2)&(3) and 265, Subpart C and 268.7(a) (4)	23,28,83	262.34(d)(4)	No analog			X	
compliance with specific emergency precautions and procedures	23,28	262.34(d)(5)	No analog			X	
		262.34(d)(5)(i)	No analog			X	
		262.34(d)(5)(ii)	No analog			X	
		262.34(d)(5)(ii)(A)	No analog			X	
		262.34(d)(5)(ii)(B)	No analog			X	
		262.34(d)(5)(ii)(C)	No analog			X	
		262.34(d)(5)(iii)	No analog			X	
		262.34(d)(5)(iv)	No analog			X	
		262.34(d)(5)(iv)(A)	No analog			X	
		262.34(d)(5)(iv)(B)	No analog			X	
		262.34(d)(5)(iv)(C)	No analog			X	
		262.34(d)(5)(iv)(C) (I)-(5)	No analog			X	
Corporation Counsel Statement Comment: The District subjects generators of between 100 kg and 1,000 kg of hazardous waste in a calendar month to full regulation. This makes the District more stringent.							
200 miles or more transport, 270 day accumulation time; compliance with 262.34 (d)	23	262.34(e)	No analog			X	

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District does not allow this extension because District generators of between 100 kg and 1,000 kg of hazardous waste in a calendar month are subject to full regulation. This makes the District more stringent.

requirements if accumulation in excess of 6000 kg or longer than 180 days (270 days if waste is transported over a distance of 200 miles)	23	262.34(f)	No analog			X	
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Corporation Counsel Statement Comment: The District does not allow this extension because District generators of between 100 kg and 1,000 kg of hazardous waste in a calendar month are subject to full regulation. This makes the District more stringent.

SUBPART D - RECORDKEEPING AND REPORTING

RECORDKEEPING

manifest copy retention for 3 years	II	262.40(a)	4203.1	X			
biennial report and exception report retention for 3 years	II,+1	262.40(b)	4203.2	X			
test results and waste analyses retention for 3 years	II	262.40(c)	4203.3	X			
automatic extension of retention periods during unresolved enforcement action	II	262.40(d)	4203.4	X			

BIENNIAL REPORT

off-site shipper must submit a biennial report; form used and what must be submitted	II,1,31	262.41(a)	4203.5	X			
EPA ID number	II	262.41(a)(1)	4203.5(a)	X			
calendar year covered	II	262.41(a)(2)	4203.5(b)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
off-site TSD facility information	II,31	262.41(a)(3)	4203.5(c)			X	

Corporation Counsel Statement Comment: The District requires that the name and address of foreign facilities to which hazardous waste has been exported also be reported. This difference makes the District's requirements more stringent.

transporter information	II,31	262.41(a)(4)	4203.5(d)	X			
hazardous waste information and how it must be reported	II,31	262.41(a)(5)	4203.5(e)			X	

Corporation Counsel Statement Comment: The District requires the 40 CFR 262.41(a)(5) information for all TSD facilities, not just those in the United States. This difference makes the District's requirements more stringent.

describe efforts to reduce volume and toxicity	17 D	262.41(a)(6)	4203.5(f)	X			
a description of changes in volume and toxicity	17 D	262.41(a)(7)	4203.5(g)	X			
certification	II,17 D	262.41(a)(8)	4203.5(h)	X			
on-site handler; separate annual reports for exports	II,1,31	262.41(b)	4203.6	X			

EXCEPTION REPORTING

generators of greater than 1000 kg/month; requirements if manifest copy not received within 35 days	II,42	262.42(a)(1)	4203.7	X			
if manifest copy not received within 45 days, must submit exception report; what the report must include	II,42	262.42(a)(2)	4203.8	X			
		262.42(a)(2)(i)&(ii)	4203.8(a)&(b)	X			
generators of 100 to 1000 kg/month; requirements if manifest copy not received within 60 days	42	262.42(b)	No analog			X	

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: 1) The District does not make a distinction by generation level for the exception report. As such, generators of between 0 and 1,000 kg per calendar month are subject to the same requirements as large quantity generators (i.e., those generating more than 1,000 kilograms per calendar month). The District is, therefore, more stringent than the Federal program. (2) At §4203.9, the District includes an additional provision that requires notification within fourteen days of any changes to the Notification of Regulated Waste Activity (EPA form 8700-12) and when the generating facility closes or ceases generation. This makes the District more stringent.

ADDITIONAL REPORTING

additional information may be required under 2002(a) and 3002(6) of RCRA regarding quantity and disposition	II	262.43	4203.10	X			
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SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 AND 1000 KG/MONTH

requirements the generator of 100 to 1000 kg/month is subject to	23,42	262.44	No analog			X	
		262.44(a)	No analog			X	
		262.44(b)	No analog			X	
		262.44(c)	No analog			X	

Corporation Counsel Statement Comment: The District subjects generators of between 0 and 1,000 kg per calendar month to full regulation under these requirements and, thus, to the additional reporting requirements.

SUBPART E - EXPORTS OF HAZARDOUS WASTE

Corporation Counsel Statement Comment: The District's program includes an analog to 40 CFR 262, Subpart E. In all cases where appropriate, the authority for these requirements has been left with the EPA Administrator.

APPLICABILITY

establishes applicability	31	262.50	4204.1	X			
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DEFINITIONS

"consignee"	31	262.51	5400.1	X			
"EPA Acknowledgement of Consent"	31	262.51	5400.1	X			
"primary exporter"	31	262.51	5400.1	X			
"receiving country"	31	262.51	5400.1	X			
"transit country"	31	262.51	5400.1	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
GENERAL REQUIREMENTS							
exports prohibited unless:	31	262.52	4204.2	X			
notification	31	262.52(a)	4204.2(a)	X			
consent of receiving country	31	262.52(b)	4204.2(b)	X			
EPA Acknowledgment of Consent	31	262.52(c)	4204.2(c)	X			
conformation to terms	31	262.52(d)	4204.2(d)	X			
NOTIFICATION OF INTENT TO EXPORT							
		262.53(a)	4204.3	X			
		262.53(a)(1)	4204.3(a)	X			
		262.53(a)(2)	4204.3(b)	X			
		262.53(a)(2)(i)	4204.3(b)(1)	X			
		262.53(a)(2)(ii)	4204.3(b)(2)	X			
		262.53(a)(2)(iii)	4204.3(b)(3)	X			
		262.53(a)(2)(iv)	4204.3(b)(4)	X			
		262.53(a)(2)(v)	4204.3(b)(5)	X			
		262.53(a)(2)(vi)	4204.3(b)(6)	X			
		262.53(a)(2)(vii)	4204.3(b)(7)	X			
contents of notification	31	262.53(a)(2)(viii)	4204.3(b)(8)	X			
office to notify	31,97, †152	262.53(b)	4204.3(c)			X	
Corporation Counsel Statement Comment: The District also requires that a copy of the notification be sent to the District's Department of Health. This additional reporting requirement makes the District more stringent.							
changes in original notification	31	262.53(c)	4204.4	X			
additional information	31	262.53(d)	4204.5	X			
EPA notification to receiving and transit countries	31	262.53(e)	4204.6	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
EPA notification to primary exporter	31	262.53(f)	4204.6	X			

SPECIAL MANIFEST REQUIREMENTS

compliance with 262.20 through 262.23 requirements; exceptions:	31	262.54	4204.7	X			
consignee	31	262.54(a)	4204.7(a)	X			
alternate consignee	31	262.54(b)	4204.7(b)	X			
point of departure	31	262.54(c)	4204.7(c)	X			
item 16 of manifest	31	262.54(d)	4204.7(d)	X			
obtaining manifest	31	262.54(e)	4204.7(e)	X			
acknowledgment of receipt by consignee	31	262.54(f)	4204.7(f)	X			
procedures when unable to deliver	31	262.54(g)	4204.7(g)	X			
		262.54(g)(1)	4204.7(g)(1)	X			
		262.54(g)(2)	4204.7(g)(2)	X			
		262.54(g)(3)	4204.7(g)(3)	X			
copy of Consent	31	262.54(h)	4204.7(h)	X			
manifest copy to Customs official at border	31	262.54(i)	4204.7(i)	X			

EXCEPTION REPORTS

exporter requirements for exception reports:	31	262.55	4204.8	X			
no manifest within 45 days	31	262.55(a)	4204.8(a)	X			
no confirmation within 90 days	31	262.55(b)	4204.8(b)	X			
returned waste	31	262.55(c)	4204.8(c)	X			

ANNUAL REPORTS

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
reporting requirements; contents of report	31	262.56(a)	4204.9 intro	X			
		262.56(a)(1)	4204.9(a)	X			
		262.56(a)(2)	4204.9(b)	X			
		262.56(a)(3)	4204.9(c)	X			
		262.56(a)(4)	4204.9(d)	X			
		262.56(a)(5)	4204.9(e)	X			
		262.56(a)(5)(i)&(ii)	4204.9(e)(1) & (2)	X			
office filed with	31,97, †152	262.56(b)	4204.9 intro			X	

Corporation Counsel Statement Comment: The District also requires that a copy of the report be sent to the District's Department of Health. This additional reporting requirement makes the District more stringent.

RECORDKEEPING

length to keep records	31	262.57(a)	4204.10	X			
		262.57(a)(1)	4204.10(a)	X			
		262.57(a)(2)	4204.10(b)	X			
		262.57(a)(3)	4204.10(c)	X			
		262.57(a)(4)	4204.10(d)	X			
retention period extension	31	262.57(b)	4204.10(e)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
INTERNATIONAL AGREEMENTS							
† requirements for exporters/importers of hazardous waste subject to manifest requirements of Part 262, to universal waste standards of Part 273 or to analogous state standards, to or from countries defined in (a) (1) for recovery	31,152	262.58(a)	4204.11(a)	X			
† designated OECD countries	152	262.58(a)(1)	4204.11(b)	X			
† Canada and Mexico	152	262.58(a)(2)	4204.11(c)	X			
† requirements for exporters/importers of hazardous waste from OECD countries other than for recovery, or from Canada or Mexico for any purpose	152	262.58(b)	4204.11(d)	X			

SUBPART F - IMPORTS OF HAZARDOUS WASTE

Corporation Counsel Statement Comment: The District's program includes an analog to 40 CFR 262, Subpart F. In all cases where appropriate, the authority for these requirements has been left with the EPA Administrator.

IMPORTS OF HAZARDOUS WASTE

applicability	31	262.60(a)	4205.1	X			
manifest requirements; exceptions	31	262.60(b)	4205.2	X			
		262.60(b)(1)	4205.2(a)	X			
		262.60(b)(2)	4205.2(b)	X			
obtaining manifest	31	262.60(c)	4205.3	X			

SUBPART G - FARMERS

FARMERS

provisions for variance	31,†39	262.70	4206.1	X			
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SUBPART H - TRANSFRONTIER SHIPMENTS OF HAZARDOUS WASTE FOR RECOVERY WITHIN THE OECD

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District's program includes an analog to 40 CFR 262, Subpart H. In all cases where appropriate, the authority for these requirements has been left with the EPA Administrator.

† APPLICABILITY

requirements of part 262 subpart H apply to imports and exports of wastes considered hazardous under U.S. national procedures and destined for recovery in countries listed in 262.58 (a)(1); a waste is considered hazardous if it meets the definition of hazardous waste in 261.3 and is subject to either the manifesting requirements in part 262 subpart B, the universal waste management standards in part 273, or State requirements analogous to part 273	152	262.80(a)	4207.1	X			
persons who mix two or more wastes or subject two or more wastes to physical or chemical transformation operations, and thereby create a new hazardous waste, become generators and assume generator duties under RCRA and any notifier duties under part 262 subpart H, if applicable	152	262.80(b)	4207.2	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

† DEFINITIONS

definitions applicable to part 262 subpart H	152	262.81	No analog	D			
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Corporation Counsel Statement Comment: The District does not have an analog to this provision because all of the definitions are found at §5400.1 and they are applicable to all of the regulations, not just portions of them.

"competent authorities"	152	262.81(a)	5400.1	X			
"concerned countries"	152	262.81(b)	5400.1	X			
"consignee"	152	262.81(c)	5400.1	X			
"country of transit"	152	262.81(d)	5400.1	X			
"exporting country"	152	262.81(e)	5400.1	X			
"importing country"	152	262.81(f)	5400.1	X			
"notifier"	152	262.81(g)	5400.1	X			
"OECD area"	152	262.81(h)	5400.1	X			
"recognized trader"	152	262.81(i)	5400.1	X			
"recovery facility"	152	262.81(j)	5400.1	X			
"recovery operations"	152	262.81(k)	5400.1	X			
"transfrontier movement"	152	262.81(l)	5400.1	X			

† GENERAL CONDITIONS

level of import and export waste control is indicated by green, amber, or red lists and by U.S. national procedures as defined in 262.80(a); green, amber, and red lists are incorporated by reference in 262.89(e)	152	262.82(a)	4207.3	X			
green-list wastes are subject to existing controls normally applied to commercial transactions, except as provided below:	152	262.82(a)(1)	4207.4	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
green-list wastes that are considered hazardous under U.S. national procedures are subject to amber-list controls	152	262.82(a)(1)(i)	4207.4(a)	X			
green-list wastes that are contaminated or mixed with amber-list wastes, such that the waste is considered hazardous, are subject to amber-list controls	152	262.82(a)(1)(ii)	4207.4(b)	X			
green-list wastes that are contaminated or mixed with red-list wastes, such that the waste is considered hazardous under U.S. national procedures, are subject to red-list controls	152	262.82(a)(1)(iii)	4207.4(c)	X			
amber-list wastes that are considered hazardous under 262.80(a) are subject to the amber-list controls of part 262 subpart H	152	262.82(a)(2)	4207.5	X			
amber-list wastes contaminated or mixed with red-list wastes, such that the waste is considered hazardous under U.S. national procedures, must be handled in accordance with red-list controls	152	262.82(a)(2)(i)	4207.5(a)	X			
[Reserved]	152	262.82(a)(2)(ii)	4207.5(b)	X			
red-list wastes that are considered hazardous under 262.80(a) are subject to red-list controls of part 262 subpart H	152	262.82(a)(3)	4207.6	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
wastes not yet assigned to a list are eligible for transfrontier movements, as follows:	152	262.82(a)(4)	4207.8	X			
wastes considered hazardous under 262.80 (a) are subject to red-list controls, or	152	262.82(a)(4)(i)	4207.8(a)	X			
wastes not considered hazardous under 262.80 (a) may move as though they appeared on the green list	152	262.82(a)(4)(ii)	4207.8(b)	X			
general conditions applicable to transfrontier movements of hazardous waste	152	262.82(b)	4207.9	X			
waste must be destined for recovery operations at a facility that, under domestic law, is operating or is authorized to operate in the importing country	152	262.82(b)(1)	4207.9(a)	X			
transfrontier movement must comply with international transport agreements, and	152	262.82(b)(2)	4207.9(b)	X			
waste transported through a non-OECD country must comply with applicable international and national laws and regulations	152	262.82(b)(3)	4207.9(c)	X			
provisions relating to re-export for recovery to a third country	152	262.82(c)	4207.10	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
re-export of amber-list wastes from U.S., as the importing country, to a third country listed in 262.58(a)(1) may occur only after a notifier in the U.S. provides notification to and obtains consent of competent authorities in the third country, the original exporting country, and new transit countries; notification must comply with 262.83; 30-day objection period to proposed movement	152	262.82(c)(1)	4207.10(a)	X			
30-day period begins when competent authorities in both the initial exporting country and the new importing country issue Acknowledgements of Receipt of the notification	152	262.82(c)(1)(i)	4207.10(a)(1)	X			
transfrontier movement may commence if no objection lodged after the 30-day period has passed or immediately after written consent is received from all relevant OECD importing or transit countries	152	262.82(c)(1)(ii)	4207.10(a)(2)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
re-export of red-list wastes from original importing country to a third country listed in 262.58(a)(1) may occur following notification of the competent authorities in the third country, the original exporting country, and new transit countries by a notifier in original importing country in accordance with 262.83; transfrontier movement may not proceed until receipt by original importing country of written consent of the competent authorities	152	262.82(c)(2)	4207.10(b)	X			
re-export of amber-list or red-list wastes to a country other than those listed in 262.58(a)(1) is subject to the notification and consent requirements in 262.82 (c)(1)&(2) in addition to compliance with international agreements and arrangements to which the first importing OECD country is party and all applicable regulatory requirements for exports from the first importing country	152	262.82(c)(3)	4207.10(c)	X			

† NOTIFICATION AND CONSENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
applicability; consent must be obtained from competent authorities of OECD importing and transit countries prior to exporting hazardous waste destined for recovery operations subject to part 262 subpart H; hazardous wastes subject to amber-list controls are subject to the requirements in 262.83(b); hazardous wastes subject to red-list controls are subject to the requirements in 262.83(c); and wastes not identified on any list are subject to the requirements in 262.83 (d)	152	262.83(a)	4207.11	X			
export from the U.S. of hazardous wastes on the amber list described in 262.80(a) is prohibited unless the requirements of 262.83(b)(1) or (2) are met	152	262.83(b)	4207.12 intro, 4207.12(a)	X			
transactions requiring specific consent:	152	262.83(b)(1)	4207.12(a) last sentence	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
at least 45 days prior to transfrontier movement the notifier must provide written notification in English of proposed transfrontier movement to Office of Enforcement and Compliance Assurance, with words "Attention: OECD Export Notification" on the envelope; notification must include all the information identified in 262.83(e); for wastes with similar physical and chemical characteristics, the same U.N. classifications, and the same RCRA wastes codes, which are to be sent to the same recovery facility, the notifier may submit one notification of intent to export wastes in multiple shipments during a period of up to one year	152	262.83(b)(1)(i)	4207.12(a)(1)			X	

Corporation Counsel Statement Comment: The District also requires that a copy of the notification be sent to the District's Department of Health. This additional reporting requirement makes the District more stringent.

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
transfrontier movement may commence upon tacit consent; if no objections to notification provided pursuant to 262.83(b)(1)(i) are lodged within 30 days after issuance of Acknowledgment of Receipt by the competent authority of the importing country; tacit consent expires one year after close of 30 day period; renotification and renewal is required for exports after that expiration date	152	262.83(b)(1)(ii)	4207.12(a)(2)	X			
written consent; if competent authorities of OECD importing and transit countries provide written consent in a period less than 30 days, transfrontier movement may commence immediately; written consent expires one year after date of consent; renotification and renewal is required for exports after that expiration date	152	262.83(b)(1)(iii)	4207.12(a)(3)	X			
shipments to facilities pre-approved by competent authorities of importing countries:	152	262.83(b)(2)	4207.12(b)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
notifier must provide EPA with information identified in 262.83(e) at least 10 days in advance of shipment to pre-approved facility; notification should indicate the facility is pre-approved, and may apply to a single specific shipment or multiple shipments as described in 262.83(b)(1)(i); information must be sent to Office of Enforcement and Compliance Assurance with "OECD Export Notifications-- Pre-approved Facility" displayed on the envelope	152	262.83(b)(2)(i)	4207.12(b)(1)	X			
shipments may commence after notification required in 262.83(b)(1)(i) is received by competent authorities of all concerned countries, unless notifier receives information indicating objections to the shipment	152	262.83(b)(2)(ii)	4207.12(b)(2)	X			
export from the U.S. of hazardous wastes as described in 262.80(a) that appear on the red list is prohibited unless notice pursuant to 262.83 (b)(1)(i) is given and notifier receives written consent from the importing country and any transit countries prior to transfrontier movement	152	262.83(c)	4207.13	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
wastes not assigned to the green, amber, or red list that are considered hazardous under 262.80 (a) are subject to notification and consent requirements for red-list wastes in accordance with 262.83(c); unlisted wastes that are not considered hazardous under 262.80(a) are not subject to amber or red controls when exported or imported	152	262.83(d)	4207.14	X			
notifications submitted must include the following information:	152	262.83(e)	4207.15	X			
serial number or other identifier of the notification form	152	262.83(e)(1)	4207.15(a)	X			
notifier name and EPA identification number, address, and telephone and telefax numbers	152	262.83(e)(2)	4207.15(b)	X			
importing recovery facility name, address, telephone and telefax numbers, and technologies employed	152	262.83(e)(3)	4207.15(c)	X			
consignee name, address, and telephone and telefax numbers; whether consignee will engage in waste exchange or storage prior to delivery to final recovery facility and identification of operations employed at final recovery facility	152	262.83(e)(4)	4207.15(d)	X			
intended transporters and/or their agents	152	262.83(e)(5)	4207.15(e)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
country of export and competent authority; point of departure	152	262.83(e)(6)	4207.15(f)	X			
countries of transit and competent authorities; points of entry and departure	152	262.83(e)(7)	4207.15(g)	X			
country of import and competent authority; point of entry	152	262.83(e)(8)	4207.15(h)	X			
statement of whether notification is single or general notification; if general, include period of validity	152	262.83(e)(9)	4207.15(i)	X			
date foreseen for commencement of transfrontier movement	152	262.83(e)(10)	4207.15(j)	X			
designation of waste type (s) from list (green, red or amber), descriptions of each waste type, estimated total quantity of each waste, RCRA waste code, and U.N. number; and	152	262.83(e)(11)	4207.15(k)	X			
certification/declaration signed by notifier that the information is complete and correct, and that legally enforceable written contractual obligations have been entered into	152	262.83(e)(12)	4207.15(l)	X			
note	152	262.83(e)(12), note	4207.16	X			

† TRACKING DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
U.S. parties subject to 262.85 must ensure that a tracking document meeting the conditions of 262.84(b), accompanies each transfrontier shipment of amber-list or red-list wastes as specified, except as provided in 262.84(a)(1) and (2)	152	262.84(a)	4207.17	X			
for shipments of hazardous waste in the U.S. solely by water (bulk shipments only), the generator must forward tracking document to last water transporter to handle the waste in the U.S. in accordance with 262.23 (c)	152	262.84(a)(1)	4207.17(a)	X			
for rail shipments of hazardous waste in the U.S. originating at the site of generation, the generator must forward the tracking document with the manifest in accordance with 262.23 (d) to next non-rail transporter or to last rail transporter to handle the waste in the U.S.	152	262.84(a)(2)	4207.17(b)	X			
tracking document must include information required under 262.83 and the following:	152	262.84(b)	4207.18	X			
date shipment commenced	152	262.84(b)(1)	4207.18(a)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
name (if not notifier), address, phone and telefax number of primary exporter	152	262.84(b)(2)	4207.18(b)	X			
company name and EPA identification number of all transporters	152	262.84(b)(3)	4207.18(c)	X			
identification (license, registered name or registration number) of means of transport, including types of packaging	152	262.84(b)(4)	4207.18(d)	X			
any special precautions to be taken by transporters	152	262.84(b)(5)	4207.18(e)	X			
certification/declaration signed by notifier that no objection to the shipment has been lodged	152	262.84(b)(6)	4207.18(f)	X			
appropriate signatures for each custody transfer	152	262.84(b)(7)	4207.18(g)	X			
notifiers must comply with manifest requirements of 262.54 (a),(b),(c),(e), and (i) and part 262 subpart F	152	262.84(c)	4207.19	X			
each U.S. person that has physical custody of waste must sign tracking document	152	262.84(d)	4207.20	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
within three working days of the receipt of imports subject to part 262 subpart H, the owner or operator of the U.S. recovery facility must send signed copies of the tracking document to notifier, Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division, and to competent authorities of exporting and transit countries	152	262.84(e)	4207.21			X	

Corporation Counsel Statement Comment: The District also requires that a copy of the document be sent to the District's Department of Health. This additional reporting requirement makes the District more stringent.

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
† CONTRACTS							
transfrontier movements of hazardous wastes subject to amber or red control procedures are prohibited unless they occur under a valid written contract, chain of contracts, or equivalent arrangements; such contracts or equivalent arrangements must be executed by the notifier and the owner or operator of the recovery facility; such contracts or equivalent arrangements are valid only if participants have appropriate legal status	152	262.85(a)	4207.22(a)	X			
contracts or equivalent arrangements must specify name and EPA identification number, where available, of:	152	262.85(b)	4207.22(b)	X			
generator of each type of waste;	152	262.85(b)(1)	4207.22(b)(1)	X			
each person who will have physical custody of wastes;	152	262.85(b)(2)	4207.22(b)(2)	X			
each person who will have legal control of wastes; and	152	262.85(b)(3)	4207.22(b)(3)	X			
the recovery facility	152	262.85(b)(4)	4207.22(b)(4)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
contracts or equivalent arrangements must specify the party who will assume responsibility for alternate waste management if its disposition cannot be carried out as described in the notification of intent to export; contracts must specify:	152	262.85(c)	4207.22(c)	X			
person with actual possession or physical control of wastes must immediately inform notifier and competent authorities of the exporting and importing countries; if wastes located in a country of transit, notify competent authorities of that country; and	152	262.85(c)(1)	4207.22(c)(1)	X			
person specified in contract assumes responsibility for adequate management of wastes in compliance with applicable laws including arranging for the return of the waste to original country of export, if necessary	152	262.85(c)(2)	4207.26(c)(2)	X			
contracts must specify that the consignee will provide notification as required in 262.82(c) prior to re-export to a third country	152	262.85(d)	4207.22(d)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
contracts or equivalent arrangements must include financial guarantee provisions, if required, in accordance with applicable national or international law	152	262.85(e)	4207.22(e)	X			
note	152	262.85(e), note	4207.22(f)	X			
contracts or equivalent arrangements must require compliance with all applicable requirements of part 262 subpart H	152	262.85(f)	4207.22(g)	X			
upon EPA request, U.S. notifiers, consignees, or recovery facilities must submit to EPA copies of contracts, chain of contracts or equivalent arrangements; confidential information in the contracts or equivalent arrangements will be disclosed by EPA only as provided in 260.2	152	262.85(g)	4207.22(h)	X			
note	152	262.85(g), note	4207.22(i)	X			
† PROVISIONS RELATING TO RECOGNIZED TRADERS							
a recognized trader who takes physical custody of waste and conducts recovery operations is acting as the owner or operator of a recovery facility and must be authorized in accordance with applicable Federal law	152	262.86(a)	4207.23(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a recognized trader acting as notifier or consignee must comply with the requirements of part 262 subpart H	152	262.86(b)	4207.23(b)	X			

† REPORTING AND RECORDKEEPING

for all waste movements subject to part 262 subpart H, primary exporters, as defined in 262.51, shall file annual reports no later than March 1 of each year that summarize the types, quantities, frequency, and ultimate destination of all hazardous waste exported; such reports shall include:	152	262.87(a)	4207.24			X	
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Corporation Counsel Statement Comment: The District also requires that a copy of the report be sent to the District's Department of Health. This additional reporting requirement makes the District more stringent.

EPA identification number, name, mailing and site address of the notifier filing report	152	262.87(a)(1)	4207.24(a)	X			
calendar year covered by the report	152	262.87(a)(2)	4207.24(b)	X			
name and site address of each final recovery facility	152	262.87(a)(3)	4207.24(c)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
for each hazardous waste exported by a final recovery facility, a description of the hazardous waste, EPA hazardous waste number, OECD waste type(s) and waste code, DOT hazard class, name and EPA identification number of each transporter, total amount of waste shipped, and number of shipments pursuant to each notification	152	262.87(a)(4)	4207.24(d)	X			
in even numbered years, for each hazardous waste exported, except for hazardous waste produced by exporters of greater than 100 kg but less than 1000 kg in a calendar month, and except for waste for which information already provided pursuant to 262.41:	152	262.87(a)(5)	4207.24(e)	X			
description of efforts to reduce volume and toxicity of waste generated; and	152	262.87(a)(5)(i)	4207.24(e)(1)	X			
description of changes in volume and toxicity achieved during the year in comparison to previous years; and	152	262.87(a)(5)(ii)	4207.24(e)(2)	X			
certification signed by primary exporter that the information is true, accurate, and complete	152	262.87(a)(6)	4207.24(f)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
exception reports; persons meeting the definition of primary exporter in 262.51 must file an exception report with the Administrator in lieu of the requirements of 262.42 if any of the following occurs:	152	262.87(b)	4207.25	X			
he has not received a copy of the tracking document signed by the transporter stating the point of departure of the waste from the U.S. within 45 days from acceptance date	152	262.87(b)(1)	4207.25(a)	X			
within 90 days from the date the waste was accepted by the initial transporter, the notifier has not received written confirmation that the hazardous waste was received	152	262.87(b)(2)	4207.25(b)	X			
waste is returned to U.S.	152	262.87(b)(3)	4207.25(c)	X			
recordkeeping	152	262.87(c)	4207.26	X			
persons meeting the definition of primary exporter in 262.51 shall keep the following records:	152	262.87(c)(1)	4207.26	X			
a copy of each notification of intent to export and all written consents obtained from competent authorities of concerned countries for at least 3 years from the date the waste was accepted by the initial transporter	152	262.87(c)(1)(i)	4207.26(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a copy of each annual report for at least 3 years from the due date of the report; and	152	262.87(c)(1)(ii)	4207.26(b)	X			
a copy of any exception reports and a copy of each confirmation of delivery sent by the recovery facility to the notifier for at least 3 years as specified	152	262.87(c)(1)(iii)	4207.26(c)	X			
periods of retention are automatically extended during unresolved enforcement action or as requested by Administrator	152	262.87(c)(2)	4207.27	X			
† PRE-APPROVAL FOR U.S. RECOVERY FACILITIES							
reserved	152	262.88	4207.28	X			
† OECD WASTE LISTS							
for the purposes of part 262 subpart H, a waste is considered hazardous if the waste:	152	262.89(a)	4207.29	X			
meets Federal definition of hazardous waste in 261.3; and	152	262.89(a)(1)	4207.29(a)	X			
is subject to the RCRA manifesting requirements at part 262, subpart B, to the universal waste standards of part 273, or to State requirements analogous to part 273	152	262.89(a)(2)	4207.29(b)	X			

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if waste is hazardous under 262.89(a) and appears on the amber or red list, it is subject to amber- or red-list requirements, respectively	152	262.89(b)	4207.30	X			
if waste is hazardous under 262.89(a) and does not appear on either the amber or red lists, it is subject to red-list requirements	152	262.89(c)	4207.31	X			
the appropriate control procedures for hazardous waste and hazardous waste mixtures are addressed in 262.82	152	262.89(d)	4207.32	X			
OECD Green, Amber, and Red Lists as set forth in Appendices 3, 4, and 5 to the OECD Council Decision C (92)39/FINAL are incorporated by reference as they existed on date of approval; notice of any change will be published in the <u>Federal Register</u> ; these materials are available for inspection at Office of Federal Register and may be obtained from the Organization for Economic Cooperation, France	152	262.89(e)	4207.33	X			
Generator permits	NA	No Federal analog	4200.16, 4208				X

Corporation Counsel Statement Issue: 20 DCMR 4208 is an additional provision requiring that all generators obtain a permit and includes procedures for obtaining a generator permit. Such a permit must be renewed on a biennial basis. The generator must also pay a fee to obtain a permit. These requirements make the District's program broader in scope than the Federal program.

CONSOLIDATED CHECKLIST C3
40 CFR PART 262 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

APPENDIX TO PART 262

UNIFORM HAZARDOUS WASTE MANIFEST AND INSTRUCTIONS (EPA FORMS 8700-22 AND 8700-22A AND THEIR INSTRUCTIONS)

uniform hazardous waste manifest form; instructions	*,5, 17 D,31, 32,58	Appendix	4209.1, 4016	X			
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DISTRICT OF COLUMBIA

CONSOLIDATED CHECKLIST C4
Standards Applicable to Transporters of Hazardous Waste
40 CFR Part 263 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART A - GENERAL

SCOPE

transportation standards	III	263.10(a)	4300.1	X			
on-site transportation excluded	III	263.10(b)	4300.2	X			
compliance with 262 required if transporter:	III	263.10(c)	4300.3	X			
transports waste into U.S. from abroad	III	263.10(c)(1)	4300.3(a)	X			
mixes wastes of different DOT shipping descriptions	III	263.10(c)(2)	4300.3(b)	X			
† transporters importing or exporting hazardous waste subject to part 262, part 273, or analogous state standards to any countries listed in 262.58(a)(1) for recovery	152	263.10(d)	4300.4	X			
Part 263 does not apply to transportation during an explosives or munitions emergency response	156	263.10(e)	4300.5	X			
§ 266.203 identifies how this part applies to military munitions classified as solid waste	156	263.10(f)	4300.6	X			

EPA IDENTIFICATION NUMBER

EPA identification number required	III	263.11(a)	4300.7	D			
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Corporation Counsel Statement Comment: The District adds the phrase “or from an authorized State” to clarify that the transporter can have an identification number issued by an authorized State. This difference does not affect stringency. In addition, the District deems the issued identification number as a permit as required by §4 of HWMA.

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C4
 40 CFR Part 263 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
application for EPA ID number	III	263.11(b)	4300.8	X			

TRANSFER FACILITY REQUIREMENTS

exception for storage of 10 days or less	III,34	263.12	4300.9			X	
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Corporation Counsel Statement Comment: At 20 DCMR §4300.9, the District analog to 40 CFR 263.12, transporters storing waste at transfer facilities in the District for 10 days or less are subject to District requirements analogous to 40 CFR 264.14-264.17 and 40 CFR Subparts C, D, and F. These additional requirements make the District's program more stringent than the Federal program.

DOT requirements	NA	No direct Federal analog	4300.10	D			
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Corporation Counsel Statement Comment: At 20 DCMR §4300.10, the District includes an additional provision clarifying that the transporter must comply with the District hazardous waste requirements, with the U.S. Department of Transportation requirements addressing hazardous materials, and with any local requirements pursuant to the D.C. Hazardous Materials Transportation and Motor Carrier Safety Act of 1988. This clarifying provision is consistent with the Federal requirements (see the note after 40 CFR 263.10(a)) and does not affect stringency.

transfer facility permit	NA	No direct Federal analog	4300.11				X
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Corporation Counsel Statement Comment: 20 DCMR §4300.11 is an additional provision not found in the Federal program. It requires that all transporters holding a hazardous waste at a transfer facility in the District must obtain a Hazardous Waste Transfer Facility Permit pursuant to the requirements of 20 DCMR §4303, including the payment of fees. These requirements make the District's program broader in scope than the Federal program.

24 hour parking limit	N/A	No direct Federal analog	4300.12			X	
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Corporation Counsel Statement Comment: At 20 DCMR §4300.12, the District includes an additional provision not found in the Federal requirements which limits to 24 hours the amount of time a vacuum truck, pump truck or tanker containing hazardous waste may stay in the District without transferring the waste to containers meeting the requirements of 20 DCMR §4415. The Federal program does not have such a limitation. As such, the District program is more stringent than the Federal program.

SUBPART B - COMPLIANCE WITH THE MANIFEST SYSTEM AND RECORDKEEPING

THE MANIFEST SYSTEM

manifest required; conditions for accepting exported waste	III,31, †152	263.20(a)	4301.1	X			
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DISTRICT OF COLUMBIA
CONSOLIDATED CHECKLIST C4
40 CFR Part 263 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
signature and date; copy to generator	III	263.20(b)	4301.2	X			
manifest accompanies waste; EPA Acknowledgment of Consent also accompanies exports	III,31	263.20(c)	4301.3	X			
procedures when delivering waste to another transporter or to the designated facility	III	263.20(d)	4301.4	X			
		263.20(d)(1)	4301.4(a)	X			
		263.20(d)(2)	4301.4(b)	X			
		263.20(d)(3)	4301.4(c)	X			
water transporters, conditions under which 263.20(c), (d) & (f) do not apply	III	263.20(e)	4301.5	X			
delivered by water	III	263.20(e)(1)	4301.5(a)	X			
shipping paper; EPA Acknowledgment of Consent for exports	III,31	263.20(e)(2)	4301.5(b)	X			
signature of owner	III	263.20(e)(3)	4301.5(c)	X			
signature of transporter	III	263.20(e)(4)	4301.5(d)	X			
copies retained	III	263.20(e)(5)	4301.5(e)	X			
rail shipments; conditions under which 263.20(c), (d) & (e) do not apply	III	263.20(f)	4301.6	X			
duties of the initial rail transporter	III	263.20(f)(1)	4301.6(a)	X			
		263.20(f)(1)(i)	4301.6(a)(1)	X			
		263.20(f)(1)(ii)	4301.6(a)(2)	X			
		263.20(f)(1)(iii)	4301.6(a)(3)	X			
		263.20(f)(1)(iii)(A)-(C)	4301.6(a)(3)(A)-(C)	X			
		263.20(f)(1)(iv)	4301.6(a)(4)	X			

DISTRICT OF COLUMBIA
CONSOLIDATED CHECKLIST C4
40 CFR Part 263 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
shipping paper; EPA Acknowledgment of Consent for exports	III,31	263.20(f)(2)	4301.6(b)	X			
note	NA	263.20(f)(2)/Note	4301.7	X			
procedures when waste is delivered to designated facility	III	263.20(f)(3)	4301.6(c)	X			
		263.20(f)(3)(i)	4301.6(c)(1)	X			
		263.20(f)(3)(ii)	4301.6(c)(2)	X			
procedures when delivering to non-rail transporter	III	263.20(f)(4)	4301.6(d)	X			
		263.20(f)(4)(i)	4301.6(d)(1)	X			
		263.20(f)(4)(ii)	4301.6(d)(2)	X			
acceptance from a rail transporter by a non-rail transporter	III	263.20(f)(5)	4301.6(e)	X			
procedures when transporting waste out of U.S.	III	263.20(g)	4301.8	X			
date waste left U.S.	III	263.20(g)(1)	4301.8(a)	X			
signature and copy retention	III	263.20(g)(2)	4301.8(b)	X			
return signed copy to generator	III,31	263.20(g)(3)	4301.8(c)	X			
copy to U.S. Customs official at departure point	31	263.20(g)(4)	4301.8(d)	X			
transporters of waste from a generator of 100 kg/mo to 1000 kg/mo not subject to 263.20 or 263.22 provided:	23	263.20(h)	No analog			X	
reclamation agreement provided for in 262.20(e)	23	263.20(h)(1)	No analog			X	
what the transporter must record	23	263.20(h)(2)	No analog			X	
		263.20(h)(2)(i)	No analog			X	
		263.20(h)(2)(ii)	No analog			X	

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C4
 40 CFR Part 263 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
		263.20(h)(2)(iii)	No analog			X	
		263.20(h)(2)(iv)	No analog			X	
handling of records	23	263.20(h)(3)	No analog			X	
3-year record retention	23	263.20(h)(4)	No analog			X	

Corporation Counsel Statement Comment: The District's regulations do not contain an analog to 40 CFR 263.20(h) which allows an exception for waste from a generator of 100 to 1,000 kilograms per calendar month where there is a reclamation agreement. The District does not have this exception because it regulates the waste of a generator of between 100-1,000 kilograms per calendar month the same as the waste of a Federal large quantity generator. As such, the District's program is more stringent than the Federal program.

COMPLIANCE WITH THE MANIFEST

delivery of entire quantity to:	III	263.21(a)	4301.9	X			
designated facility	III	263.21(a)(1)	4301.9(a)	X			
alternate designated facility	III	263.21(a)(2)	4301.9(b)	X			
next designated transporter	III	263.21(a)(3)	4301.9(c)	X			
designated place outside the U.S.	III	263.21(a)(4)	4301.9(d)	X			
requirements if unable to deliver waste	III	263.21(b)	4301.10	X			

RECORDKEEPING

3-year record retention	III	263.22(a)	4301.11	X			
water transporter, 3 year record retention of shipping paper	III	263.22(b)	4301.12	X			
for shipments by rail:	III	263.22(c)	4301.13	X			
initial transporter retains manifest and shipping paper for 3 years	III	263.22(c)(1)	4301.13(a)	X			
final transporter retains manifest or shipping paper for 3 years	III	263.22(c)(2)	4301.13(b)	X			

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C4
 40 CFR Part 263 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
note		263.22(c)(2), Note	4301.14	X			
transporter of waste out of U.S. retains manifest for 3 years	III	263.22(d)	4301.15	X			
automatic extension of retention periods	III	263.22(e)	4301.16	X			

SUBPART C - HAZARDOUS WASTE DISCHARGES

IMMEDIATE ACTION

transporter action in event of discharge	III	263.30(a)	4302.1	X			
removal/authorization by official	III	263.30(b)	4302.2	X			
duties of transporter:	III	263.30(c)	4302.3	X			
notice to National Response Center	III	263.30(c)(1)	4302.3(a)	X			
written report to DOT	III	263.30(c)(2)	4302.3(b)			X	

Corporation Counsel Statement Comment: At DCMR 4302.3(b), the analog to 40 CFR 263.30(c)(2), the District requires that a copy of the report sent to the U.S. Department of Transportation also be sent to the Department of Health. This additional requirement makes the District's program more stringent than the Federal program.

water transporter must give same notice as required by 33 CFR 153.203 for oil and hazardous substances	III	263.30(d)	4302.4	X			
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DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C4
 40 CFR Part 263 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
DISCHARGE CLEAN UP							
transporter must clean up hazardous waste discharge	III	263.31	4302.5	X			
transporter permits	NA	No Federal analog	4303				X

Corporation Counsel Statement Comment: The District requires that all transporters holding a hazardous waste at a transfer facility in the District obtain a Hazardous Waste Transfer Facility Permit pursuant to the requirements of 20 DCMR 4303, including the payment of fees. These requirements make the District's program broader in scope than the Federal program.

DISTRICT OF COLUMBIA
CONSOLIDATED CHECKLIST C5

Part 1 of 5 parts

Standards for Owners and Operators of Hazardous Waste Treatment,
Storage, and Disposal Facilities
40 CFR Part 264, Subparts A-G, as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

purpose	*	264.1(a)	4400.1	X			
applies to all owners and operators of TSDFs with exceptions	IV A	264.1(b)	4400.2	X			
ocean disposal/permit by rule	IV A	264.1(c)	4400.5	X			

Note: The District of Columbia has incorporated the note after 40 CFR 264.1(c) at §4400.4.

UIC/permit by rule	IV A	264.1(d)	4400.3, 4018			X	
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Corporation Counsel Statement Comment: At §4400.3 and 4018, the District prohibits the use of underground injection in the District of Columbia. As such, the District's regulations do not contain an analog to 40 CFR 264.1(d) which applies the requirements of 40 CFR Part 264 to persons disposing of hazardous waste by means of underground injection. This difference makes the District's requirements more stringent than the Federal requirements.

POTW/permit by rule	IV A	264.1(e)	4400.6	X			
post-authorization rulemaking	IV A	264.1(f)	NA	X			
		264.1(f)(1)	NA	X			
		264.1(f)(2)	NA	X			
		264.1(f)(3)	NA	X			
exceptions	IV A	264.1(g)	4400.7	X			
wastes excluded by 261.5	IV A	264.1(g)(1)	4400.7(a)				X

Corporation Counsel Statement Comment: The District's regulations are broader in scope because it does not exclude facilities handling wastes only from generators of 100 kg or less per calendar month from the permit requirements. Instead, facilities handling only wastes excluded under analogs to 40 CFR 261.4(a)&(b) are excluded.

recyclable materials	IV A,13,111,122	264.1(g)(2)	4400.7(b)	X			
generator accumulating waste in compliance with 262.34	IV A	264.1(g)(3)	4400.7(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
farmers	IV A,48	264.1(g)(4)	4400.7(d)	X			
enclosed treatment facilities as defined in 260.10	IV A	264.1(g)(5)	4400.7(e)	X			
elementary neutralization units as defined in 260.10; compliance with 264.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove the characteristic before land disposal	IV A,124, 137	264.1(g)(6)	4400.7(f)	X			
reserved		264.1(g)(7)	4400.7(g)	X			
person involved in treatment or containment activities during an immediate response; list of situations	IV A	264.1(g)(8)(i)	4400.7(h)intro	X			
		264.1(g)(8)(i)(A)	4400.7(h)(1)				
		264.1(g)(8)(i)(B)	4400.7(h)(2)				
		264.1(g)(8)(i)(C)	4400.7(h)(3)				
	IVA, 156	264.1(g)(8)(i)(D)	4400.7(h)(4)				
		264.1(g)(8)(ii)	4400.8				
		264.1(g)(8)(iii)	4400.9				
	IVA, 156	264.1(g)(8)(iv)	4400.10				
transfer facilities	IV A	264.1(g)(9)	4400.7(i)			X	

Corporation Counsel Statement Comment: In addition to its analog to 262.30 requirements, the District subjects transfer facilities storing 10 days or less to requirements analogous to 40 CFR Part 264, Subparts C, D, and F, as well as to 40 CFR 264.14-264.17. This is more stringent than the Federal program.

addition of absorbent materials	IV A	264.1(g)(10)	4400.7(j)	X			
† universal waste handlers and transporters handling the listed universal wastes are subject to Part 273 rather than Part 264	142 A	264.1(g)(11)	4400.7(k)			X	
	142 B	264.1(g)(11)(i)	4400.7(k)	X			
	142 C	264.1(g)(11)(ii)	4400.7(k)	X			
	142 D	264.1(g)(11)(iii)	4400.7(k)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: (1) The District is more stringent because to be regulated as a universal waste, the waste must be recycled. Once the waste is destined for disposal, the handlers are subject to full regulation under Chapters 42 through 46 and Chapter 50. Pesticides which are universal wastes are exempted from this requirement. (2) The District also regulates mercury-containing lamps as a universal waste.

applies to all facilities that treat, store, or dispose of hazardous waste referred to in 268	34	264.1(h)	4400.11	X			
requirements of storage of military munitions are in 266.205; treatment and disposal are subject to all standards in 40 CFR 260 through 270	156	264.1(i)	4400.12	X			
reserved		264.2	4400.13	X			

RELATIONSHIP TO INTERIM STATUS STANDARDS

compliance with 265 until final permit issued, except as provided under 40 CFR part 264 subpart S	*,†121	264.3	4401	D			
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Corporation Counsel Statement Comment: This provision has been rewritten. At 20 DCMR §4401, the District both discusses the relationship of 20 DCMR Chapter 44 to its interim status standards and subjects interim status facilities to the 40 CFR Part 265 requirements as restricted by 20 DCMR §4401.2. This later District provision lists all the provisions the District adds to the Federal interim status requirements to make its interim status standards more stringent. than the Federal standards. The District has adopted the changes addressed by Revision Checklist 121; however, the District is not seeking authorization for corrective action at this time.

IMMINENT HAZARD ACTION

enforcement actions under RCRA 7003	*	264.4	4400.14	X			
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US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART B - GENERAL FACILITY STANDARDS

APPLICABILITY

subpart applies to hazardous waste facilities except as provided in 264.1	*	264.10(a)	4402.1	X			
264.18(b) applies only to facilities regulated under Subparts I-O and X	*,45	264.10(b)	4402.2	X			

IDENTIFICATION NUMBER

EPA identification number required	IV A	264.11	4402.3	X			
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REQUIRED NOTICES

hazardous waste from foreign source	IV A, †152	264.12(a)(1)	4402.4	X			
† hazardous waste from foreign source subject to part 262 subpart H	152	264.12(a)(2)	4402.5	X			
hazardous waste from off-site source	IV A	264.12(b)	4402.6	X			
requirements under ownership transfer	IV A	264.12(c)	4402.7	X			

Note: The District has incorporated the comment after 40 CFR 264.12(c) at §4402.8.

GENERAL WASTE ANALYSIS

analysis required prior to handling any hazardous waste or 264.113(d) non-hazardous waste; what information, at a minimum, the waste analysis must contain	IV A,34, †64,102	264.13(a)(1)	4403.1	D			
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Corporation Counsel Statement Comment: The phrase "or non-hazardous wastes if applicable under 40 CFR 264.113(d)" has been removed because the types of units (for example, surface impoundments, landfills) which can receive these wastes under 40 CFR 264.113(d) are not allowed in the District. This removal does not affect the stringency of this provision.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
data to be included in the analysis	IV A,78	264.13(a)(2)	4403.2	X			
when analysis must be repeated	IV A	264.13(a)(3)	4403.3	X			
	IV A,†64	264.13(a)(3)(i)	4403.3(a)	X			
	IV A	264.13(a)(3)(ii)	4403.3(b)	X			
inspect each shipment	IV A	264.13(a)(4)	4403.4	X			
develop and follow written waste analysis plan:	IV A	264.13(b)	4403.5	X			
parameters which will be analyzed	IV A,†64	264.13(b)(1)	4403.5(a)	D			

Corporation Counsel Statement Comment: The phrase "or non-hazardous wastes if applicable under 40 CFR 264.113(d)" has been removed because the types of units (for example, surface impoundments, landfills) which can receive these wastes under 40 CFR 264.113(d) are not allowed in the District. This removal does not affect the stringency of this provision.

test methods	IV A	264.13(b)(2)	4403.5(b)	X			
		264.13(b)(3)	4403.5(c)	X			
		264.13(b)(3)(i)	4403.5(c)(1)	X			
		264.13(b)(3)(ii)	4403.5(c)(2)	X			
sampling method	IV A	264.13(b)(3)(ii)	4403.5(c)(2)	X			
frequency of reviewing or repeating analysis	IV A	264.13(b)(4)	4403.5(d)	X			
analyses from generators	IV A	264.13(b)(5)	4403.5(e)	X			
meeting of additional waste analysis requirements	IV A,16,34,79,154.1	264.13(b)(6)	4403.5(f)	X			
for surface impoundments exempted from land disposal restrictions under 268.4(a):	34,39,50	264.13(b)(7), 264.13(b)(7)(i)-(iii)	No direct analog; 4400.3, 4018				X

Corporation Counsel Statement Comment: The management and disposal of hazardous waste in surface impoundments is prohibited in the District. 20 DCMR §§4400.3 and 4018 are cited as the analogs to 40 CFR 264.13(b)(7) because these provisions address the District's surface impoundment prohibition. This prohibition makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for owners and operators seeking an exemption to the air emission standards of subpart CC in accordance with 264.1082	154.1	264.13(b)(8)	4403.5(g)	X			
for direct measurements the procedures and schedules for waste sampling and analysis, and results of the analysis of test data to verify the exemption	154.1, 154.6	264.13(b)(8)(i)	4403.5(g)(1)	X			
if knowledge of the waste is used for the determination, any information that is used as the basis for knowledge	154.1, 154.6	264.13(b)(8)(ii)	4403.5(g)(2)	X			
analysis plan for off-site facilities:	IV A	264.13(c)	4403.6	X			
procedures for identifying each waste moved at facility	IV A	264.13(c)(1)	4403.6(a)	X			
sampling method used to obtain a representative sample	IV A	264.13(c)(2)	4403.6(b)	X			
procedures owner or operator will use to determine whether biodegradable sorbent has been added to waste in container	118	264.13(c)(3)	No direct analog; 4400.3, 4018			X	

Corporation Counsel Statement Comment: The District does not have a direct analog to 40 CFR 264.13(c)(3) because this provision addresses disposal in off-site landfills. This type of hazardous waste unit is prohibited in the District. 20 DCMR §§4400.3 and 4018 are cited as the analogs to 40 CFR 264.13(c)(3) because these provisions address the District's landfill prohibition. This makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SECURITY							
prevent unknowing entry and minimize unauthorized entry unless can demonstrate 264.14(a)(1) & (2)	IV A	264.14(a)	4403.7	X			
		264.14(a)(1)	4403.7(a)	X			
		264.14(a)(2)	4403.7(b)	X			
if demonstration not successful:	*	264.14(b)	4403.8	X			
24-hour surveillance	IV A	264.14(b)(1)	4403.8(a)	X			
barrier around active portion and control of entry	IV A	264.14(b)(2)(i)	4403.8(b)	X			
		264.14(b)(2)(ii)	4403.8(b)	X			
sign	IV A	264.14(c)	4403.9	X			
GENERAL INSPECTION REQUIREMENTS							
what must be inspected for	IV A	264.15(a)	4404.1	X			
develop and follow written schedule	IV A	264.15(b)(1)	4404.2	X			
keep schedule at facility	IV A	264.15(b)(2)	4404.3	X			
identify items that are to be looked for	IV A	264.15(b)(3)	4404.3	X			
frequency of inspection	IV A,28, 45,79, 100, 154.1	264.15(b)(4)	4404.4	X			
remedy of problems inspection uncovers	IV A	264.15(c)	4404.5	X			
recordkeeping	IV A	264.15(d)	4404.6	X			
PERSONNEL TRAINING							
personnel complete training to ensure compliance with 264	IV A	264.16(a)(1)	4405.1	X			
director of training program	IV A	264.16(a)(2)	4405.2	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
must be designed to respond effectively to emergencies	IV A	264.16(a)(3)	4405.3	X			
		264.16(a)(3)(i)	4405.3(a)	X			
		264.16(a)(3)(ii)	4405.3(b)	X			
		264.16(a)(3)(iii)	4405.3(c)	X			
		264.16(a)(3)(iv)	4405.3(d)	X			
		264.16(a)(3)(v)	4405.3(e)	X			
		264.16(a)(3)(vi)	4405.3(f)	X			
timing of instruction	IV A	264.16(b)	4405.4	X			
annual review of initial training required at 264.16(a)	IV A	264.16(c)	4405.5	X			
recordkeeping	IV A	264.16(d)	4405.6	X			
		264.16(d)(1)	4405.6(a)	X			
		264.16(d)(2)	4405.6(b)	X			
		264.16(d)(3)	4405.6(c)	X			
		264.16(d)(4)	4405.6(d)	X			
how long training records must be kept	IV A	264.16(e)	4405.7	X			
GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES							
precautions to prevent waste ignition or reaction	IV A	264.17(a)	4406.1	X			
precautions to prevent specified reactions	IV A	264.17(b)	4406.2	X			
		264.17(b)(1)	4406.2(a)	X			
		264.17(b)(2)	4406.2(b)	X			
		264.17(b)(3)	4406.2(c)	X			
		264.17(b)(4)	4406.2(d)	X			
		264.17(b)(5)	4406.2(e)	X			
documentation of compliance with 264.17(a) or (b)	IV A	264.17(c)	4406.3	X			

LOCATION STANDARDS

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
seismic considerations:	IV A	264.18(a)	4407.1	X			
distance to faults	IV A	264.18(a)(1)	4407.1			X	

Corporation Counsel Statement Comment: The District requires that the entire facility rather than just the waste management portions be 200 feet from a fault having movement in Holocene time. This difference makes the District's program more stringent than the Federal program.

definitions:	IV A	264.18(a)(2)	5400.1	X			
"fault"	IV A	264.18(a)(2)(i)	5400.1	X			
"displacement"	IV A	264.18(a)(2)(ii)	5400.1	X			
"Holocene"	IV A	264.18(a)(2)(iii)	5400.1	X			
floodplains:	IV A	264.18(b)	4407.2	X			
if located in 100 year floodplain, special construction, unless:	IV A	264.18(b)(1)	4407.2	X			
removal procedures in place	IV A	264.18(b)(1)(i)	4407.2	X			
washout would not be hazardous considering specific factors	IV A,45	264.18(b)(1)(ii)	4407.2	X			
		264.18(b)(1)(ii)(A)	4407.2(a)	X			
		264.18(b)(1)(ii)(B)	4407.2(b)	X			
		264.18(b)(1)(ii)(C)	4407.2(c)	X			
	IV A	264.18(b)(1)(ii)(D)	4407.2(d)	X			
definitions:	IV A	264.18(b)(2)	5400.1	X			
"100-year floodplain"	IV A	264.18(b)(2)(i)	5400.1	X			
"washout"	IV A	264.18(b)(2)(ii)	5400.1	X			
"100-year flood"	IV A	264.18(b)(2)(iii)	5400.1	X			
prohibition of waste in salt domes, salt bed formations, underground mines, and caves	17 E	264.18(c)	4407.3	X			

CONSTRUCTION QUALITY ASSURANCE PROGRAM

CQA program	100	264.19(a)	4408.1	X			
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US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
required for all surface impoundment, waste pile and landfill units that must comply with 264.221(c)&(d), 264.251(c)&(d), and 264.301(c)&(d); program must ensure constructed unit meets or exceeds all permit design criteria and specifications; program must be developed and implemented under a CQA officer who is a registered professional engineer	100	264.19(a)(1)	4408.1	X			
the physical components the CQA program must address	100	264.19(a)(2)	4408.2	X			
		264.19(a)(2)(i)	4408.2(a)	X			
		264.19(a)(2)(ii)	4408.2(b)	X			
		264.19(a)(2)(iii)	4408.2(c)	X			
		264.19(a)(2)(iv)	4408.2(d)	X			
		264.19(a)(2)(v)	4408.2(e)	X			
		264.19(a)(2)(vi)	4408.2(f)	X			
before construction begins, owner/operator must develop a written CQA plan; must identify steps that will be used to monitor and document quality of materials and condition and manner of their installation; what the CQA plan must include:	100	264.19(b)	4408.3	X			
identification of applicable units and how they will be constructed	100	264.19(b)(1)	4408.3(a)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
identification of key CQA plan development and implementation personnel; CQA officer qualifications	100	264.19(b)(2)	4408.3(b)	X			
inspection and sampling activities' description; what must be described	100	264.19(b)(3)	4408.3(c)	X			
contents of program	100	264.19(c)	4408.4	X			
must include observations, inspections, tests, and measurements sufficient to ensure:	100	264.19(c)(1)	4408.4	X			
structural stability and integrity of 264.19(a)(2) units	100	264.19(c)(1)(i)	4408.4(a)	X			
proper construction according to permit specifications and good engineering practices, and proper installation according to design specifications	100	264.19(c)(1)(ii)	4408.4(b)	X			
material conformity with design and other material specifications	100	264.19(c)(1)(iii)	4408.4(c)	X			
test fills for compacted soil liners, using full scale compaction methods to ensure liners are constructed to meet specific hydraulic conductivity requirements; compliance verified by in-situ testing on constructed test fill; conditions under which alternate may be accepted	100	264.19(c)(2)	4408.5	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certification to Regional Administrator before waste received; signed by CQA officer stating that approved CQA plan successfully carried out and units meet specific requirements; 270.30(I)(2)(ii) procedure complete; documentation furnished upon request	100	264.19(d)	4408.6	X			
SUBPART C - PREPAREDNESS AND PREVENTION							
APPLICABILITY							
all HW facilities, except as 264.1 provides	*	264.30	4409.1	X			
DESIGN AND OPERATION OF FACILITY							
requirements regarding design and operation	IV A	264.31	4409.2	X			
REQUIRED EQUIPMENT							
what a facility must be equipped with	*	264.32	4409.3	X			
internal communications or alarm	IV A	264.32(a)	4409.3(a)	X			
telephone or equivalent	IV A	264.32(b)	4409.3(b)	X			
fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment	IV A	264.32(c)	4409.3(c)	X			
water of adequate volume and pressure	IV A	264.32(d)	4409.3(d)	X			
TESTING AND MAINTENANCE OF EQUIPMENT							
what equipment must be tested and maintained	IV A	264.33	4409.4	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
ACCESS TO COMMUNICATIONS OR ALARM SYSTEM							
handling hazardous waste--what equipment personnel must have immediate access to	IV A	264.34(a)	4409.5	X			
what equipment must be immediately available when just one employee on premises	IV A	264.34(b)	4409.6	X			
REQUIRED AISLE SPACE							
determination of space between aisles	IV A	264.35	4409.7	X			
reserved		264.36	4409.8-4409.10	X			
ARRANGEMENTS WITH LOCAL AUTHORITIES							
specific arrangements which must be made	IV A	264.37(a)	4409.11	X			
		264.37(a)(1)	4409.11(a)	X			
		264.37(a)(2)	4409.11(b)	X			
		264.37(a)(3)	4409.11(c)	X			
		264.37(a)(4)	4409.11(d)	X			
document refusals to enter into arrangement in operating record	IV A	264.37(b)	4409.12	X			
SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES							
APPLICABILITY							
applies to all HW facilities, except as 264.1 provides	*	264.50	4410.1	X			
PURPOSE AND IMPLEMENTATION OF CONTINGENCY PLAN							
contingency plan required; purpose	IV A	264.51(a)	4410.2	X			
when to implement plan	IV A	264.51(b)	4410.3	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
CONTENT OF CONTINGENCY PLAN							
describes actions to take when emergency	IV A	264.52(a)	4410.4	X			
relationship to SPCC or other plans	IV A	264.52(b)	4410.5	X			
arrangements with local police, fire department, etc.	IV A	264.52(c)	4410.6	X			
list names and addresses; keep up to date; listed in order to assume responsibility as alternates	IV A	264.52(d)	4410.7	X			
list of emergency equipment at facility	IV A	264.52(e)	4410.8	X			
evacuation plan	IV A	264.52(f)	4410.9	X			
COPIES OF CONTINGENCY PLAN							
copies of plan and all revisions must be:	*	264.53	4410.10	X			
maintained at facility	IV A	264.53(a)	4410.10(a)	X			
submitted to local police, fire department, hospitals, etc.	IV A	264.53(b)	4410.10(b)	X			
Note: The District has incorporated the comment after 40 CFR 264.53(b) at §4410.11.							
AMENDMENT OF CONTINGENCY PLAN							
when plan must be reviewed and, if necessary, immediately amended:	*	264.54	4410.12	X			
facility permit revision	IV A	264.54(a)	4410.12(a)	X			
plan fails in an emergency	IV A	264.54(b)	4410.12(b)	X			
facility change	IV A	264.54(c)	4410.12(c)	X			
list of emergency coordinators changes	IV A	264.54(d)	4410.12(d)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
list of equipment changes	IV A, †54	264.54(e)	4410.12(e)	X			
EMERGENCY COORDINATOR							
responsibilities	IV A	264.55	4410.13	X			
EMERGENCY PROCEDURES							
procedures for imminent or actual emergency	IV A	264.56(a)	4410.14	X			
		264.56(a)(1)	4410.14(a)	X			
		264.56(a)(2)	4410.14(b)	X			
release, fire, explosion	IV A	264.56(b)	4410.15	X			
hazard assessment	IV A	264.56(c)	4410.16	X			
report of emergency coordinator's findings	IV A	264.56(d)	4410.17	X			
notify local authorities	IV A	264.56(d)(1)	4410.17(a)	X			
		264.56(d)(2)	4410.17(b)	X			
		264.56(d)(2)(i)	4410.17(b)(1)	X			
		264.56(d)(2)(ii)	4410.17(b)(2)	X			
		264.56(d)(2)(iii)	4410.17(b)(3)	X			
		264.56(d)(2)(iv)	4410.17(b)(4)	X			
		264.56(d)(2)(v)	4410.17(b)(5)	X			
report to on-scene coordinator or National Response Center coordinator; what the report must include	IV A	264.56(d)(2)(vi)	4410.17(b)(6)	X			
measures during emergency	IV A	264.56(e)	4410.18	X			
procedures if facility stops operation	IV A	264.56(f)	4410.19	X			
treatment, storage, or disposal of material resulting from emergency	IV A	264.56(g)	4410.20	X			

Note: The District has incorporated the comment after 40 CFR 264.56(g) at §4410.21.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
procedures after emergency	IV A	264.56(h)	4410.22	X			
		264.56(h)(1)	4410.22(a)	X			
		264.56(h)(2)	4410.22(b)	X			
notifications prior to resuming operations	IV A	264.56(i)	4410.23	X			
operating record information; written report to Regional Administrator	IV A	264.56(j)	4410.24	X			
what the report to Regional Administrator must include	IV A	264.56(j)(1)	4410.24(a)	X			
		264.56(j)(2)	4410.24(b)	X			
		264.56(j)(3)	4410.24(c)	X			
		264.56(j)(4)	4410.24(d)	X			
		264.56(j)(5)	4410.24(e)	X			
		264.56(j)(6)	4410.24(f)	X			
		264.56(j)(7)	4410.24(g)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

subpart applies to both on- and off-site facilities; exceptions	IV A, 17 D, 156	264.70	4411.1 through 4411.3	X			
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USE OF MANIFEST SYSTEM

duties of owner or operator when receiving waste accompanied by manifest	IV A	264.71(a)	4411.4	X			
		264.71(a)(1)	4411.4(a)	X			
		264.71(a)(2)	4411.4(b)	X			
		264.71(a)(3)	4411.4(c)	X			
		264.71(a)(4)	4411.4(d)	X			
		264.71(a)(5)	4411.4(e)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
duties of owner or operator when receiving waste accompanied by shipping paper	IV A	264.71(b)	4411.5	X			
		264.71(b)(1)	4411.5(a)	X			
		264.71(b)(2)	4411.5(b)	X			
		264.71(b)(3)	4411.5(c)	X			
		264.71(b)(4)	4411.5(d)	X			
		264.71(b)(5)	4411.5(e)	X			
facility that initiates shipment must comply with 262	*	264.71(c)	4411.6	X			
† shipment subject to part 262 subpart H	152	264.71(d)	4411.7	X			

MANIFEST DISCREPANCIES

definition of manifest discrepancies	IV A	264.72(a)	4411.8	X			
		264.72(a)(1)	4411.8(a)	X			
		264.72(a)(2)	4411.8(b)	X			
actions on discovering a discrepancy	IV A	264.72(b)	4411.9	X			

OPERATING RECORD

written operating record at facility	IV A	264.73(a)	4411.10	X			
information which must be recorded:	IV A	264.73(b)	4411.11	X			
description and quantity of waste; dates of treatment, storage, or disposal	IV A	264.73(b)(1)	4411.11(a)	X			
location of waste and quantity at each location	IV A	264.73(b)(2)	4411.11(b)	X			
records and results of waste analyses	IV A,16,34,79,154.1	264.73(b)(3)	4411.11(c)	X			
reports of incidents which require implementing contingency plan	IV A	264.73(b)(4)	4411.11(d)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
records and results of inspections	IV A	264.73(b)(5)	4411.11(e)	X			
ground-water monitoring, testing, data, and corrective action	IV A,28, 45,79, 100,154.1	264.73(b)(6)	4411.11(f)	X			
notices to generators	IV A	264.73(b)(7)	4411.11(g)	X			
closure and post-closure cost estimates	IV A	264.73(b)(8)	4411.11(h)	X			
annual certification regarding waste minimization	17 D	264.73(b)(9)	4411.11(i)	X			
records of hazardous waste placed in land disposal units under extension, petition, or certification; 268.7(a) notice by generator	34,50	264.73(b)(10)	4411.11(j)	X			

Corporation Counsel Statement Comment: An analog to 40 CFR 264.73(b)(10) was included even though land disposal is not allowed in the District because waste piles are considered to be land disposal units.

off-site treatment facility requirements	34,50	264.73(b)(11)	4411.11(k)	X			
on-site treatment facility requirements	34,50	264.73(b)(12)	4411.11(l)	X			
off-site land disposal facility requirements	34,50	264.73(b)(13)	4411.11(m)	X			

Corporation Counsel Statement Comment: An analog to 40 CFR 264.73(b)(13) was included even though land disposal is not allowed in the District because waste piles are considered to be land disposal units.

on-site land disposal facility requirements	34,50	264.73(b)(14)	4411.11(n)	X			
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Corporation Counsel Statement Comment: An analog to 40 CFR 264.73(b)(14) was included even though land disposal is not allowed in the District because waste piles are considered to be land disposal units.

off-site storage facility requirements	50	264.73(b)(15)	4411.11(o)	X			
on-site storage facility requirements	50	264.73(b)(16)	4411.11(p)	X			

AVAILABILITY, RETENTION, AND DISPOSITION OF RECORDS

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
all records available for inspection	IV A	264.74(a)	4411.12	X			
retention period extension under unresolved enforcement action	IV A	264.74(b)	4411.13	X			
copy of records to Regional Administrator and local authority at closure	IV A	264.74(c)	4411.14	X			

BIENNIAL REPORT

when to submit, what form, and what must be reported:	IV A,†1	264.75	4411.15	X			
EPA identification number	IV A	264.75(a)	4411.15(a)	X			
calendar year covered by report	IV A	264.75(b)	4411.15(b)	X			
EPA I.D.s of generators; name and address for foreign generators	IV A	264.75(c)	4411.15(c)	X			
description and quantity of wastes received	IV A	264.75(d)	4411.15(d)	X			
methods of handling	IV A	264.75(e)	4411.15(e)	X			
reserved	IV A	264.75(f)	4411.15(f)	X			
closure cost estimate; post-closure cost estimate	IV A	264.75(g)	4411.15(g)	X			
volume and toxicity reduction efforts	30	264.75(h)	4411.15(h)	X			
volume and toxicity reduction achieved	30	264.75(i)	4411.15(i)	X			
signed certification	IV A,30	264.75(j)	4411.15(j)	X			

UNMANIFESTED WASTE REPORT

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
when an unmanifested report is required; form which must be used; information it must include	IV A,1	264.76	4411.16	X			
EPA identification number	IV A	264.76(a)	4411.16(a)	X			
date waste received	IV A	264.76(b)	4411.16(b)	X			
generator and transporter EPA identification numbers; address and name	IV A	264.76(c)	4411.16(c)	X			
description and quantity of unmanifested waste	IV A	264.76(d)	4411.16(d)	X			
handling method	IV A	264.76(e)	4411.16(e)	X			
signed certification	IV A	264.76(f)	4411.16(f)	X			
explanation of why unmanifested	IV A	264.76(g)	4411.16(g)	X			
ADDITIONAL REPORTS							
what else must be reported to Regional Administrator	*,†1	264.77	4411.17	X			
releases, fires, explosions	IV A	264.77(a)	4411.17(a)	X			
facility closures	IV A	264.77(b)	4411.17(b)	X			
as otherwise required by Subparts F, K through N, AA, BB, and CC of this part.	*,79, 154.1	264.77(c)	4411.17(c)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

APPLICABILITY

applies to all HW facilities; satisfy requirements of 264.90(a)(2)	IV A, 17 L	264.90(a)(1)	4412.1	X			
what each solid waste management unit must comply with	IV A, 17 L	264.90(a)(2)	4412.2	X			

Corporation Counsel Statement Comment: The District has adopted the changes addressed by Revision Checklist 17 L; however, the District is not seeking authorization for corrective action at this time.

exemptions from Subpart F's requirements:	IV A, †17 I	264.90(b)	4412.3	X			
exempted by 264.1	IV A, †17 I	264.90(b)(1)	4412.3(a)	X			
operates a unit which Regional Administrator finds meets certain requirements	IV A, †17 I	264.90(b)(2)	4412.3(b)	X			
		264.90(b)(2)(i)	4412.3(b)(1)	X			
		264.90(b)(2)(ii)	4412.3(b)(2)	X			
		264.90(b)(2)(iii)	4412.3(b)(3)	X			
		264.90(b)(2)(iv)	4412.3(b)(4)	X			
		264.90(b)(2)(v)	4412.3(b)(5)	X			
		264.90(b)(2)(vi)	4412.3(b)(6)	X			
264.90(b)(2)(vii)	4412.3(b)(7)	X					
HW levels not statistically significantly above background levels; unsaturated zone monitoring meets 264.278; only for post-closure care period	IV A, †17 I	264.90(b)(3)	4400.3, 4018			X	

Corporation Counsel Statement Comment: The District does not have a direct analog to 40 CFR 264.90(b)(3) because it addresses the situation where a land treatment unit would not be subject to regulation for releases to the uppermost aquifer. These types of units are prohibited in the District. 20 DCMR §§4400.3 and 4018 which prohibit this type of unit in the District are cited. This difference makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
no potential for migration; certification by qualified geologist or geotechnical engineer	IV A, †17 I	264.90(b)(4)	4412.3(c)	X			
designs and operates pile in compliance with 264.250(c)	IV A, †17 I	264.90(b)(5)	4412.3(d)	X			
requirements under Subpart F apply during active life; after closure:	IV A	264.90(c)	4412.4	X			
requirements not apply if all wastes, etc. removed or decontaminated	IV A	264.90(c)(1)	4412.4(a)	X			
requirements apply during post-closure if detection monitoring	IV A	264.90(c)(2)	4412.4(b)	X			
requirements apply during compliance period if compliance monitoring or corrective action	IV A	264.90(c)(3)	4412.4(c)	X			
Subpart F requirements apply to miscellaneous units when necessary to comply with 264.601 through 264.603	45	264.90(d)	4412.5	X			
REQUIRED PROGRAMS							
monitoring and response program	IV A	264.91(a)	4412.6	X			
when hazardous constituents detected at compliance point; compliance monitoring; "detected" defined	IV A,55	264.91(a)(1)	4412.6(a)	X			
corrective action program when groundwater protection standard is exceeded; "exceeded" defined	IV A,55	264.91(a)(2)	4412.6(b)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
corrective action program when hazardous constituents exceed concentration limits	IV A	264.91(a)(3)	4412.6(c)	X			
in other cases detection monitoring instituted	IV A	264.91(a)(4)	4412.6(d)	X			
specific elements of monitoring and response program specified in permit	IV A	264.91(b)	4412.7	X			
GROUND-WATER PROTECTION STANDARD							
owner must comply with permit conditions designed to ensure that 264.93 hazardous constituents entering ground water not exceed 264.94 concentration limits; ground-water protection standard	IV A,55	264.92	4412.8	X			
HAZARDOUS CONSTITUENTS							
hazardous constituents specified in permit to which 264.92 ground-water protection standard applies; hazardous constituents are identified in 261, Appendix VIII and have been detected in uppermost aquifer	IV A	264.93(a)	4412.9	X			
exclusion of Appendix VIII constituents from permit; what Regional Administrator must consider before granting an exemption	IV A	264.93(b)	4412.10	X			
		264.93(b)(1)	4412.10(a)	X			
		264.93(b)(1)(i)	4412.10(a)(1)	X			
		264.93(b)(1)(ii)	4412.10(a)(2)	X			
		264.93(b)(1)(iii)	4412.10(a)(3)	X			
		264.93(b)(1)(iv)	4412.10(a)(4)	X			
		264.93(b)(1)(v)	4412.10(a)(5)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		264.93(b)(1)(vi)	4412.10(a)(6)	X			
		264.93(b)(1)(vii)	4412.10(a)(7)	X			
		264.93(b)(1)(viii)	4412.10(a)(8)	X			
		264.93(b)(1)(ix)	4412.10(a)(9)	X			
		264.93(b)(2)	4412.10(b)	X			
		264.93(b)(2)(i)	4412.10(b)(1)	X			
		264.93(b)(2)(ii)	4412.10(b)(2)	X			
		264.93(b)(2)(iii)	4412.10(b)(3)	X			
		264.93(b)(2)(iv)	4412.10(b)(4)	X			
		264.93(b)(2)(v)	4412.10(b)(5)	X			
		264.93(b)(2)(vi)	4412.10(b)(6)	X			
		264.93(b)(2)(vii)	4412.10(b)(7)	X			
		264.93(b)(2)(viii)	4412.10(b)(8)	X			
		264.93(b)(2)(ix)	4412.10(b)(9)	X			
		264.93(b)(2)(x)	4412.10(b) (10)	X			
determination regarding use of ground water around facility; ID of drinking water sources and exempted aquifers under 144.8	IV A	264.93(c)	4412.11	X			
CONCENTRATION LIMITS							
Regional Administrator will specify ground-water concentration limits for 264.93 hazardous constituents	IV A	264.94(a)	4412.12	X			
not exceed background	IV A	264.94(a)(1)	4412.12(a)	X			
not exceed Table 1 constituents	IV A	264.94(a)(2)	4412.12(b)	X			
not exceed an alternate limit set by Regional Administrator	IV A	264.94(a)(3)	4412.12(c)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
factors Regional Administrator will consider for setting alternate limits	IV A	264.94(b)	4412.13	X			
potential adverse effects on ground-water quality considering specific factors	IV A	264.94(b)(1)	4412.13(a)	X			
		264.94(b)(1)(i)	4412.13(a)(1)	X			
		264.94(b)(1)(ii)	4412.13(a)(2)	X			
		264.94(b)(1)(iii)	4412.13(a)(3)	X			
		264.94(b)(1)(iv)	4412.13(a)(4)	X			
		264.94(b)(1)(v)	4412.13(a)(5)	X			
		264.94(b)(1)(vi)	4412.13(a)(6)	X			
		264.94(b)(1)(vii)	4412.13(a)(7)	X			
		264.94(b)(1)(viii)	4412.13(a)(8)	X			
		264.94(b)(1)(ix)	4412.13(a)(9)	X			
potential adverse effects on hydraulically connected surface-water quality considering specific factors	IV A	264.94(b)(2)	4412.13(b)	X			
		264.94(b)(2)(i)	4412.13(b)(1)	X			
		264.94(b)(2)(ii)	4412.13(b)(2)	X			
		264.94(b)(2)(iii)	4412.13(b)(3)	X			
		264.94(b)(2)(iv)	4412.13(b)(4)	X			
		264.94(b)(2)(v)	4412.13(b)(5)	X			
		264.94(b)(2)(vi)	4412.13(b)(6)	X			
		264.94(b)(2)(vii)	4412.13(b)(7)	X			
		264.94(b)(2)(viii)	4412.13(b)(8)	X			
		264.94(b)(2)(ix)	4412.13(b)(9)	X			
264.94(b)(2)(x)	4412.13(b)(10)	X					

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
in determining use of ground water around facility, Regional Administrator must consider any identification of underground sources of drinking water and exempted aquifers under 144.8	IV A	264.94(c)	4412.14	X			

POINT OF COMPLIANCE

point of compliance specified in permit for 264.92 ground-water protection standard; point of compliance defined	IV A	264.95(a)	4412.15	X			
definition of waste management area	IV A	264.95(b)	4412.16	X			
		264.95(b)(1)	4412.16(a)	X			
		264.95(b)(2)	4412.16(b)	X			

COMPLIANCE PERIOD

compliance period specified in permit for 264.92 ground-water protection standard; definition of compliance period	IV A	264.96(a)	4412.17	X			
when compliance period begins	IV A	264.96(b)	4412.18	X			
end of period; extension until meet ground-water protection standard of 264.92	IV A	264.96(c)	4412.19	X			

GENERAL GROUND-WATER MONITORING REQUIREMENTS

owner or operator must comply with the following ground-water monitoring program requirements:	*	264.97	4412.20	X			
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CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sufficient number of wells installed at appropriate locations and depths that:	IV A	264.97(a)	4412.21	X			
represent background quality	IV A,55	264.97(a)(1)	4412.21(a)	X			
sample wells not hydraulically upgradient where specific conditions are met	IV A,55	264.97(a)(1)(i)	4412.21(b)	X			
		264.97(a)(1)(i)(A)	4412.21(b)(1)	X			
		264.97(a)(1)(i)(B)	4412.21(b)(2)	X			
represent ground-water quality passing point of compliance	IV A	264.97(a)(2)	4412.21(c)	X			
contamination detection when migration to uppermost aquifer	55	264.97(a)(3)	4412.21(d)	X			
separate ground-water monitoring units not needed for multiple units if meet certain requirements	IV A	264.97(b)	4412.22	X			
well casing requirements	IV A	264.97(c)	4412.23	X			
consistent sampling and analysis procedures that are reliable	IV A	264.97(d)	4412.24	X			
		264.97(d)(1)	4412.24(a)	X			
		264.97(d)(2)	4412.24(b)	X			
		264.97(d)(3)	4412.24(c)	X			
		264.97(d)(4)	4412.24(d)	X			
appropriate and accurate sampling and analysis methods	IV A	264.97(e)	4412.25	X			
ground-water surface elevation determination for each sample	IV A	264.97(f)	4412.26	X			
detection monitoring, sampling procedures; number and kinds of samples, sample size	IV A,55	264.97(g)	4412.27	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
sequencing of at least four samples; requirements to determine interval between	IV A,55	264.97(g)(1)	4412.27(a)	X			
alternate sampling procedure	IV A,55	264.97(g)(2)	4412.27(b)	X			
removed	IV A,55	264.97(g)(3)	no analog	X			
		264.97(g)(3)(i)					
		264.97(g)(3)(ii)					
removed	IV A,55	264.97(g)(4)	no analog	X			
specify statistical evaluation methods for ground-water data and specify in permit; requirements for use of listed methods	IV A,55	264.97(h)	4412.28	X			
parametric ANOVA followed by multiple comparisons procedures	IV A,55	264.97(h)(1)	4412.28(a)	X			
ANOVA based on ranks followed by multiple comparisons procedures	IV A,55	264.97(h)(2)	4412.28(b)	X			
tolerance or prediction interval procedure	55	264.97(h)(3)	4412.28(c)	X			
control chart approach	55	264.97(h)(4)	4412.28(d)	X			
another statistical method approved by Regional Administrator	55	264.97(h)(5)	4412.28(e)	X			
performance standards for statistical methods chosen under 264.97(h):	55	264.97(i)	4412.29	X			
appropriate for distribution of chemical parameters or hazardous constituents; transformed or distribution-free test	55	264.97(i)(1)	4412.29(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
individual well comparison - 0.01 Type I error; multiple comparisons - 0.05 Type I error, but maintain 0.01 Type I error for individual wells	55	264.97(i)(2)	4412.29(b)	X			
for control chart approach, what must be approved by Regional Administrator	55	264.97(i)(3)	4412.29(c)	X			
for tolerance or prediction interval, what must be approved by Regional Administrator	55	264.97(i)(4)	4412.29(d)	X			
account for data below detection limit and requirements	55	264.97(i)(5)	4412.29(e)	X			
procedures to correct or control for seasonal and spatial variability	55	264.97(i)(6)	4412.29(f)	X			
maintenance of ground-water monitoring data in facility operating record; when data must be reviewed	55	264.97(j)	4412.30	X			

DETECTION MONITORING PROGRAM

owner's responsibilities	*	264.98	4412.31	X			
owner or operator must monitor for indicator parameters; Regional Administrator will specify parameters in permit	IV A	264.98(a)	4412.32	X			
		264.98(a)(1)	4412.32(a)	X			
		264.98(a)(2)	4412.32(b)	X			
		264.98(a)(3)	4412.32(c)	X			
		264.98(a)(4)	4412.32(d)	X			
owner or operator must have ground-water monitoring system at compliance point and comply with 264.97(a)(2), (b) & (c)	IV A	264.98(b)	4412.33	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
ground-water monitoring program for each chemical parameter and hazardous constituent; record of ground-water analytical data	IV A,55	264.98(c)	4412.34	X			
Regional Administrator specifies frequency of samples and tests; four well samples per well semi-annually	IV A,55	264.98(d)	4412.35	X			
owner must determine ground-water flow rate and direction at least annually	IV A	264.98(e)	4412.36	X			
determine if statistically significant evidence of contamination	IV A,55	264.98(f)	4412.37	X			
methods which can be used	IV A,55	264.98(f)(1)	4412.37(a)	X			
determine evidence of contamination at each monitoring well at compliance point; time period determined and specified in permit by Regional Administrator	IV A,55	264.98(f)(2)	4412.37(b)	X			
what owner or operator must do if statistically significant evidence of contamination	IV A,55	264.98(g)	4412.38	X			
notification of Regional Administrator	IV A,55	264.98(g)(1)	4412.38(a)	X			
immediate determination if 264, Appendix IX constituents are in ground water	IV A,40,55	264.98(g)(2)	4412.38(b)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for constituents found, resample in one month; if confirmed, form basis of compliance monitoring; if no resample - initial analysis is basis	IV A, 40,55	264.98(g)(3)	4412.38(c)	X			
application for permit modification	IV A,55	264.98(g)(4)	4412.38(d)	X			
identification of Appendix IX constituent concentration	IV A,40, 55	264.98(g)(4)(i)	4412.38(d)(1)	X			
proposed changes to ground-water monitoring system	IV A,55	264.98(g)(4)(ii)	4412.38(d)(2)	X			
proposed additions or changes to monitoring frequency	IV A,55	264.98(g)(4)(iii)	4412.38(d)(3)	X			
proposed concentration limit or notice of intent for alternate concentration limit	IV A,55	264.98(g)(4)(iv)	4412.38(d)(4)	X			
what must be submitted within 180 days	IV A,55	264.98(g)(5)	4412.38(e)	X			
data to justify alternate concentration limit	IV A,55	264.98(g)(5)(i)	4412.38(e)(1)	X			
engineering feasibility plan for corrective action	IV A,55	264.98(g)(5)(ii)	4412.38(e)(2)	X			
concentration of 264.98(g)(2) constituents does not exceed values of Table 1, 264.94	IV A,55	264.98(g)(5)(ii)(A)	4412.38(e)(2) (A)	X			
alternate concentration limit	IV A,55	264.98(g)(5)(ii)(B)	4412.38(e)(2) (B)	X			
demonstration that a source other than regulated unit caused contamination	55	264.98(g)(6)	4412.39	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
notify Regional Administrator of intent to submit demonstration	55	264.98(g)(6)(i)	4412.39(a)	X			
within 90 days, report demonstrating that another source caused contamination or there was an error in sampling, analysis or evaluation	55	264.98(g)(6)(ii)	4412.39(b)	X			
within 90 days, application for permit modification	55	264.98(g)(6)(iii)	4412.39(c)	X			
continue to monitor according to detection monitoring program	55	264.98(g)(6)(iv)	4412.39(d)	X			
what must be done if detection monitoring program no longer satisfies requirements	IV A,55	264.98(h)	4412.40	X			
removed	IV A,55	264.98(i)	no analog	X			
removed	IV A,55	264.98(j)	no analog	X			
removed	IV A,55	264.98(k)	no analog	X			
COMPLIANCE MONITORING PROGRAM							
owner or operator responsibilities:	*	264.99	4412.41	X			
monitor ground water to determine if in compliance with 264.92; Regional Administrator specifies ground-water protection standard in the facility permit	IV A	264.99(a)	4412.42	X			
		264.99(a)(1)	4412.42(a)	X			
		264.99(a)(2)	4412.42(b)	X			
		264.99(a)(3)	4412.42(c)	X			
		264.99(a)(4)	4412.42(d)	X			
ground-water monitoring system at compliance point; what it must comply with	IV A	264.99(b)	4412.43	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Regional Administrator specifies procedures and statistical methods	IV A,55	264.99(c)	4412.44	X			
sampling program for each chemical parameter or hazardous constituent	IV A,55	264.99(c)(1)	4412.45	X			
record of ground-water analytical data	IV A,55	264.99(c)(2)	4412.46	X			
statistical evidence of increased contamination of any chemical parameter or hazardous constituent	IV A,55	264.99(d)	4412.47	X			
method(s) to determine statistically significant evidence of increased contamination	55	264.99(d)(1)	4412.48	X			
within reasonable time period, determine if statistically significant evidence of increased contamination at each monitoring well at compliance point	55	264.99(d)(2)	4412.49	X			
determine flow rate and direction	IV A	264.99(e)	4412.50	X			
Regional Administrator specification of sample and test frequencies; four samples per well semi-annually	IV A,40,55	264.99(f)	4412.51	X			
annual analysis at each well's compliance point for all 264, Appendix IX constituents; procedures regarding new constituents not in permit	IV A,55	264.99(g)	4412.52	X			
actions when constituents exceeded 264.94 limits	IV A,55	264.99(h)	4412.53	X			
	IV A	264.99(h)(1)	4412.53(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		264.99(h)(2)	4412.53(b)	X			
		264.99(h)(2)(i)	4412.53(b)(1)	X			
		264.99(h)(2)(ii)	4412.53(b)(2)	X			
demonstration that increase due to other sources; what must be done	IV A,55	264.99(i)	4412.54	X			
	IV A	264.99(i)(1)	4412.54(a)	X			
		264.99(i)(2)	4412.54(b)	X			
		264.99(i)(3)	4412.54(c)	X			
		264.99(i)(4)	4412.54(d)	X			
permit modification when compliance monitoring no longer satisfies 264.99	IV A,55	264.99(j)	4412.55	X			
removed	IV A,55	264.99(k)	no analog	X			
removed	IV A,55	264.99(l)	no analog	X			

CORRECTIVE ACTION PROGRAM

Corporation Counsel Statement Comment: The District has adopted the changes to 40 CFR 264.100 addressed by Revision Checklist 44 B; however, the District is not seeking authorization for corrective action at this time.

owner or operator responsibilities	*	264.100	4412.56	X			
take corrective action to assure compliance with 264.92 standard; standards set in permit	IV A	264.100(a)	4412.56(a)	X			
list of hazardous constituents	IV A	264.100(a)(1)	4412.56(a)(1)	X			
concentration limits	IV A	264.100(a)(2)	4412.56(a)(2)	X			
compliance point	IV A	264.100(a)(3)	4412.56(a)(3)	X			
compliance period	IV A	264.100(a)(4)	4412.56(a)(4)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
implement corrective action program to prevent hazardous constituents from exceeding limits; specific measures set in permit	IV A	264.100(b)	4412.56(b)	X			
permit states time to begin corrective action; requirements in lieu of 264.99(i)(2)	IV A	264.100(c)	4412.56(c)	X			
ground-water monitoring program to demonstrate effectiveness of corrective action	IV A	264.100(d)	4412.56(d)	X			
corrective action to remove or treat in place hazardous constituents exceeding 264.94 limits	IV A,44 B	264.100(e)	4412.56(e)	X			
compliance point, downgradient property boundary	44 B	264.100(e)(1)	4412.56(e)(1)	X			
release beyond facility boundaries	44 B	264.100(e)(2)	4412.56(e)(2)	X			
corrective action measure must be completed within reasonable period	IV A,44 B	264.100(e)(3)	4412.56(e)(3)	X			
when corrective action can be terminated	IV A,44 B	264.100(e)(4)	4412.56(e)(4)	X			
period of corrective action	IV A	264.100(f)	4412.56(f)	X			
report in writing on effectiveness of corrective action; submit semiannually	IV A	264.100(g)	4412.56(g)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
permit modification if corrective action program no longer satisfies 264.100	IV A	264.100(h)	4412.56(h)	X			

CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

if seeking permit, institute corrective action to protect health and environment from hazardous waste releases	17 L	264.101(a)	4412.57	X			
corrective action specified in permit in accordance with this section and subpart S of this part; schedule of compliance and financial responsibility	17 L, †121	264.101(b)	4412.58	X			
corrective action beyond facility boundaries	44 B	264.101(c)	4412.59	X			

Corporation Counsel Statement Comment: The District has adopted the corrective action provisions at 264.101 addressed by Revision Checklists 17 L, 44 B and 121; however, the District is not seeking authorization for corrective action at this time.

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

except as 264.1 provides otherwise:	*	264.110	4413.1			X	
264.111 through 264.115 apply to all owners and operators of all hazardous waste management facilities	IV A,24	264.110(a)	4413.1			X	
264.116 through 264.120 apply to all owners and operators of:	IV A,24	264.110(b)	4413.1			X	
all hazardous waste disposal facilities	IV A,24, 109	264.110(b)(1)	4413.1			X	

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
waste piles and surface impoundments from which wastes are removed at closure	IV A,24,109	264.110(b)(2)	4413.1			X	
tank systems required under 264.197 to meet landfill requirements	28,109	264.110(b)(3)	4413.1			X	
containment buildings required under 264.1102 to meet the requirements for landfills	109	264.110(b)(4)	4413.1			X	

Corporation Counsel Statement Comment: At 20 DCMR §4413.1, the analog to 40 CFR 264.110(a)&(b), the District subjects every unit requiring a permit to post-closure care even if the unit attains clean closure. This is more stringent than the Federal requirements because the Federal program only subjects the units listed at 40 CFR 264.110(b) to post-closure care.

CLOSURE PERFORMANCE STANDARD

manner of closing	*	264.111	4413.2	X			
minimizes further maintenance	IV A,24	264.111(a)	4413.2(a)	X			
controls, minimizes, or eliminates post-closure escape	IV A,24	264.111(b)	4413.2(b)	X			
complies with requirements of Subpart G plus specific sections of 264	24,45,109	264.111(c)	4413.2(c)	X			

CLOSURE PLAN; AMENDMENT OF PLAN

written plan	IV A	264.112(a)	4413.3	X			
written plan required; contingent closure plans; submitted with permit; condition of permit	IV A,†24	264.112(a)(1)	4413.3	X			
what the approved closure plan must be consistent with; furnished on request	IV A,†24,45,109	264.112(a)(2)	4413.4	X			
removed	IV A,†24	264.112(a)(3)	no analog	X			
removed	IV A,†24	264.112(a)(4)	no analog	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
content of plan	IV A,24	264.112(b)	4413.5	X			
how each HW management unit will be closed	24	264.112(b)(1)	4413.5(a)	X			
final closure/maximum extent of facility not closed during active life	24	264.112(b)(2)	4413.5(b)	X			
maximum inventory of hazardous waste ever on site over active life	24	264.112(b)(3)	4413.5(c)	X			
description of steps needed to remove or decontaminate all residues/equipment	24	264.112(b)(4)	4413.5(d)	X			
other activities to assure closure	24	264.112(b)(5)	4413.5(e)	X			
schedule for closure for each unit; what schedule must include	24	264.112(b)(6)	4413.5(f)	X			
estimate year of final closure for facilities using trust funds for financial assurance	†24	264.112(b)(7)	4413.5(g)	X			
amendment of plan	IV A,24, †54	264.112(c)	4413.6	X			
written request prior to notification of partial or final closure	24, †54	264.112(c)(1)	4413.6(a)	X			
required written request when:	24, †54	264.112(c)(2)	4413.6(b)	X			
changes affect closure plan	24	264.112(c)(2)(i)	4413.6(b)(1)	X			
change in expected year of closure	24	264.112(c)(2)(ii)	4413.6(b)(2)	X			
unexpected events	24	264.112(c)(2)(iii)	4413.6(b)(3)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
submit written request 60 days prior to change; 60 days after unexpected event if during partial or final closure; surface impoundment and waste piles special requirements	24	264.112(c)(3)	4413.6(c)	X			
Regional Administrator may request modification; procedures	24	264.112(c)(4)	4413.6(d)	X			

† Notification of Partial and Final Closure

procedures and requirements for notification of partial and final closure	24,85	264.112(d)(1)	4413.7			X	
	24,†64	264.112(d)(2)	4413.8	X			
		264.112(d)(2)(i)	4413.8	X			
	†64	264.112(d)(2)(ii)	no analog; 4400.3, 4018			X	
	24	264.112(d)(3)	4413.9	X			

Corporation Counsel Statement Comment: (1) §4413.7 is more stringent than 40 CFR 264.112(d)(1) because only waste piles, storage in tanks or containers, and treatment in tanks are allowed. The other activities addressed by 40 CFR 264.112(d)(1) are not allowed in the District. (2) The District does not have an analog to 40 CFR 264.112(d)(2)(ii) because it is an option which applies only to landfills, land treatment, and surface impoundments. None of these units are allowed in the District as prohibited by 20 DCMR §§4400.3 and 4018.

† remove wastes; decontaminate and dismantle equipment	24	264.112(e)	4413.10	X			
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CLOSURE; TIME ALLOWED FOR CLOSURE

treat, remove, or dispose of all hazardous wastes within 90 days of receipt of final volume of hazardous waste, or final volume of non-hazardous waste	IV A,24,†64	264.113(a)	4413.11			X	
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CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District does not allow receipt of non-hazardous waste because the types of units which can receive these wastes as per 40 CFR 264.113(d)&(e) are not allowed in the District. In addition, the waste may not be disposed of on-site. These differences make the District's program more stringent than the Federal program.

modification and demonstration requirements for extending period	IV A,24	264.113(a)(1)(i)	4413.11(a)	X				
	IV A,24, †64	264.113(a)(1)(ii)(A)	4413.11(b)			X		
			264.113(a)(1)(ii)(B)	4413.11(c)	X			
			264.113(a)(1)(ii)(C)	4413.11(d)	X			
	IV A,24	264.113(a)(2)	4413.11(e)	X				

Corporation Counsel Statement Comment: The District does not allow receipt of non-hazardous waste because the types of units which can receive these wastes as per 40 CFR 264.113(d)&(e) are not allowed in the District. This difference makes the District's program more stringent than the Federal program.

complete partial or final closure within 180 days of receiving final volume	IV A,24, †64	264.113(b)	4413.12			X		
modification and demonstration requirements for extending closure period	IV A,24	264.113(b)(1)(i)	4413.12(a)	X				
	IV A,24, †64	264.113(b)(1)(ii)(A)	4413.12(b)			X		
			264.113(b)(1)(ii)(B)	4413.12(c)	X			
			264.113(b)(1)(ii)(C)	4413.12(d)	X			
	IV A,24	264.113(b)(2)	4413.12(e)	X				

Corporation Counsel Statement Comment: The District does not allow receipt of non-hazardous waste because the types of units which can receive these wastes as per 40 CFR 264.113(d)&(e) are not allowed in the District. This difference makes the District's program more stringent than the Federal program.

how 264.113(a)(1) & (b)(1) demonstrations must be made	24, †64	264.113(c)	4413.13	X			
		264.113(c)(1)	4413.13(a)	X			
		264.113(c)(2)	4413.13(b)	X			

† Nonhazardous Waste Receipt Conditions

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
receive only non-hazardous wastes after the final receipt of hazardous wastes at specified units	64	264.113(d)	No direct analog; 4400.3, 4018			X	
		264.113(d)(1)	No direct analog; 4400.3, 4018			X	
		264.113(d)(1)(i)	No direct analog; 4400.3, 4018			X	
		264.113(d)(1)(ii)	No direct analog; 4400.3, 4018			X	
		264.113(d)(1)(iii)	No direct analog; 4400.3, 4018			X	
		264.113(d)(1)(iv)	No direct analog; 4400.3, 4018			X	
		264.113(d)(1)(v)	No direct analog; 4400.3, 4018			X	
		264.113(d)(2)	No direct analog; 4400.3, 4018			X	
		264.113(d)(3)	No direct analog; 4400.3, 4018			X	
		264.113(d)(4)	No direct analog; 4400.3, 4018			X	
		permit modification requirements	64	264.113(d)(4)	No direct analog; 4400.3, 4018		

Corporation Counsel Statement Comment: An analog for 40 CFR 264.113(d) is not included in the D.C. regulations because this provision only addresses landfills, land treatment and surface impoundments, all of which are not allowed in the District. This difference makes the District's program more stringent than the Federal program.

† Additional Requirements for Surface Impoundments

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
special requirements for surface impoundments not in compliance with liner and leachate collection system requirements	64	264.113(e)	No direct analog; 4400.3, 4018			X	
plans which must be submitted with request to modify permit	64	264.113(e)(1)	No direct analog; 4400.3, 4018			X	
		264.113(e)(1)(i)	No direct analog; 4400.3, 4018			X	
		264.113(e)(1)(ii)	No direct analog; 4400.3, 4018			X	
		264.113(e)(1)(iii)	No direct analog; 4400.3, 4018			X	
remove all hazardous wastes	64	264.113(e)(2)	No direct analog; 4400.3, 4018			X	
removal within 90 days; extension	64	264.113(e)(3)	No direct analog; 4400.3, 4018			X	
actions to be taken if a release is detected	64	264.113(e)(4)	No direct analog; 4400.3, 4018			X	
		264.113(e)(4)(i)	No direct analog; 4400.3, 4018			X	
		264.113(e)(4)(ii)	No direct analog; 4400.3, 4018			X	
		264.113(e)(4)(iii)	No direct analog; 4400.3, 4018			X	
semi-annual reports	64	264.113(e)(5)	No direct analog; 4400.3, 4018			X	
conditions under which Regional Administrator may require closure	64	264.113(e)(6)	No direct analog; 4400.3, 4018			X	

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
actions to be taken if owner or operator fails to implement corrective measures or if no substantial progress pursuant to 264.113(e)(6) has been made	64	264.113(e)(7)	No direct analog; 4400.3, 4018			X	
		264.113(e)(7)(i)	No direct analog; 4400.3, 4018			X	
		264.113(e)(7)(ii)	No direct analog; 4400.3, 4018			X	
		264.113(e)(7)(iii)	No direct analog; 4400.3, 4018			X	
		264.113(e)(7)(iv)	No direct analog; 4400.3, 4018			X	
		264.113(e)(7)(v)	No direct analog; 4400.3, 4018			X	

Corporation Counsel Statement Comment: An analog to 40 CFR 264.113(e) is not included in the District's regulations because this provision only addresses surface impoundments, which are not allowed in the District. This difference makes the District's program more stringent than the Federal program.

DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS

disposal and decontamination requirements during closure; 262 generator requirements	IV A,24, 45,52	264.114	4413.14	X			
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CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
CERTIFICATION OF CLOSURE							
certification requirements at closure; required signatures; documentation upon request	IV A,24	264.115	4413.15	X			
SURVEY PLAT							
survey plat requirements	24	264.116	4413.16	X			
POST-CLOSURE CARE AND USE OF PROPERTY							
continue care for 30 years	IV A,24	264.117(a)(1)	4413.17			X	
Corporation Counsel Statement Comment: All units requiring a permit are subject to post-closure care even if clean closure can be demonstrated. This difference makes this provision more stringent than its Federal analog.							
monitoring and reporting requirements	IV A,24, 45	264.117(a)(1)(i)	4413.17(a)	X			
maintenance and monitoring for waste containment systems	IV A,24, 45	264.117(a)(1)(ii)	4413.17(b)	X			
reduction or extension of time period for post-closure care by Regional Administrator	IV A,24	264.117(a)(2)	4413.18	X			
		264.117(a)(2)(i)	4413.18(a)	X			
		264.117(a)(2)(ii)	4413.18(b)	X			
conditions for continuation of security requirements of 265.14	IV A,24	264.117(b)	4413.19			X	
		264.117(b)(1)	4413.19(a)	X			
		264.117(b)(2)	4413.19(b)	X			
Corporation Counsel Statement Comment: The District is more stringent because it requires that all hazardous waste be removed at closure. If this is not practicable after all reasonable efforts, requirements analogous to 40 CFR 264.310 must be met. The Federal program does not require clean closure. As such, the District program is more stringent.							
limits on post-closure use of property; exceptions	IV A,24	264.117(c)	4413.20	X			
		264.117(c)(1)	4413.20(a)	X			
		264.117(c)(2)	4413.20(b)	X			
post-closure activities in accordance with plan as specified in 264.118	IV A,24	264.117(d)	4413.21	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
POST-CLOSURE PLAN; AMENDMENT OF PLAN							
written post-closure plan; contingent plans; condition of RCRA permit	IV A,24	264.118(a)	4413.22	X			
activities specified in post-closure plan and their frequency	IV A,24	264.118(b)	4413.23	X			
monitoring activities and their frequency	IV A,24, 45	264.118(b)(1)	4413.23(a)	X			
maintenance activities and their frequency	IV A,24	264.118(b)(2)	4413.23(b)	X			
integrity of cap and final cover	IV A,24, 45	264.118(b)(2)(i)	4413.23(b)(1)	X			
function of monitoring equipment	IV A,24, 45	264.118(b)(2)(ii)	4413.23(b)(2)	X			
person or office to contact	IV A,24	264.118(b)(3)	4413.23(c)	X			
availability and retention of plan	IV A,24	264.118(c)	4413.24	X			
written notification of or request for modification of plan	IV A,24, †54	264.118(d)	4413.25	X			
notification or request may be made at any time	24, †54	264.118(d)(1)	4413.25(a)	X			
must submit written request whenever:	24, †54	264.118(d)(2)	4413.25(b)	X			
changes that affect plan	24	264.118(d)(2)(i)	4413.25(b)(1)	X			
change in expected closure year	24	264.118(d)(2)(ii)	4413.25(b)(2)	X			
events affecting plan	24	264.118(d)(2)(iii)	4413.25(b)(3)	X			
timing of modification request; submittal of post-closure plan	24	264.118(d)(3)	4413.25(c)	X			
Regional Administrator's request for modifications	24	264.118(d)(4)	4413.25(d)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

POST-CLOSURE NOTICES

record of type, location and quantity of HW	IV A,24	264.119(a)	4413.26			X	
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Corporation Counsel Statement Comment: The District does not include the last sentence, because no waste was allowed to be disposed of in the District even prior to this date. Thus, the exact location of all wastes must be given. This makes the District more stringent than the Federal program.

requirement to enter note on deed; survey plan; submit certification	IV A,24	264.119(b)	4413.27	X			
		264.119(b)(1)	4413.27(a)	X			
		264.119(b)(1)(i)	4413.27(a)(1)	X			
		264.119(b)(1)(ii)	4413.27(a)(2)	X			
		264.119(b)(1)(iii)	4413.27(a)(3)	X			
		264.119(b)(2)	4413.27(b)	X			
modification to remove hazardous wastes; criteria of 264.117(c); removal of notation; addition of notation	IV A,24	264.119(c)	4413.28	X			
		264.119(c)(1)	4413.28(a)	X			
		264.119(c)(2)	4413.28(b)	X			

CERTIFICATION OF COMPLETION OF POST-CLOSURE CARE

completion of post-closure period	24	264.120	4413.29	X			
removed	NA	264.120(a)	NA	X			
		264.120(a)(1)-(3)	NA	X			
		264.120(b)	NA	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts A-G, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
requirements for hazardous waste facility which must close like landfill	NA	No direct Federal analog	4413.30	X			

Corporation Counsel Statement Comment: The requirements at 20 DCMR 4413.30 apply to hazardous waste management units that close like a landfill because not all hazardous wastes can be practicably removed as per 40 CFR 264.197 and 264.258. These requirements are analogous to 264.310.

DISTRICT OF COLUMBIA
CONSOLIDATED CHECKLIST C5

Part 2 of 5 parts

Standards for Owners and Operators of Hazardous Waste Treatment,
Storage, and Disposal Facilities

40 CFR Part 264, Subparts H-J, as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART H - FINANCIAL REQUIREMENTS

APPLICABILITY

264.142, 264.143, 264.147-264.151 requirements; exceptions	IV A	264.140(a)	4414.1	X			
264.144 and 264.145 requirements apply to:	IV A	264.140(b)	No analog			X	
disposal facilities	IV A,109	264.140(b)(1)	No analog			X	
waste piles and surface impoundments	IV A,109	264.140(b)(2)	No analog			X	
tank systems	28,109	264.140(b)(3)	No analog			X	
containment buildings that are required under 264.1102 to meet the requirements for landfills	109	264.140(b)(4)	No analog			X	

Corporation Counsel Statement Comment: The District's financial assurance requirements are more stringent than the Federal requirements because the post-closure financial requirements apply to all facilities and units, not just those listed at 40 CFR 264.140(b)(1)-(4).

State and Federal government exemptions	IV A	264.140(c)	4414.2	X			
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DEFINITION OF TERMS AS USED IN THIS SUBPART

"closure plan"	IV A	264.141(a)	5400.1	X			
"current closure cost estimate"	IV A	264.141(b)	5400.1	X			
"current post-closure cost estimate"	IV A	264.141(c)	5400.1	X			
"parent corporation"	IV A	264.141(d)	5400.1	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"post-closure plan"	IV A	264.141(e)	5400.1	X			
terms used in financial tests	IV A	264.141(f)(intro)	no analog	X			
"assets"	IV A	264.141(f)	5400.1	X			
"current assets"	IV A	264.141(f)	5400.1	X			
"current liabilities"	IV A	264.141(f)	5400.1	X			
"current plugging and abandonment cost estimate"	24	264.141(f)	No direct analog; 4400.3, 4018	D			

Corporation Counsel Statement Comment: The District does not include a definition of current plugging and abandonment because the District does not allow underground injection of hazardous waste.

"independently audited"	IV A	264.141(f)	5400.1	X			
"liabilities"	IV A	264.141(f)	5400.1	X			
"net working capital"	IV A	264.141(f)	5400.1	X			
"net worth"	IV A	264.141(f)	5400.1	X			
"tangible net worth"	IV A	264.141(f)	5400.1	X			
introduction to definitions relating to liability insurance, bodily injury, and property damage	IV A	264.141(g)(intro)	no analog	X			
"accidental occurrence"	IV A	264.141(g)	5400.1	X			
"legal defense costs"	IV A	264.141(g)	5400.1	X			
"nonsudden accidental occurrence"	IV A	264.141(g)	5400.1	X			
"sudden accidental occurrence"	IV A	264.141(g)	5400.1	X			
† "substantial business relationship"	113	264.141(h)	5400.1	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

COST ESTIMATE FOR CLOSURE

owner or operator must have written cost estimate	IV A,24,45,109	264.142(a)	4414.3	X			
equal to cost of final closure	24	264.142(a)(1)	4414.3	X			
based on costs of hiring third party	24	264.142(a)(2)	4414.4			X	

Corporation Counsel Statement Comment: The District does not allow on-site disposal costs to be used because this type of disposal is prohibited in the District. This difference makes District's program more stringent than the Federal program.

no incorporation of salvage value	24,†64	264.142(a)(3)	4414.5	X			
no incorporation of zero cost	24,†64	264.142(a)(4)	4414.6	X			
adjust closure cost estimate for inflation	IV A,24	264.142(b)	4414.7	X			
first adjustment	IV A	264.142(b)(1)	4414.7(a)	X			
subsequent adjustments	IV A	264.142(b)(2)	4414.7(b)	X			
revised closure cost estimate	IV A,24	264.142(c)	4414.8	X			
cost estimates to be kept at facility	IV A	264.142(d)	4414.9	X			

FINANCIAL ASSURANCE FOR CLOSURE

options to establish financial assurance	*	264.143	4414.10	X			
closure trust fund; requirements; trustee must have authority	IV A	264.143(a)(1)	4414.10(a)	X			
wording identical to 264.151(a)(1); Schedule A update	IV A	264.143(a)(2)	4414.10(a)(1)	X			
annual payments; "pay-in period"	IV A	264.143(a)(3)	4414.10(a)(2)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
first payment for new facility; subsequent payments	IV A	264.143(a)(3)(i)	4414.10(a)(2)(A)	X			
payments for permitted facility	IV A	264.143(a)(3)(ii)	4414.10(a)(2)(B)	X			
accelerated payments	IV A	264.143(a)(4)	4414.10(a)(3)	X			
payments if previous use of alternate mechanisms	IV A	264.143(a)(5)	4414.10(a)(4)	X			
compare new estimate to trust fund	IV A	264.143(a)(6)	4414.10(a)(5)	X			
release of excess amount	IV A	264.143(a)(7)	4414.10(a)(6)	X			
substitution of other financial assurance	IV A	264.143(a)(8)	4414.10(a)(7)	X			
timing of release of funds	IV A	264.143(a)(9)	4414.10(a)(8)	X			
reimbursement for closure activities	IV A,24	264.143(a)(10)	4414.10(a)(9)	X			
termination of trust if alternate financial assurance or release from 264.143 requirements	IV A	264.143(a)(11)	4414.10(a)(10)	X			
		264.143(a)(11)(i)	4414.10(a)(10)(A)	X			
		264.143(a)(11)(ii)	4414.10(a)(10)(B)	X			
surety bond guaranteeing payment into a closure trust fund; requirements; obtain from an acceptable surety company	IV A	264.143(b)(1)	4414.10(b)	X			
wording identical to 264.151(b)	IV A	264.143(b)(2)	4414.10(b)(1)	X			
establish standby trust fund	IV A	264.143(b)(3)	4414.10(b)(2)	X			
trust agreement submitted with surety bond	IV A	264.143(b)(3)(i)	4414.10(b)(2)(A)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
until standby trust fund is funded, following not required:	IV A	264.143(b)(3)(ii)	4414.10(b)(2)(B)	X			
payments into trust fund	IV A	264.143(b)(3)(ii)(A)	4414.10(b)(2)(B)(i)	X			
Schedule A update	IV A	264.143(b)(3)(ii)(B)	4414.10(b)(2)(B)(ii)	X			
annual valuations	IV A	264.143(b)(3)(ii)(C)	4414.10(b)(2)(B)(iii)	X			
notices of nonpayment	IV A	264.143(b)(3)(ii)(D)	4414.10(b)(2)(B)(iv)	X			
surety bond guarantees:	IV A	264.143(b)(4)	4414.10(b)(3)	X			
funding of standby trust fund	IV A	264.143(b)(4)(i)	4414.10(b)(3)(A)	X			
fund equal to penal sum within 15 days of administrative or judicial order	IV A,24	264.143(b)(4)(ii)	4414.10(b)(3)(B)	X			
alternate financial assurance following notice of cancellation	IV A	264.143(b)(4)(iii)	4414.10(b)(3)(C)	X			
when surety becomes liable	IV A	264.143(b)(5)	4414.10(b)(4)	X			
penal sum equal to current cost estimate	IV A	264.143(b)(6)	4414.10(b)(5)	X			
penal sum increase or decrease	IV A	264.143(b)(7)	4414.10(b)(6)	X			
surety may cancel bond after 120 days	IV A	264.143(b)(8)	4414.10(b)(7)	X			
owner or operator may cancel bond if written consent	IV A	264.143(b)(9)	4414.10(b)(8)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
surety bond guaranteeing performance of closure; requirements; obtain from acceptable surety company	IV A	264.143(c)(1)	4414.10(c)	X			
wording identical to 264.151(c)	IV A	264.143(c)(2)	4414.10(c)(1)	X			
establish standby trust fund	IV A	264.143(c)(3)	4414.10(c)(2)	X			
trust agreement submitted with surety bond	IV A	264.143(c)(3)(i)	4414.10(c)(2)(A)	X			
unless standby trust fund is funded, the following not required:	IV A	264.143(c)(3)(ii)	4414.10(c)(2)(B)	X			
payments to trust fund	IV A	264.143(c)(3)(ii)(A)	4414.10(c)(2)(B)(i)	X			
Schedule A update	IV A	264.143(c)(3)(ii)(B)	4414.10(c)(2)(B)(ii)	X			
annual valuations	IV A	264.143(c)(3)(ii)(C)	4414.10(c)(2)(B)(iii)	X			
notices of nonpayment	IV A	264.143(c)(3)(ii)(D)	4414.10(c)(2)(B)(iv)	X			
what the bond must guarantee	IV A	264.143(c)(4)	4414.10(c)(3)	X			
		264.143(c)(4)(i)	4414.10(c)(3)(A)	X			
		264.143(c)(4)(ii)	4414.10(c)(3)(B)	X			
surety will become liable when owner/operator fails to perform as bond guarantees; following final Administrative Order perform final closure or deposit penal sum in standby trust fund	IV A,24	264.143(c)(5)	4414.10(c)(4)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
amount of penal sum	IV A	264.143(c)(6)	4414.10(c)(5)	X			
if current closure cost estimate increases to an amount greater than penal sum, then increase penal sum within 60 days	IV A	264.143(c)(7)	4414.10(c)(6)	X			
surety may cancel bond; procedures	IV A	264.143(c)(8)	4414.10(c)(7)	X			
owner or operator may cancel bond if Regional Administrator consents in writing; conditions	IV A	264.143(c)(9)	4414.10(c)(8)	X			
		264.143(c)(9)(i)	4414.10(c)(8)(A)	X			
		264.143(c)(9)(ii)	4414.10(c)(8)(B)	X			
surety not liable for deficiencies in closure performance after Regional Administrator releases owner or operator from requiring 264.143	IV A	264.143(c)(10)	4414.10(c)(9)	X			
closure letter of credit; when letter must be submitted to Regional Administrator; conditions of letter and who can issue it	IV A	264.143(d)(1)	4414.10(d)	X			
wording identical to 264.151(d)	IV A	264.143(d)(2)	4414.10(d)(1)	X			
establish standby trust fund; meets requirements of 264.143(a) except:	IV A	264.143(d)(3)	4414.10(d)(2)	X			
originally signed duplicate to Regional Administrator with letter of credit	IV A	264.143(d)(3)(i)	4414.10(d)(2)(A)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
unless standby trust fund is funded, the following are not required:	IV A	264.143(d)(3)(ii)	4414.10(d)(2)(B)	X			
payments into trust fund	IV A	264.143(d)(3)(ii)(A)	4414.10(d)(2)(B)(i)	X			
Schedule A update	IV A	264.143(d)(3)(ii)(B)	4414.10(d)(2)(B)(ii)	X			
annual valuations	IV A	264.143(d)(3)(ii)(C)	4414.10(d)(2)(B)(iii)	X			
notices of nonpayment	IV A	264.143(d)(3)(ii)(D)	4414.10(d)(2)(B)(iv)	X			
letter of credit accompanied by letter from owner/operator; information it must contain	IV A	264.143(d)(4)	4414.10(d)(3)	X			
terms of letter of credit	IV A	264.143(d)(5)	4414.10(d)(4)	X			
issued in amount equal to current closure cost estimate except as provided in 264.143(g)	IV A	264.143(d)(6)	4414.10(d)(5)	X			
if current closure cost estimate increases to an amount greater than credit amount, then must increase credit amount within 60 days; actions when closure costs decrease	IV A	264.143(d)(7)	4414.10(d)(6)	X			
after final RCRA 3008 determination, Regional Administrator may draw on letter of credit	IV A,24	264.143(d)(8)	4414.10(d)(7)	X			
if no alternate financial assurance, Regional Administrator can draw on letter of credit; procedures for doing so	IV A	264.143(d)(9)	4414.10(d)(8)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions under which the Regional Administrator will return the letter of credit for termination	IV A	264.143(d)(10)	4414.10(d)(9)	X			
		264.143(d)(10)(i)	4414.10(d)(9)(A)	X			
		264.143(d)(10)(ii)	4414.10(d)(9)(B)	X			
closure insurance must conform to 264.143(e) requirements; submit certificate to Regional Administrator; insurer requirements	IV A	264.143(e)(1)	4414.10(e)	X			
identical to 264.151(e) wording	IV A	264.143(e)(2)	4414.10(e)(1)	X			
amount of insurance policy	IV A	264.143(e)(3)	4414.10(e)(2)	X			
what the policy must guarantee	IV A	264.143(e)(4)	4414.10(e)(3)	X			
owner/operator may request reimbursements; conditions for; procedures of Regional Administrator if maximum closure cost is greater than face value of policy	IV A,24	264.143(e)(5)	4414.10(e)(4)	X			
policy must be in full force until Regional Administrator consents to termination; violations	IV A	264.143(e)(6)	4414.10(e)(5)	X			
assignment of policy to successor	IV A	264.143(e)(7)	4414.10(e)(6)	X			
insurer cannot terminate except for failure to pay; renewal; procedures if failure to pay	IV A	264.143(e)(8)	4414.10(e)(7)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions that policy will remain in full force and effect in the event that the listed circumstances occur	IV A	264.143(e)(8)(i)	4414.10(e)(7)(A)	X			
		264.143(e)(8)(ii)	4414.10(e)(7)(B)	X			
		264.143(e)(8)(iii)	4414.10(e)(7)(C)	X			
		264.143(e)(8)(iv)	4414.10(e)(7)(D)	X			
		264.143(e)(8)(v)	4414.10(e)(7)(E)	X			
owner/operator responsibilities and procedures when current closure cost estimate increases/decreases to an amount greater/less than face amount of policy	IV A	264.143(e)(9)	4414.10(e)(8)	X			
conditions under which Regional Administrator will allow termination of policy	IV A	264.143(e)(10)	4414.10(e)(9) & 4414.10(e)(9)(A)-(B)				
		264.143(e)(10)(i)					
		264.143(e)(10)(ii)		X			
financial test and corporate guarantee for closure; owner/operator must satisfy 264.143(f)(1)(i) or (ii) requirements to pass financial test	IV A	264.143(f)(1)	4414.10(f)	X			
what owner/operator must have:	IV A	264.143(f)(1)(i)	4414.10(f)(1)	X			
two of three specified financial ratios	IV A	264.143(f)(1)(i)(A)	4414.10(f)(1)(A)	X			
net working capital and tangible net worth relative to closure/post-closure estimates	IV A,24	264.143(f)(1)(i)(B)	4414.10(f)(1)(B)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs has been removed because the District does not allow underground injection.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
tangible net worth of at least \$10 million	IV A	264.143(f)(1)(i)(C)	4414.10(f)(1)(C)	X			
90% of assets in U.S.	IV A,24	264.143(f)(1)(i)(D)	4414.10(f)(1)(D)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs has been removed because the District does not allow underground injection.

what owner/operator must have:	IV A	264.143(f)(1)(ii)	4414.10(f)(2)	X			
bond rating	IV A	264.143(f)(1)(ii)(A)	4414.10(f)(2)(A)	X			
tangible net worth at six times sum of closure/post-closure cost estimates	IV A,24	264.143(f)(1)(ii)(B)	4414.10(f)(2)(B)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs has been removed because the District does not allow underground injection.

tangible net worth at least \$10 million	IV A	264.143(f)(1)(ii)(C)	4414.10(f)(2)(C)	X			
90% of assets in U.S.	IV A,24	264.143(f)(1)(ii)(D)	4414.10(f)(2)(D)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs has been removed because the District does not allow underground injection.

definitions of "current closure and post-closure cost estimates" and "current plugging and abandonment cost estimates"	IV A,24	264.143(f)(2)	4414.10(f)(3)	D			
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Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs was removed because the District does not allow underground injection.

what the owner/operator must submit to the Regional Administrator to demonstrate he meets the financial test	IV A	264.143(f)(3)	4414.10(f)(4)	X			
		264.143(f)(3)(i)	4414.10(f)(4)(A)	X			
		264.143(f)(3)(ii)	4414.10(f)(4)(B)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		264.143(f)(3)(iii)	4414.10(f)(4)(C)	X			
		264.143(f)(3)(iii)(A)	4414.10(f)(4)(C)(i)	X			
		264.143(f)(3)(iii)(B)	4414.10(f)(4)(C)(ii)	X			
when 264.143(f)(3) items must be submitted	IV A	264.143(f)(4)	4414.10(f)(5)	X			
updates at close of each fiscal year	IV A	264.143(f)(5)	4414.10(f)(6)	X			
owner/operator responsibilities if no longer meets 264.143(f)(1) requirements	IV A	264.143(f)(6)	4414.10(f)(7)	X			
what Regional Administrator may do if suspects owner/operator no longer meets 264.143(f)(1)	IV A	264.143(f)(7)	4414.10(f)(8)	X			
when Regional Administrator may disallow test	IV A	264.143(f)(8)	4414.10(f)(9)	X			
		264.143(f)(9)	4414.10(f)(10)	X			
when 264.143(f)(3) items no longer need to be submitted	IV A	264.143(f)(9)(i)	4414.10(f)(10)(A)	X			
		264.143(f)(9)(ii)	4414.10(f)(10)(B)	X			
requirement may be met by corporate guarantee; conditions which guarantor and guarantee must meet	IV A, †113	264.143(f)(10)	4414.10(f)(11)	X			
what the terms of the corporate guarantee must provide	IV A	264.143(f)(10)(i)	4414.10(f)(11)(A)	X			
		264.143(f)(10)(ii)	4414.10(f)(11)(B)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
		264.143(f)(10)(iii)	4414.10(f)(11)(C)	X			
use of multiple financial mechanisms; conditions which must be met	IV A	264.143(g)	4414.10(g)	X			
use of financial mechanism for multiple facilities; conditions which must be met	IV A	264.143(h)	4414.10(h)			X	
Corporation Counsel Statement Comment: The District is more stringent because, while it allows the use of a financial mechanism for multiple facilities, all facilities must be in the District.							
release of owner/operator from the requirements of 264.143	IV A,24	264.143(i)	4414.10(i)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

COST ESTIMATE FOR POST-CLOSURE CARE

detailed written estimate, in current dollars, of annual cost of post-closure monitoring and maintenance	IV A,24,45	264.144(a)	4414.11	X			
post-closure cost estimate based on hiring third party to conduct care	IV A,24	264.144(a)(1)	4414.11(a)	X			
calculation of estimate	IV A,24	264.144(a)(2)	4414.11(b)	X			
adjust for inflation; specifications on when this must be done; inflation factor	IV A,24	264.144(b)	4414.12	X			
first adjustment	IV A	264.144(b)(1)	4414.12(a)	X			
subsequent adjustments	IV A	264.144(b)(2)	4414.12(b)	X			
revise post-closure care estimate when post-closure plan changes	IV A,24	264.144(c)	4414.13	X			
what must be kept at facility	IV A	264.144(d)	4414.14	X			

FINANCIAL ASSURANCE FOR POST-CLOSURE CARE

deadline for obtaining financial assurance; options from which owner/operator may choose	*,24	264.145	4414.15	X			
post-closure trust fund; requirements which trust and trustee must meet; submit to Regional Administrator	IV A	264.145(a)(1)	4414.15(a)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
trust must have wording identical to that specified in 264.151(a)(1); formal certification of acknowledgment; Schedule A	IV A	264.145(a)(2)	4414.15(a)(1)	X			
annual payments; procedures and formulas for determining	IV A	264.145(a)(3)	4414.15(a)(2)	X			
		264.145(a)(3)(i)	4414.15(a)(2)(A)	X			
		264.145(a)(3)(ii)	4414.15(a)(2)(B)	X			
the value at which fund must be maintained	IV A	264.145(a)(4)	4414.15(a)(3)	X			
first payment of post-closure trust fund after another mechanism was used	IV A	264.145(a)(5)	4414.15(a)(4)	X			
after pay-in period, what must be done if fund value is less than new estimate	IV A	264.145(a)(6)	4414.15(a)(5)	X			
written request to Regional Administrator for release of excess in fund	IV A	264.145(a)(7)	4414.15(a)(6)	X			
other financial procedure if substitute assurance for all or part of fund	IV A	264.145(a)(8)	4414.15(a)(7)	X			
within 60 days after request for fund release, Regional Administrator will instruct trustee to do so	IV A	264.145(a)(9)	4414.15(a)(8)	X			
fund release during post-closure	IV A	264.145(a)(10)	4414.15(a)(9)	X			
reimbursement for post-closure care expenditures	IV A,24	264.145(a)(11)	4414.15(a)(10)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions under which a Regional Administrator will terminate a trust	IV A	264.145(a)(12)	4414.15(a) (11)	X			
		264.145(a)(12)(i)	4414.15(a) (11)(A)	X			
		264.145(a)(12)(ii)	4414.15(a) (11)(B)	X			
surety bond guaranteeing payment into a post-closure fund; specific conditions which surety and company issuing surety must meet	IV A	264.145(b)(1)	4414.15(b)	X			
surety bond wording must be identical to that specified in 264.151(b)	IV A	264.145(b)(2)	4414.15(b)(1)	X			
establish a standby trust; trust must meet 264.145(a) requirements except:	IV A	264.145(b)(3)	4414.15(b)(2)	X			
originally signed duplicate to Regional Administrator	IV A	264.145(b)(3)(i)	4414.15(b)(2) (A)	X			
until standby trust is funded, specific requirements that are not required	IV A	264.145(b)(3)(ii)	4414.15(b)(2) (B)	X			
		264.145(b)(3)(ii)(A)	4414.15(b)(2) (B)(i)	X			
		264.145(b)(3)(ii)(B)	4414.15(b)(2) (B)(ii)	X			
		264.145(b)(3)(ii)(C)	4414.15(b)(2) (B)(iii)	X			
		264.145(b)(3)(ii)(D)	4414.15(b)(2) (B)(iv)	X			
the bond must guarantee that the owner/operator will do the following:	IV A	264.145(b)(4)	4414.15(b)(3)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
fund the standby trust equal to penal sum before begin final closure	IV A	264.145(b)(4)(i)	4414.15(b)(3)(A)	X			
fund standby trust fund equal to penal sum within 15 days of order to close	IV A,24	264.145(b)(4)(ii)	4414.15(b)(3)(B)	X			
provide alternate financial assurance	IV A	264.145(b)(4)(iii)	4414.15(b)(3)(C)	X			
when surety becomes liable	IV A	264.145(b)(5)	4414.15(b)(4)	X			
what penal sum must be equal to	IV A	264.145(b)(6)	4414.15(b)(5)	X			
adjustment to penal sum due to post-closure cost estimate increase/decrease	IV A	264.145(b)(7)	4414.15(b)(6)	X			
conditions under which surety may cancel bond	IV A	264.145(b)(8)	4414.15(b)(7)	X			
conditions under which owner or operator may cancel bond	IV A	264.145(b)(9)	4414.15(b)(8)	X			
surety bond guaranteeing performance of post-closure care	IV A	264.145(c)	4414.15(c)	X			
conditions surety bond and surety company must meet	IV A	264.145(c)(1)	4414.15(c)	X			
identical wording to 264.151(c)	IV A	264.145(c)(2)	4414.15(c)(1)	X			
establish standby trust fund; meet 264.145(a) requirements except:	IV A	264.145(c)(3)	4414.15(c)(2)	X			
originals and duplicate of trust agreement to Regional Administrator	IV A	264.145(c)(3)(i)	4414.15(c)(2)(A)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
unless standby trust fund is funded according to section requirements, specific procedures that are not required	IV A	264.145(c)(3)(ii)	4414.15(c)(2)(B)	X			
		264.145(c)(3)(ii)(A)	4414.15(c)(2)(B)(i)	X			
		264.145(c)(3)(ii)(B)	4414.15(c)(2)(B)(ii)	X			
		264.145(c)(3)(ii)(C)	4414.15(c)(2)(B)(iii)	X			
		264.145(c)(3)(ii)(D)	4414.15(c)(2)(B)(iv)	X			
what the bond must guarantee	IV A	264.145(c)(4)	4414.15(c)(3)	X			
		264.145(c)(4)(i)	4414.15(c)(3)(A)	X			
		264.145(c)(4)(ii)	4414.15(c)(3)(B)	X			
when the surety becomes liable; keyed to final administrative 3008 determination	IV A,24	264.145(c)(5)	4414.15(c)(4)	X			
what penal sum must be equal to	IV A	264.145(c)(6)	4414.15(c)(5)	X			
adjustments to penal sum due to post-closure cost estimate increase/decrease	IV A	264.145(c)(7)	4414.15(c)(6)	X			
approval of decrease in penal sum	IV A	264.145(c)(8)	4414.15(c)(7)	X			
conditions under which surety may cancel bond	IV A	264.145(c)(9)	4414.15(c)(8)	X			
conditions under which owner or operator may cancel bond	IV A	264.145(c)(10)	4414.15(c)(9)	X			
		264.145(c)(10)(i)	4414.15(c)(9)(A)	X			
		264.145(c)(10)(ii)	4414.15(c)(9)(B)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what the surety is not liable for	IV A	264.145(c)(11)	4414.15(c) (10)	X			
post-closure letter of credit	IV A	264.145(d)	4414.15(d)	X			
conditions the letter of credit and its issuing institution must meet	IV A	264.145(d)(1)	4414.15(d)	X			
identical wording to that specified in 264.151(d)	IV A	264.145(d)(2)	4414.15(d)(1)	X			
establish standby trust fund; meet 264.145(a) conditions, except:	IV A	264.145(d)(3)	4414.15(d)(2)	X			
originally signed duplicate of trust agreement to Regional Administrator	IV A	264.145(d)(3)(i)	4414.15(d)(2) (A)	X			
unless standby trust fund is funded, specific items not required	IV A	264.145(d)(3)(ii)	4414.15(d)(2) (B)	X			
		264.145(d)(3)(ii)(A)	4414.15(d)(2) (B)(i)	X			
		264.145(d)(3)(ii)(B)	4414.15(d)(2) (B)(ii)	X			
		264.145(d)(3)(ii)(C)	4414.15(d)(2) (B)(iii)	X			
		264.145(d)(3)(ii)(D)	4414.15(d)(2) (B)(iv)	X			
letter of credit must be accompanied by letter; what letter must contain	IV A	264.145(d)(4)	4414.15(d)(3)	X			
terms of letter of credit	IV A	264.145(d)(5)	4414.15(d)(4)	X			
amount of letter of credit	IV A	264.145(d)(6)	4414.15(d)(5)	X			
adjustments to amount of credit due to increase/decrease in post-closure cost estimate	IV A	264.145(d)(7)	4414.15(d)(6)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions under which amount of letter of credit can be decreased	IV A,24	264.145(d)(8)	4414.15(d)(7)	X			
after final 3008 administrative determination, Regional Administrator may draw on credit	IV A,24	264.145(d)(9)	4414.15(d)(8)	X			
when the Regional Administrator can draw on letter of credit	IV A	264.145(d)(10)	4414.15(d)(9)	X			
termination of letter of credit	IV A	264.145(d)(11)	4414.15(d)(10)	X			
		264.145(d)(11)(i)	4414.15(d)(10)(A)	X			
		264.145(d)(11)(ii)	4414.15(d)(10)(B)	X			
post-closure insurance; conditions the insurance and the insurer must meet	IV A	264.145(e)(1)	4414.15(e)	X			
wording identical to wording specified in 264.151(e)	IV A	264.145(e)(2)	4414.15(e)(1)	X			
"face amount" policy must be issued for	IV A	264.145(e)(3)	4414.15(e)(2)	X			
what policy must guarantee	IV A	264.145(e)(4)	4414.15(e)(3)	X			
request for reimbursement; procedures for reimbursement	IV A,24	264.145(e)(5)	4414.15(e)(4)	X			
maintain policy in full force until Regional Administrator consents to terminate; failure to pay	IV A	264.145(e)(6)	4414.15(e)(5)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
assignment of policy to successor	IV A	264.145(e)(7)	4414.15(e)(6)	X			
excepting failure to pay, policy must provide that insurer may not cancel, terminate or fail to renew; conditions under which policy remains in full force following date of expiration	IV A	264.145(e)(8)	4414.15(e)(7)	X			
		264.145(e)(8)(i)	4414.15(e)(7)(A)	X			
		264.145(e)(8)(ii)	4414.15(e)(7)(B)	X			
		264.145(e)(8)(iii)	4414.15(e)(7)(C)	X			
		264.145(e)(8)(iv)	4414.15(e)(7)(D)	X			
		264.145(e)(8)(v)	4414.15(e)(7)(E)	X			
		adjustments to face amount due to increase/decrease in post-closure cost estimates	IV A	264.145(e)(9)	4414.15(e)(8)	X	
annual increase of face amount	IV A	264.145(e)(10)	4414.15(e)(9)	X			
conditions under which insurance policy may be terminated	IV A	264.145(e)(11)	4414.15(e)(10)	X			
		264.145(e)(11)(i)	4414.15(e)(10)(A)	X			
		264.145(e)(11)(ii)	4414.15(e)(10)(B)	X			
financial test and corporate guarantee for post-closure care; pass financial test; criteria for passing test	IV A	264.145(f)(1)	4414.15(f)	X			
specific criteria:	IV A	264.145(f)(1)(i)	4414.15(f)(1)	X			
have two of the three specified ratios	IV A	264.145(f)(1)(i)(A)	4414.15(f)(1)(A)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
net working capital and tangible net worth at least six times sum of current closure/post-closure cost estimates and plugging/abandonment cost estimates	IV A,24	264.145(f)(1)(i)(B)	4414.15(f)(1)(B)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs was removed because the District does not allow underground injection.

tangible net worth at least \$10 million	IV A	264.145(f)(1)(i)(C)	4414.15(f)(1)(C)	X			
90% of assets in U.S. or six times sum of current closure/post-closure cost estimate and current plugging/abandonment costs	IV A,24	264.145(f)(1)(i)(D)	4414.15(f)(1)(D)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs was removed because the District does not allow underground injection.

owner or operator must have:	IV A	264.145(f)(1)(ii)	4414.15(f)(2)	X			
a specified bond rating	IV A	264.145(f)(1)(ii)(A)	4414.15(f)(2)(A)	X			
tangible net worth six times sum of current closure/post-closure cost estimates and plugging/abandonment cost estimates	IV A,24	264.145(f)(1)(ii)(B)	4414.15(f)(2)(B)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs was removed because the District does not allow underground injection.

tangible net worth of at least \$10 million	IV A	264.145(f)(1)(ii)(C)	4414.15(f)(2)(C)	X			
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
90% of assets in U.S. or six times sum of current closure/post-closure cost estimate and current plugging/abandonment costs	IV A,24	264.145(f)(1)(ii)(D)	4414.15(f)(2)(D)	D			

Corporation Counsel Statement Comment: The phrase addressing current plugging and abandonment costs was removed because the District does not allow underground injection.

definition of "current closure and post-closure cost estimates" and "current plugging and abandonment cost estimates"	IV A,24	264.145(f)(2)	4414.15(f)(3)	D			
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Corporation Counsel Statement Comment: The sentence regarding current plugging and abandonment costs has been removed because the District does not allow underground injection.

to demonstrate meets 264.145(f)(1) test, items which must be submitted to Regional Administrator	IV A	264.145(f)(3)	4414.15(f)(4)	X			
		264.145(f)(3)(i)	4414.15(f)(4)(A)	X			
		264.145(f)(3)(ii)	4414.15(f)(4)(B)	X			
		264.145(f)(3)(iii)	4414.15(f)(4)(C)	X			
		264.145(f)(3)(iii)(A)	4414.15(f)(4)(C)(i)	X			
		264.145(f)(3)(iii)(B)	4414.15(f)(4)(C)(ii)	X			
when items must be submitted	IV A	264.145(f)(4)	4414.15(f)(5)	X			
when updated information must be submitted	IV A	264.145(f)(5)	4414.15(f)(6)	X			
responsibilities when 264.145(f)(1) requirements are no longer met	IV A	264.145(f)(6)	4414.15(f)(7)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Regional Administrator's actions when suspects owner/operator no longer meets 264.145(f)(1)	IV A	264.145(f)(7)	4414.15(f)(8)	X			
when Regional Administrator may disallow use of test	IV A	264.145(f)(8)	4414.15(f)(9)	X			
when Regional Administrator may approve decrease in current post-closure cost estimates	IV A	264.145(f)(9)	4414.15(f)(10)	X			
specific conditions under which 264.145(f)(3) items no longer need to be submitted	IV A	264.145(f)(10)	4414.15(f)(11)	X			
		264.145(f)(10)(i)	4414.15(f)(11)(A)	X			
		264.145(f)(10)(ii)	4414.15(f)(11)(B)	X			
guarantee may meet 264.145 requirements; conditions guarantee must meet	IV A, †113	264.145(f)(11)	4414.15(f)(12)	X			
	IV A	264.145(f)(11)(i)	4414.15(f)(12)(A)	X			
		264.145(f)(11)(ii)	4414.15(f)(12)(B)	X			
		264.145(f)(11)(iii)	4414.15(f)(12)(C)	X			
use of multiple financial mechanisms	IV A	264.145(g)	4414.15(g)	X			
use of financial mechanism for multiple facilities	IV A	264.145(h)	4414.15(h)			X	

Corporation Counsel Statement Comment: The District is more stringent because, while it allows the use of one mechanism for multiple facilities, all facilities must be in the District.

release of the owner or operator from the requirements of 264.145	IV A,24	264.145(i)	4414.15(i)	X			
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

USE OF A MECHANISM FOR FINANCIAL ASSURANCE OF BOTH CLOSURE AND POST-CLOSURE CARE

financial assurance requirements for both closure and post-closure can be met by specific types of mechanisms which meet 264.143 and 264.145 specifications; amount of funds which must be available	IV A	264.146	4414.16	X			
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LIABILITY REQUIREMENTS

coverage for sudden accidental occurrences; ways liability insurance may be demonstrated	IV A, †113	264.147(a)	4414.17 intro, 4414.17(a)	X			
liability insurance meeting the following:	IV A	264.147(a)(1)	4414.17(a)(1)	X			
attachment of Hazardous Waste Facility Liability Endorsement or Certificate of Liability Insurance; required wording; submittal of signed duplicate original	IV A	264.147(a)(1)(i)	4414.17(a)(1)(A)	X			
minimum requirements insurer must meet	IV A	264.147(a)(1)(ii)	4414.17(a)(1)(B)	X			
meet financial test or use guarantee for liability coverage as specified in 264.147(f)&(g)	IV A, †27,113	264.147(a)(2)	4414.17(a)(2)	X			
requirements may be met by obtaining letter of credit for liability coverage	IV A, †27, †113	264.147(a)(3)	4414.17(a)(3)	X			
† requirements may be met by obtaining surety bond for liability coverage	113	264.147(a)(4)	4414.17(a)(4)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† requirements may be met by obtaining trust fund for liability coverage	113	264.147(a)(5)	4414.17(a)(5)	X			
† liability coverage may be demonstrated by combination of financial mechanisms; amount of coverage must total at least the minimum amounts required by 264.147; specification of "primary" and "excess" coverage	113	264.147(a)(6)	4414.17(a)(6)	X			
notify Regional Administrator in writing whenever:	113	264.147(a)(7)	4414.17(a)(7)	X			
claims reduce amount of financial assurance for liability coverage	113	264.147(a)(7)(i)	4414.17(a)(7)(A)	X			
Certification of Valid Claim for bodily injury or property damages caused by sudden or non-sudden accidental occurrence is entered between the owner or operator and a third-party claimant	113	264.147(a)(7)(ii)	4414.17(a)(7)(B)	X			
final court order establishing judgment for bodily injury or property damage caused by sudden or non-sudden accidental occurrence is issued against the owner or operator or an instrument providing financial assurance	113	264.147(a)(7)(iii)	4414.17(a)(7)(C)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
coverage for nonsudden accidental occurrences; ways coverage may be demonstrated	IV A,45, 113	264.147(b)	4414.17(b)	X			
demonstrate by having liability insurance with the following requirements:	IV A	264.147(b)(1)	4414.17(b)(1)	X			
attachment of Hazardous Waste Facility Liability Endorsement or Certificate of Liability Insurance; required wording; submittal of signed duplicate original	IV A	264.147(b)(1)(i)	4414.17(b)(1)(A)	X			
minimum requirements for insurer	IV A	264.147(b)(1)(ii)	4414.17(b)(1)(B)	X			
pass financial test or use guarantee for liability coverage as specified in 264.147(f)&(g)	IV A,†27, †113	264.147(b)(2)	4414.17(b)(2)	X			
requirements may be met by obtaining letter of credit for liability coverage	IV A,†27, †113	264.147(b)(3)	4414.17(b)(3)	X			
requirements may be met by obtaining surety bond for liability coverage	IV A, †113	264.147(b)(4)	4414.17(b)(4)	X			
† requirements may be met by obtaining trust fund for liability coverage	113	264.147(b)(5)	4414.17(b)(5)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† liability coverage may be demonstrated by combination of mechanisms; amount of coverage must total at least the minimum amount required by 264.147; specification of "primary" and "excess" coverage	113	264.147(b)(6)	4414.17(b)(6)	X			
notify Regional Administrator in writing whenever:	113	264.147(b)(7)	4414.17(b)(7)	X			
claims reduce amount of financial assurance for liability coverage	113	264.147(b)(7)(i)	4414.17(b)(7)(A)	X			
Certification of Valid Claim for bodily injury or property damages caused by sudden or non-sudden accidental occurrence is entered between the owner or operator and a third-party claimant	113	264.147(b)(7)(ii)	4414.17(b)(7)(B)	X			
final court order establishing judgment for bodily injury or property damage caused by sudden or non-sudden accidental occurrence is issued against the owner or operator or an instrument providing financial assurance	113	264.147(b)(7)(iii)	4414.17(b)(7)(C)	X			
requests for variance from 264.147(a) or (b) requirements; form of variance requirements	IV A	264.147(c)	4414.17(c)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
adjustments to required financial responsibility levels by Regional Administrator; criteria which must be used	IV A	264.147(d)	4414.17(d)	X			
when liability coverage may be terminated	IV A,24	264.147(e)	4414.17(e)	X			
financial test for liability coverage; criteria of 265.147(f)(1)(i) or (ii) must be met	IV A	264.147(f)(1)	4414.17(f)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what the owner or operator must have	IV A	264.147(f)(1)(i)	4414.17(f)(1)	X			
		264.147(f)(1)(i)(A)	4414.17(f)(1)(A)	X			
		264.147(f)(1)(i)(B)	4414.17(f)(1)(B)	X			
		264.147(f)(1)(i)(C)	4414.17(f)(1)(C)	X			
		264.147(f)(1)(ii)	4414.17(f)(2)	X			
		264.147(f)(1)(ii)(A)	4414.17(f)(2)(A)	X			
		264.147(f)(1)(ii)(B)	4414.17(f)(2)(B)	X			
		264.147(f)(1)(ii)(C)	4414.17(f)(2)(C)	X			
		264.147(f)(1)(ii)(D)	4414.17(f)(2)(D)	X			
"amount of liability coverage"	IV A	264.147(f)(2)	4414.17(f)(3)	X			
three items the owner or operator must submit	IV A	264.147(f)(3)	4414.17(f)(4)	X			
		264.147(f)(3)(i)	4414.17(f)(4)(A)	X			
		264.147(f)(3)(ii)	4414.17(f)(4)(B)	X			
		264.147(f)(3)(iii)	4414.17(f)(4)(C)	X			
		264.147(f)(3)(iii)(A)	4414.17(f)(4)(C)(i)	X			
		264.147(f)(3)(iii)(B)	4414.17(f)(4)(C)(ii)	X			
deadline for submittal	IV A	264.147(f)(4)	4414.17(f)(5)	X			
updated information	IV A	264.147(f)(5)	4414.17(f)(6)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
evidence of liability coverage if 264.147(f)(1) requirements not met	IV A, †113	264.147(f)(6)	4414.17(f)(7)	X			
Regional Administrator may disallow test; cause for disallowance	IV A	264.147(f)(7)	4414.17(f)(8)	X			

† Guarantee for Liability Coverage

guarantee for liability coverage; requirements guarantor must meet	27, †113	264.147(g)(1)	4414.17(g)	X			
payment by guarantor if owner or operator fails to satisfy a judgment	27	264.147(g)(1)(i)	4414.17(g)(1)	X			
removed and reserved	27, †113	264.147(g)(1)(ii)	4414.17(g)(2)	X			
corporations incorporated in U.S.	27, †43, †113	264.147(g)(2)(i)	4414.17(g)(3)	X			
corporations incorporated outside U.S.	27, †43, †113	264.147(g)(2)(ii)	4414.17(g)(4)	X			

letter of credit for liability coverage	*, †27, †113	264.147(h)	4414.17(h)	X			
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† requirements may be satisfied by obtaining irrevocable standby letter of credit that conforms to 264.147(h) requirements and submitting copy to Regional Administrator	113	264.147(h)(1)	4414.17(h)	X			
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† criteria for financial institution issuing letter of credit	113	264.147(h)(2)	4414.17(h)(1)	X			
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† wording of letter of credit must be identical to wording specified in 264.151(k)	113	264.147(h)(3)	4414.17(h)(2)	X			
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† establishment and use of standby trust fund by owner or operator using letter of credit	113	264.147(h)(4)	4414.17(h)(3)	X			
† wording of standby trust fund must be identical to wording specified in 264.151(n)	113	264.147(h)(5)	4414.17(h)(4)	X			
† "Surety bond for liability coverage"	113	264.147(i)	4414.17(i)	X			
† requirements may be satisfied by obtaining surety bond conforming to 264.147(i) requirements and submitting copy to Regional Administrator	113	264.147(i)(1)	4414.17(i)	X			
† criterion for surety company issuing bond	113	264.147(i)(2)	4414.17(i)(1)	X			
† wording of surety bond must be identical to wording specified in 264.151(l)	113	264.147(i)(3)	4414.17(i)(2)	X			
† conditions under which surety bond may be used	113	264.147(i)(4)	4414.17(i)(3)	X			
		264.147(i)(4)(i)	4414.17(i)(3)	X			
		264.147(i)(4)(ii)	4414.17(i)(3)	X			
† "Trust fund for liability coverage"	113	264.147(j)	4414.17(j)	X			
† requirements may be satisfied by establishing trust fund and submitting an originally signed duplicate of trust agreement to Regional Administrator	113	264.147(j)(1)	4414.17(j)	X			
† criteria for trustee	113	264.147(j)(2)	4414.17(j)(1)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† trust fund must be funded for full amount of liability coverage it is to provide; requirements if fund is reduced below full amount; definition of "full amount"	113	264.147(j)(3)	4414.17(j)(2)	X			
† wording of trust fund must be identical to wording specified in 264.151(m)	113	264.147(j)(4)	4414.17(j)(3)	X			
until 10/16/82, use of endorsement or insurance without certification of insurer	*, †27, †113	264.147(k)	4414.17(k)	X			

INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

incapacity through bankruptcy of owner or operator or guarantor	IV A	264.148(a)	4414.18	X			
incapacity of financial institution by bankruptcy or authority suspension	IV A	264.148(b)	4414.19	X			

WORDING OF THE INSTRUMENTS

required wording for a trust agreement	IV A	264.151(a)(1)	4412.20 intro 4414.20(a)	X			
certification of acknowledgement	IV A	264.151(a)(2)	4414.20(a)	X			
required wording for a financial guarantee bond	IV A, 24, †113	264.151(b)	4414.20(b)	X			
required wording for a performance bond	IV A	264.151(c)	4414.20(c)	X			
required wording for an irrevocable standby letter of credit	IV A, †133	264.151(d)	4414.20(d)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
required wording for a certificate of insurance for closure or post-closure care	IV A	264.151(e)	4414.20(e)	X			
required wording for letter from chief financial officer (financial assurance)	IV A,24, †113	264.151(f)	4414.20(f)	X			
required wording for letter from chief financial officer (liability coverage)	IV A,24, †27,113	264.151(g)	4414.20(g)	X			
required wording for corporate guarantee for closure or post-closure care	IV A,27, †113	264.151(h)(1)	4414.21	X			
† required wording for corporate guarantee for liability coverage	27,43,113	264.151(h)(2)	4414.22	X			
required wording for hazardous waste facility liability endorsement	IV A, †113	264.151(i)	4414.23	X			
required wording for hazardous waste facility certificate of liability insurance	IV A, †113	264.151(j)	4414.24	X			
wording for letter of credit for liability coverage	113, †133	264.151(k)	4414.25	X			
wording for surety bond	†113	264.151(l)	4414.26	X			
wording for trust agreement	†113	264.151(m)(1)	4414.27	X			
† certification of acknowledgement	113	264.151(m)(2)	4414.28	X			
† wording for standby trust agreement	113	264.151(n)(1)	4414.29	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† wording for certification of acknowledgement to accompany trust agreement	113	264.151(n)(2)	4414.30	X			

SUBPART I - USE AND MANAGEMENT OF CONTAINERS

APPLICABILITY

storage of hazardous waste in containers	IV A	264.170	4415.1	X			
empty containers		No analog	4415.2	X			

Corporation Counsel Statement Comment: The District has added 20 DCMR §4415.2 which makes it clear that an empty container as per its analog to 40 CFR 261.7 is not regulated.

CONDITION OF CONTAINERS

requirements when container is not in good condition	IV A	264.171	4415.3	X			
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COMPATIBILITY OF WASTE WITH CONTAINERS

container must be compatible with hazardous waste	IV A	264.172	4415.4	X			
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MANAGEMENT OF CONTAINERS

closed container during storage	IV A	264.173(a)	4415.5	X			
care in handling	IV A	264.173(b)	4415.6	X			

INSPECTIONS

weekly inspections	IV A	264.174	4415.7	X			
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CONTAINMENT

requirement for a containment system	IV A	264.175(a)	4415.8	X			
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
containment system design and operation requirements	IV A	264.175(b)	4415.9	X			
		264.175(b)(1)	4415.9(a)	X			
		264.175(b)(2)	4415.9(b)	X			
		264.175(b)(3)	4415.9(c)	X			
		264.175(b)(4)	4415.9(d)	X			
		264.175(b)(5)	4415.9(e)	X			
management of collected material under part 261 and CWA		No analog	4415.9(f)	X			

Corporation Counsel Statement Comment: 20 DCMR §4415.9(f) is the comment after 40 CFR 264.175(b)(5).

containers without free liquids don't require a containment system; exceptions	IV A,14	264.175(c)	4415.10	X			
sloped storage area to drain precipitation	IV A	264.175(c)(1)	4415.10(a)	X			
elevated containers	IV A	264.175(c)(2)	4415.10(b)	X			
containment system requirements for storage of F020-F023, F026, F027	14	264.175(d)	4415.11	X			
		264.175(d)(1)	4415.11(a)	X			
reserved	14	264.175(d)(2)	4415.11(b)	X			

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

required distance from property line	IV A	264.176	4415.12	X			
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SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

not to be placed in same container	IV A	264.177(a)	4415.13	X			
not to be placed in unwashed, previously used container	IV A	264.177(b)	4415.14	X			

Corporation Counsel Statement Comment: 20 DCMR §4415.14 is the comment after 40 CFR 264.177(b).

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
separation or protection requirements	IV A	264.177(c)	4415.16	X			

CLOSURE

decontamination or removal at closure	IV A	264.178	4415.17	X			
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Corporation Counsel Statement Comment: 20 DCMR §4415.17 is the comment after 40 CFR 264.178.

AIR EMISSION STANDARDS

The owner or operator shall manage all hazardous waste placed in a container in accordance with the requirements of subpart CC of this part.	154.1	264.179	4415.19	X			
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SUBPART J - TANK SYSTEMS

APPLICABILITY

tank systems used for storing or treating hazardous wastes; exceptions	28,82	264.190	4416.1	X			
tank systems which contain no free liquids are exempted from 264.193; test method 9095 must be used to demonstrate absence of free liquids	IV A, †28, †52, 126	264.190(a)	4416.2	X			
tanks in secondary containment systems exempt	IV A, †28, †52	264.190(b)	4416.3	X			
tanks, sumps and other collection devices used in conjunction with Subpart W-regulated drip pads must comply with Part 264 Subpart J requirements	82	264.190(c)	4416.4	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

ASSESSMENT OF EXISTING TANK SYSTEM'S INTEGRITY

written assessment of tank system's integrity	28	264.191(a)	4416.5	X			
adequate design; sufficient structural strength; compatibility with waste(s)	28	264.191(b)	4416.6	X			
minimum assessment considerations	28	264.191(b)(1)	4416.6(a)	X			
		264.191(b)(2)	4416.6(b)	X			
		264.191(b)(3)	4416.6(c)	X			
		264.191(b)(4)	4416.6(d)	X			
		264.191(b)(5)	4416.6(e)	X			
		264.191(b)(5)(i)	4416.6(e)(1)	X			
		264.191(b)(5)(ii)	4416.6(e)(2)	X			
12 mos. deadline if materials become hazardous wastes after 7/14/86	28	264.191(c)	4416.7	X			
tank systems found to be leaking or unfit for use, compliance with 264.196	28	264.191(d)	4416.8	X			

DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS

information to be included in written assessments for new tank systems or components	28	264.192(a)	4416.9	X			
design standards	28	264.192(a)(1)	4416.9(a)	X			
hazardous characteristics	28	264.192(a)(2)	4416.9(b)	X			
contact with soil or water; required determinations	28	264.192(a)(3)	4416.9(c)	X			
factors affecting potential for corrosion	28	264.192(a)(3)(i)	4416.9(c)(1)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		264.192(a)(3)(i)(A)	4416.9(c)(1)(A)	X			
		264.192(a)(3)(i)(B)	4416.9(c)(1)(B)	X			
		264.192(a)(3)(i)(C)	4416.9(c)(1)(C)	X			
		264.192(a)(3)(i)(D)	4416.9(c)(1)(D)	X			
		264.192(a)(3)(i)(E)	4416.9(c)(1)(E)	X			
		264.192(a)(3)(i)(F)	4416.9(c)(1)(F)	X			
		264.192(a)(3)(i)(G)	4416.9(c)(1)(G)	X			
		264.192(a)(3)(i)(H)	4416.9(c)(1)(H)	X			
		264.192(a)(3)(ii)	4416.9(c)(2)	X			
		264.192(a)(3)(ii)(A)	4416.9(c)(2)(A)	X			
		264.192(a)(3)(ii)(B)	4416.9(c)(2)(B)	X			
type and degree of external corrosion protection needed	28	264.192(a)(3)(ii)(C)	4416.9(c)(2)(C)	X			
protection from traffic for underground components	28	264.192(a)(4)	4416.9(d)	X			
		264.192(a)(5)	4416.9(e)	X			
		264.192(a)(5)(i)	4416.9(e)(1)	X			
		264.192(a)(5)(ii)	4416.9(e)(2)	X			
design considerations to ensure protection from environment	28	264.192(a)(5)(iii)	4416.9(e)(3)	X			
		264.192(b)	4416.10	X			
new tank installation procedures; inspection requirements	28	264.192(b)(1)	4416.10(a)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		264.192(b)(2)	4416.10(b)	X			
		264.192(b)(3)	4416.10(c)	X			
		264.192(b)(4)	4416.10(d)	X			
		264.192(b)(5)	4416.10(e)	X			
		264.192(b)(6)	4416.10(f)	X			
backfilling requirements for new underground tank systems	28	264.192(c)	4416.11	X			
tightness requirement	28	264.192(d)	4416.12	X			
protection of ancillary equipment	28	264.192(e)	4416.13	X			
corrosion protection requirements	28	264.192(f)	4416.14	X			
written statements and certification statements	28	264.192(g)	4416.15	X			
CONTAINMENT AND DETECTION OF RELEASES							
		264.193(a)	4416.16	X			
		264.193(a)(1)	4416.16(a)	X			
		264.193(a)(2)	4416.16(b)	X			
		264.193(a)(3)	4416.16(c)	X			
schedule for providing secondary containment for tank systems	28	264.193(a)(4)	4416.16(d)	X			
		264.193(a)(5)	4416.16(e)	X			
requirements for secondary containment systems	28	264.193(b)	4416.17	X			
		264.193(b)(1)	4416.17(a)	X			
		264.193(b)(2)	4416.17(b)	X			
minimum specifications of secondary containment systems	28	264.193(c)	4416.18	X			
		264.193(c)(1)	4416.18(a)	X			
		264.193(c)(2)	4416.18(b)	X			
		264.193(c)(3)	4416.18(c)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
		264.193(c)(4)	4416.18(d)	X			
devices that satisfy the secondary containment requirements	28	264.193(d)	4416.19	X			
		264.193(d)(1)	4416.19(a)	X			
		264.193(d)(2)	4416.19(b)	X			
		264.193(d)(3)	4416.19(c)	X			
		264.193(d)(4)	4416.19(d)	X			
additional requirements for secondary containment systems	28	264.193(e)	4416.20	X			
additional requirements for external liner systems	28	264.193(e)(1)	4416.20(a)	X			
		264.193(e)(1)(i)	4416.20(a)(1)	X			
		264.193(e)(1)(ii)	4416.20(a)(2)	X			
		264.193(e)(1)(iii)	4416.20(a)(3)	X			
		264.193(e)(1)(iv)	4416.20(a)(4)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
additional requirements for vault systems	28	264.193(e)(2)	4416.20(b)	X			
		264.193(e)(2)(i)	4416.20(b)(1)	X			
		264.193(e)(2)(ii)	4416.20(b)(2)	X			
		264.193(e)(2)(iii)	4416.20(b)(3)	X			
		264.193(e)(2)(iv)	4416.20(b)(4)	X			
		264.193(e)(2)(v)	4416.20(b)(5)	X			
		264.193(e)(2)(v)(A)	4416.20(b)(5)(A)	X			
		264.193(e)(2)(v)(B)	4416.20(b)(5)(B)	X			
		264.193(e)(2)(vi)	4416.20(b)(6)	X			
additional requirements for double-walled tanks	28	264.193(e)(3)	4416.20(c)	X			
		264.193(e)(3)(i)	4416.20(c)(1)	X			
		264.193(e)(3)(ii)	4416.20(c)(2)	X			
		264.193(e)(3)(iii)	4416.20(c)(3)	X			
secondary containment requirements for ancillary equipment; exceptions	28	264.193(f)	4416.21	X			
aboveground piping	28	264.193(f)(1)	4416.21(a)	X			
welded parts and connections	28	264.193(f)(2)	4416.21(b)	X			
sealless or magnetic coupling pumps and sealless valves	28,52	264.193(f)(3)	4416.21(c)	X			
pressurized aboveground piping systems with automatic shut-off devices	28	264.193(f)(4)	4416.21(d)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

† Variance from Section Requirements

general requirements for variance	28	264.193(g)	4416.22	X			
considerations in granting variance based on demonstration of equivalent ground water and surface water protection	28	264.193(g)(1)	4416.22(a)	X			
		264.193(g)(1)(i)	4416.22(a)(1)	X			
		264.193(g)(1)(ii)	4416.22(a)(2)	X			
		264.193(g)(1)(iii)	4416.22(a)(3)	X			
		264.193(g)(1)(iv)	4416.22(a)(4)	X			
factors to be considered in granting a variance	28	264.193(g)(2)	4416.22(b)	X			
factors regarding the potential adverse effects on ground water, surface water and land quality	28	264.193(g)(2)(i)	4416.22(b)(1)	X			
		264.193(g)(2)(i)(A)	4416.22(b)(1)(A)	X			
		264.193(g)(2)(i)(B)	4416.22(b)(1)(B)	X			
		264.193(g)(2)(i)(C)	4416.22(b)(1)(C)	X			
		264.193(g)(2)(i)(D)	4416.22(b)(1)(D)	X			
		264.193(g)(2)(i)(E)	4416.22(b)(1)(E)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
factors regarding the potential adverse effects of a release on ground water quality	28	264.193(g)(2)(ii)	4416.22(b)(2)	X			
		264.193(g)(2)(ii)(A)	4416.22(b)(2)(A)	X			
		264.193(g)(2)(ii)(B)	4416.22(b)(2)(B)	X			
		264.193(g)(2)(ii)(C)	4416.22(b)(2)(C)	X			
		264.193(g)(2)(ii)(D)	4416.22(b)(2)(D)	X			
factors regarding the potential adverse effects of a release on surface water quality	28	264.193(g)(2)(iii)	4416.22(b)(3)	X			
		264.193(g)(2)(iii)(A)	4416.22(b)(3)(A)	X			
		264.193(g)(2)(iii)(B)	4416.22(b)(3)(B)	X			
		264.193(g)(2)(iii)(C)	4416.22(b)(3)(C)	X			
		264.193(g)(2)(iii)(D)	4416.22(b)(3)(D)	X			
		264.193(g)(2)(iii)(E)	4416.22(b)(3)(E)	X			
factors regarding the potential adverse effects of a release on the land	28	264.193(g)(2)(iv)	4416.22(b)(4)	X			
		264.193(g)(2)(iv)(A)	4416.22(b)(4)(A)	X			
		264.193(g)(2)(iv)(B)	4416.22(b)(4)(B)	X			
requirements if release occurs from primary tank system but no migration beyond zone of engineering control	28	264.193(g)(3)	4416.22(c)	X			
		264.193(g)(3)(i)	4416.22(c)(1)	X			
		264.193(g)(3)(ii)	4416.22(c)(2)	X			
		264.193(g)(3)(ii)(A)	4416.22(c)(2)(A)	X			
		264.193(g)(3)(ii)(B)	4416.22(c)(2)(B)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		264.193(g)(3)(iii)	4416.22(c)(3)	X			
requirements if release occurs and migrates beyond zone of engineering control	28	264.193(g)(4)	4416.22(d)	X			
		264.193(g)(4)(i)	4416.22(d)(1)	X			
		264.193(g)(4)(ii)	4416.22(d)(2)	X			
		264.193(g)(4)(iii)	4416.22(d)(3)	X			

† Variance Procedures

procedures for requesting a variance	28	264.193(h)	4416.23	X			
		264.193(h)(1)	4416.23(a)	X			
		264.193(h)(1)(i)	4416.23(a)(1)	X			
		264.193(h)(1)(ii)	4416.23(a)(2)	X			
		264.193(h)(2)	4416.23(b)	X			
		264.193(h)(3)	4416.23(c)	X			
		264.193(h)(4)	4416.23(d)	X			

requirements for all tank systems until such time as secondary containment is provided	28	264.193(i)	4416.24	X			
		264.193(i)(1)	4416.24(a)	X			
		264.193(i)(2)	4416.24(b)	X			
		264.193(i)(3)	4416.24(c)	X			
		264.193(i)(4)	4416.24(d)	X			
		264.193(i)(5)	4416.24(e)	X			

GENERAL OPERATING REQUIREMENTS

when hazardous waste or treatment reagents must not be placed in tank systems	28	264.194(a)	4416.25	X			
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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
minimum controls and practices to prevent spills and overflows	28	264.194(b)	4416.26	X			
		264.194(b)(1)	4416.26(a)	X			
		264.194(b)(2)	4416.26(b)	X			
		264.194(b)(3)	4416.26(c)	X			
264.196 requirements if a leak or spill occurs in the system	14,28	264.194(c)	4416.27	X			

INSPECTIONS

schedule and procedure for inspecting overfill controls	28	264.195(a)	4416.28	X			
daily inspection requirements	28	264.195(b)	4416.29	X			
		264.195(b)(1)	4416.29(a)	X			
		264.195(b)(2)	4416.29(b)	X			
		264.195(b)(3)	4416.29(c)	X			
minimum inspection frequency for cathodic protection systems	28	264.195(c)	4416.30	X			
		264.195(c)(1)	4416.30(a)	X			
		264.195(c)(2)	4416.30(b)	X			
document in operating record	28	264.195(d)	4416.31	X			

RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE TANK SYSTEMS

immediate removal from service of leaking or unfit-for-use tank or secondary containment system	28,52	264.196	4416.32	X			
cessation of use; prevent flow or addition of wastes	28	264.196(a)	4416.32(a)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
schedule for removal of waste from tank system or secondary containment system	28	264.196(b)(1)	4416.32(b)(1)	X			
		264.196(b)(2)	4416.32(b)(2)	X			
containment of visible releases to the environment	28	264.196(c)	4416.32(c)	X			
		264.196(c)(1)	4416.32(c)(1)	X			
		264.196(c)(2)	4416.32(c)(2)	X			
required notifications and reports following any release to the environment	28	264.196(d)(1)	4416.32(d)			X	
		264.196(d)(2)	4416.32(d)(1)	X			
		264.196(d)(2)(i)	4416.32(d)(1)(A)	X			
		264.196(d)(2)(ii)	4416.32(d)(1)(B)	X			
		264.196(d)(3)	4416.32(d)(2)	X			
		264.196(d)(3)(i)	4416.32(d)(2)(A)	X			
		264.196(d)(3)(ii)	4416.32(d)(2)(B)	X			
		264.196(d)(3)(iii)	4416.32(d)(2)(C)	X			
		264.196(d)(3)(iv)	4416.32(d)(2)(D)	X			
		264.196(d)(3)(v)	4416.32(d)(2)(E)	X			

Corporation Counsel Statement Comment: At its analog to 40 CFR 264.196(d)(1), the District does not allow the report submitted under the D.C. Water Pollution Control Act to substitute for the release report which must be submitted to the Director. The Federal program allows the report submitted under the Clean Water Act to substitute for the release report which must be submitted to the Regional Administrator. Thus, the District's program is more stringent than the Federal program.

provision of secondary containment, repair, or closure	28	264.196(e)(1)	4416.32(e)(1)	X			
		264.196(e)(2)	4416.32(e)(2)	X			
		264.196(e)(3)	4416.32(e)(3)	X			
		264.196(e)(4)	4416.32(e)(4)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certification of major repairs	28	264.196(f)	4416.32(f)	X			

CLOSURE AND POST-CLOSURE CARE

general closure requirements	28	264.197(a)	4416.33	X			
specific requirements when contaminated soils cannot practicably be removed or decontaminated; closure as a landfill	28	264.197(b)	4416.34	D			

Corporation Counsel Statement Comment: The last reference to landfills has been removed in 20 DCMR 4416.34 because such units are not allowed in the District. This distinction is not needed in the District regulations because all units are subject to post-closure care and financial assurance requirements. This change does not affect the stringency of this provision.

closure plans and financial responsibility requirements for tank systems without secondary containment that fall under 264.193(b)-(f) and are not exempt from secondary containment requirements	28	264.197(c)	4416.35	X			
		264.197(c)(1)	4416.35(a)	X			
		264.197(c)(2)	4416.35(b)	X			
		264.197(c)(3)	4416.35(c)	X			
		264.197(c)(4)	4416.35(d)	X			
		264.197(c)(5)	4416.35(e)	D			

Corporation Counsel Statement Comment: The last reference to landfills has been removed at 20 DCMR 4416.35(e) because such units are not allowed in the District. This distinction is not needed in the District regulations because all units are subject to post-closure care and financial assurance requirements. This change does not affect the stringency of this provision.

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

no ignitable or reactive waste in tank systems unless:	IV A,28	264.198(a)	4416.36	X			
waste is treated, rendered or mixed	IV A,28	264.198(a)(1)	4416.36(a)	X			
		264.198(a)(1)(i)	4416.36(a)(1)	X			
		264.198(a)(1)(ii)	4416.36(a)(2)	X			

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
waste is protected	IV A,28	264.198(a)(2)	4416.36(b)	X			
system used solely for emergencies	IV A,28	264.198(a)(3)	4416.36(c)	X			
maintenance of protective distances	IV A,28	264.198(b)	4416.37	X			
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
no placement of incompatible wastes in tank system unless compliance with 264.17(b)	IV A,28	264.199(a)	4416.38	X			
no placement in contaminated tank system unless compliance with 264.17(b)	IV A,28	264.199(b)	4416.39	X			
The owner or operator shall manage all hazardous waste placed in a tank in accordance with the requirements of subpart CC of this part.	14,28, 154.1	264.200	4416.40	X			

DISTRICT OF COLUMBIA
CONSOLIDATED CHECKLIST C5

Part 3 of 5 parts

Standards for Owners and Operators of Hazardous Waste Treatment,
Storage, and Disposal Facilities

40 CFR PART 264, Subparts K-S, as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART K - SURFACE IMPOUNDMENTS

APPLICABILITY

requirements for surface impoundments used to treat, store, or dispose of hazardous waste	IV A	264.220 - 264.232	4400.3, 4018				X
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Corporation Counsel Statement Comment: The District prohibits the use of surface impoundments. 20 DCMR §§4400.3 and 4018 are cited because they prohibit the use of surface impoundments in the District. This prohibition makes the District's program more stringent than the Federal program.

SUBPART L - WASTE PILES

APPLICABILITY

storage or treatment facilities using waste piles	IV A	264.250(a)	4417.1	X			
closed piles with waste in place subject to Subpart N of 264	IV A	264.250(b)	4417.2				X

Corporation Counsel Statement Comment: Disposal in waste piles is prohibited. At closure, owners and operators of waste piles must meet the clean closure requirements of §4413.19. No waste may remain on site after closure unless after all reasonable efforts to effect removal or decontamination not all contaminated soil can be practicably removed. In this case, requirements analogous to 40 CFR 264.310 must be met. This difference makes the District's program more stringent than the Federal program.

waste piles under a structure	IV A	264.250(c)	4417.3				X
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Corporation Counsel Statement Comment: The District makes these requirements applicable to all piles and requires that all piles must be covered. Additionally, even though the pile is covered, it is still subject to design and operating requirements analogous to 40 CFR 264.351 as well as to the District's analog to 40 CFR 264, Subpart F. Under the Federal program, waste piles meeting the 40 CFR 264.250(c) requirements do not have to meet the design and operating requirements of 40 CFR 264.251 nor the 40 CFR 264, Subpart F requirements. These differences make the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
piles inside or under a structure; provisions for exclusion from regulation under 264.251 or Subpart F of Part 264	IV A	264.250(c)(1)	4417.3(a)	X			
		264.250(c)(2)	4417.3(b)&(c)	X			
		264.250(c)(3)	4417.3(d)	X			
		264.250(c)(4)	4417.3(e)	X			

DESIGN AND OPERATING REQUIREMENTS

what a waste pile must have	IV A	264.251(a)	4417.4	X			
liner design standards	IV A	264.251(a)(1)	4417.4(a)	X			
		264.251(a)(1)(i)	4417.4(a)(1)	X			
		264.251(a)(1)(ii)	4417.4(a)(2)	X			
		264.251(a)(1)(iii)	4417.4(a)(3)	X			
leachate collection and removal system standards	IV A	264.251(a)(2)	4417.4(b)	X			
		264.251(a)(2)(i)	4417.4(b)(1)	X			
		264.251(a)(2)(i)(A)	4417.4(b)(1)(A)	X			
		264.251(a)(2)(i)(B)	4417.4(b)(1)(B)	X			
		264.251(a)(2)(ii)	4417.4(b)(2)	X			
exemption from 264.251(a)	IV A	264.251(b)	4417.5	X			
exemption criteria	IV A	264.251(b)(1)	4417.5(a)	X			
		264.251(b)(2)	4417.5(b)	X			
		264.251(b)(3)	4417.5(c)	X			
		264.251(b)(4)	4417.5(d)	X			
waste piles that must install two or more liners and a leachate collection and removal system above and between these liners; "construction commences" defined under "existing facility"	IV A,100	264.251(c)	4417.6	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
liner system must include:	100	264.251(c)(1)(i)	4417.7	X			
top liner designed and constructed to prevent migration of hazardous constituents into liner for specified period	100	264.251(c)(1)(i)(A)	4417.7(a)	X			
composite bottom liner consisting of at least two components; upper component to prevent migration of hazardous constituents into this component during specified period; lower component designed and constructed to minimize such migration if upper component is breached; specified thickness and hydraulic conductivity	100	264.251(c)(1)(i)(B)	4417.7(b)	X			
liners must comply with 264.251(a)(1)(i)-(iii)	100	264.251(c)(1)(ii)	4417.8	X			
leachate collection and removal system must collect and remove leachate from the waste pile during the active life and post-closure care period; Regional Administrator to specify permit conditions to ensure leachate depth over liner does not exceed 30 cm (1 ft); leachate collection and removal system must comply with 264.251(c)(3)(iii)&(iv)	100	264.251(c)(2)	4417.9	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
relationship between leachate collection and removal system and the leak detection system; what the leak detection system must be capable of; minimum requirements:	100	264.251(c)(3)	4417.10	X			
bottom slope of 1 percent or more	100	264.251(c)(3)(i)	4417.10(a)	X			
constructed of: 1) granular drainage materials with hydraulic conductivity of 1×10^{-2} cm/sec or more, and 12 in. (30.5 cm) or more thickness; or 2) synthetic or geonet drainage materials with 3×10^{-5} m ² /sec or more transmissivity	100	264.251(c)(3)(ii)	4417.10(b)	X			
construction material specifications	100	264.251(c)(3)(iii)	4417.10(c)	X			
designed/operated to minimize clogging during active life and post-closure care period	100	264.251(c)(3)(iv)	4417.10(d)	X			
specifications for sumps and liquid removal methods	100	264.251(c)(3)(v)	4417.10(e)	X			
collect and remove pumpable liquids in leak detection system sumps to minimize head on the bottom liner	100	264.251(c)(4)	4417.11	X			
what must be demonstrated if leak detection system not located completely above seasonal high water table	100	264.251(c)(5)	4417.12	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
circumstances under which Regional Administrator may approve alternate design or operating practices if owner/operator can demonstrate that design/practices will:	IV A,100	264.251(d)	4417.13	X			
prevent hazardous constituent migration into ground or surface water as effectively as system specified in 264.251(c), and	100	264.251(d)(1)	4417.13(a)	X			
allow detection of hazardous constituent leaks through top liner at least as effectively	100	264.251(d)(2)	4417.13(b)	X			
monofills granted a 264.221(e) waiver by Regional Administrator	IV A,100	264.251(e)	No analog			X	
Corporation Counsel Statement Comment: The District does not allow the 40 CFR 264.251(e) waiver and thus its program is more stringent than the Federal program.							
when a replacement waste pile owner/operator is exempt from 264.251(c)	IV A,100	264.251(f)	No analog			X	
meets RCRA 3004(o)(1) (A)(i) and (o)(5) design standards	100	264.251(f)(1)	No analog			X	
no reason to believe liner is not functioning as designed	100	264.251(f)(2)	No analog			X	
Corporation Counsel Statement Comment: The District does not allow the 40 CFR 264.251(f) exemption, and thus its program is more stringent than the Federal program.							
run-on control system standards	IV A,100	264.251(g)	4417.16	X			
run-off management system standards	IV A,100	264.251(h)	4417.17	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
collection and holding facility standards	IV A,100	264.251(i)	4417.18	X			
wind dispersal control	IV A,100	264.251(j)	4417.19	X			
design and operating requirements specified in permit	IV A,100	264.251(k)	4417.20	X			
ACTION LEAKAGE RATE							
Regional Administrator approval of action leakage rate for waste pile units subject to 264.251(c) or (d); definition of action leakage rate; adequate safety margin	IV A,17 I, 100	264.252(a)	4417.21	X			
how to determine if action leakage rate has been exceeded; unless another calculation approved, average daily flow rate calculated weekly, during active life and closure period	100	264.252(b)	4417.22	X			
RESPONSE ACTIONS							
approved response action plan before receipt of waste for waste piles subject to 264.251(c) or (d); address actions if action leakage rate exceeded; plan must describe actions in 264.253(b)	IV A,17 I, 100	264.253(a)	4417.23	X			
responsibilities if flow rate into leak system exceeds the action leakage rate for any sump:	100	264.253(b)	4417.24	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
notify Regional Administrator in writing within seven days of determination	100	264.253(b)(1)	4417.24(a)	X			
preliminary assessment to Regional Administrator within 14 days of determination; what assessment must address	100	264.253(b)(2)	4417.24(b)	X			
determine location, size and cause of any leak	100	264.253(b)(3)	4417.24(c)	X			
determine if 1) waste receipt should cease or be curtailed, 2) waste should be removed for inspection, repairs, or controls, and 3) unit should be closed	100	264.253(b)(4)	4417.24(d)	X			
determine short- and long-term actions to mitigate or stop any leaks	100	264.253(b)(5)	4417.24(e)	X			
within 30 days after Regional Administrator notification, submit the results of 264.253(b)(3)-(5) analyses, the results of actions taken and actions planned; thereafter, as long as flow rate exceeds action leakage rate, monthly report to Regional Administrator summarizing results of remedial actions taken and actions planned	100	264.253(b)(6)	4417.24(f)	X			
how the 264.253(b)(3),(4),&(5) determinations must be made	100	264.253(c)	4417.25	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
assess the source of liquids and amounts by source	100	264.253(c)(1)(i)	4417.25(a)	X			
conduct analyses of liquids in leak detection system to identify sources of liquids and location of leaks, and the hazard and mobility of the liquid	100	264.253(c)(1)(ii)	4417.25(b)	X			
assess seriousness of leaks	100	264.253(c)(1)(iii)	4417.25(c)	X			
document why assessments not needed	100	264.253(c)(2)	4417.25(d)	X			
MONITORING AND INSPECTION							
inspections during construction or installation; inspections immediately after construction or installation	IV A	264.254(a)	4417.26	X			
		264.254(a)(1)	4417.27 intro 4417.27(a)	X			
		264.254(a)(2)	4417.27(b)	X			
weekly inspections during operation and inspections after storms to detect:	IV A	264.254(b)	4417.28	X			
run-on and run-off system problems	IV A	264.254(b)(1)	4417.28(a)	X			
proper functioning of wind dispersal controls	IV A,17 I	264.254(b)(2)	4417.28(b)	X			
leachate in and proper functioning of leachate systems	IV A,17 I	264.254(b)(3)	4417.28(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
if leak detection system required under 264.251(c), record amount of liquids removed from each sump, at least weekly during active life and closure period	100	264.254(c)	4417.29	X			
reserved		264.255	4417.30	X			

SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

conditions for placement of ignitable or reactive waste in waste piles	*,78	264.256	4417.31	X			
		264.256(a)	4417.31(a)	X			
		264.256(a)(1)	4417.31(a)(1)	X			
treatment requirements	IV A	264.256(a)(2)	4417.31(a)(2)	X			
waste management; protection from ignition or reaction	IV A	264.256(b)	4417.31(b)	X			

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

placement in same pile prohibited unless 264.17(b) is complied with	IV A	264.257(a)	4417.32	X			
waste separation or protection	IV A	264.257(b)	4417.33	X			

Corporation Counsel Statement Comment: At 20 DCMR §4417.33, the analog to 40 CFR 264.257(b), the term “surface impoundment” has been removed because this type of unit is not allowed in the District. This distinction is not needed in the District regulations because all units are subject to post-closure care and financial assurance requirements. This removal does not affect the stringency of this provision.

base decontamination	IV A	264.257(c)	4417.34	X			
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CLOSURE AND POST-CLOSURE CARE

closure requirements	IV A	264.258(a)	4417.35	X			
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CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
post-closure care if not all contaminated subsoils can be practicably removed	IV A	264.258(b)	4417.36	X			
plans needed whenever liner requirements are not met	IV A	264.258(c)(1)	4417.37	X			
		264.258(c)(1)(i)	4417.37(a)	X			
		264.258(c)(1)(ii)	4417.37(b)	X			
cost estimates	IV A	264.258(c)(2)	4417.38	X			

SPECIAL REQUIREMENTS FOR HAZARDOUS WASTES F020, F021, F022, F023, F026 AND F027

requirements for F020-F023, F026 and F027 regarding placement in waste piles; special management plan; factors to be considered	14	264.259(a)	4417.39	X			
		264.259(a)(1)	4417.39(a)	X			
		264.259(a)(2)	4417.39(b)	X			
		264.259(a)(3)	4417.39(c)	X			
		264.259(a)(4)	4417.39(d)	X			
additional requirements as determined by the Regional Administrator	14	264.259(b)	4417.40	X			

SUBPART M - LAND TREATMENT

APPLICABILITY

requirements for facilities that treat or dispose of hazardous waste in land treatment units	IV A	264.270 - 264.283	No direct analog; 4400.3, 4018				X
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Corporation Counsel Statement Comment: Land treatment facilities are prohibited in the District. 20 DCMR §§4400.3 and 4018 are cited because they prohibit the use of land treatment in the District. This prohibition makes the District's program more stringent than the Federal program.

SUBPART N - LANDFILLS

APPLICABILITY

apply to hazardous waste disposal facilities using landfills	IV A	264.300 - 264.317	No direct analog; 4400.3, 4018				X
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CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: Landfills are prohibited in the District. Note that the District has not adopted the requirements relative to liquids in landfills (Revision Checklists 17F and 25) because these provisions are not needed as such disposal is not allowed in the District. 20 DCMR §§4400.3 and 4018 are cited because they prohibit the use of landfills in the District. This prohibition makes the District's program more stringent than the Federal program.

SUBPART O - INCINERATORS

APPLICABILITY

regulations apply to owners and operators of hazardous waste incinerators (as defined in 260.10), except as 264.1 provides otherwise	IV A,13, 85	264.340 - 264.351	No direct analog; 4400.3, 4018				X
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Corporation Counsel Statement Comment: Incinerators for hazardous waste disposal/burning are prohibited in the District. 20 DCMR §§4400.3 and 4018 are cited because they prohibit the burning of hazardous waste in incinerators in the District. This prohibition makes the District's program more stringent than the Federal program.

SUBPART S - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

† CORRECTIVE ACTION MANAGEMENT UNITS (CAMU)

Corporation Counsel Statement Comment: The District has adopted the corrective action provisions addressed by Revision Checklist 121; however, the District is not seeking authorization for corrective action at this time.

Regional Administrator may designate one or more areas at a facility as CAMUs for purpose of implementing remedies under 264.101 or RCRA 3008(h)	121	264.552(a)	4421.1	X			
placement of remediation wastes in CAMU does not constitute land disposal	121	264.552(a)(1)	4421.1(a)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
consolidation or placement of remediation wastes in CAMU does not constitute creation of a unit subject to minimum technology requirements	121	264.552(a)(2)	4421.1(b)	X			
Regional Administrator may designate a regulated unit as a CAMU or include a regulated unit in a CAMU; criteria	121	264.552(b)(1)	4421.2	X			
	121	264.552(b)(1)(i)	4421.2(a)	X			
	121	264.552(b)(1)(ii)	4421.2(b)	X			
Subparts F, G, and H and unit-specific Parts 264 or 265 requirements that applied to regulated unit continue to apply to that portion of CAMU after incorporation	121	264.552(b)(2)	4421.3	X			
criteria by which Regional Administrator shall designate CAMU:	121	264.552(c)	4421.4	X			
CAMU shall facilitate implementation of reliable, effective, protective, and cost-effective remedies	121	264.552(c)(1)	4421.4(a)	X			
associated waste management activities shall not create unacceptable risks to humans or the environment	121	264.552(c)(2)	4421.4(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
CAMU shall include uncontaminated areas only if including such areas for purpose of managing remediation waste is more protective than managing such wastes at contaminated areas	121	264.552(c)(3)	4421.4(c)	X			
CAMU areas where waste will remain after closure shall be managed and contained to minimize future releases, to the extent practicable	121	264.552(c)(4)	4421.4(d)	X			
CAMU shall expedite remedial activity implementation when appropriate and practicable	121	264.552(c)(5)	4421.4(e)	X			
CAMU shall enable use of treatment technologies, when appropriate, to enhance long-term effectiveness of remedial actions	121	264.552(c)(6)	4421.4(f)	X			
CAMU shall, to the extent practicable, minimize land area where wastes will remain after closure	121	264.552(c)(7)	4421.4(g)	X			
owner/operator shall provide sufficient information to enable Regional Administrator to designate CAMU in accordance with 264.552	121	264.552(d)	4421.5	X			
Regional Administrator shall specify CAMU requirements in permit or order, including:	121	264.552(e)	4421.6	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
areal configuration of CAMU	121	264.552(e)(1)	4421.6(a)	X			
requirements for remediation waste management, including applicable design, operation and closure requirements	121	264.552(e)(2)	4421.6(b)	X			
requirements for ground water monitoring sufficient to:	121	264.552(e)(3)	4421.6(c)	X			
continue to detect and characterize existing releases from sources within CAMU	121	264.552(e)(3)(i)	4421.6(c)(1)	X			
detect and characterize releases from areas of the CAMU in which wastes will remain after closure	121	264.552(e)(3)(ii)	4421.6(c)(2)	X			
closure and post-closure requirements:	121	264.552(e)(4)	4421.6(d)	X			
CAMU closure shall:	121	264.552(e)(4)(i)	4421.6(d)(1)	X			
minimize need for further maintenance	121	264.552(e)(4)(i)(A)	4421.6(d)(1)(A)	X			
control, minimize, or eliminate post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated runoff, or hazardous waste decomposition products to ground, surface waters, or atmosphere	121	264.552(e)(4)(i)(B)	4421.6(d)(1)(B)	X			
requirements for closure of CAMU shall include, as appropriate and deemed necessary by the Regional Administrator:	121	264.552(e)(4)(ii)	4421.6(d)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
excavation, removal, treatment or containment of wastes	121	264.552(e)(4)(ii)(A)	4421.6(d)(2)(A)	X			
capping of areas in which wastes will remain after CAMU closure	121	264.552(e)(4)(ii)(B)	4421.6(d)(2)(B)	X			
removal and decontamination of equipment, devices, and structures used in remediation waste management activities within CAMU	121	264.552(e)(4)(ii)(C)	4421.6(d)(2)(C)	X			
in establishing specific 264.552(e) closure requirements, Regional Administrator shall consider:	121	264.552(e)(4)(iii)	4421.6(d)(3)	X			
CAMU characteristics	121	264.552(e)(4)(iii)(A)	4421.6(d)(3)(A)	X			
volume of wastes which remain in place after closure	121	264.552(e)(4)(iii)(B)	4421.6(d)(3)(B)	X			
potential for releases from CAMU	121	264.552(e)(4)(iii)(C)	4421.6(d)(3)(C)	X			
physical and chemical characteristics of the waste	121	264.552(e)(4)(iii)(D)	4421.6(d)(3)(D)	X			
hydrogeological and other relevant environmental conditions which may influence migration of potential or actual releases	121	264.552(e)(4)(iii)(E)	4421.6(d)(3)(E)	X			
potential for exposure of human and environmental receptors if releases occur	121	264.552(e)(4)(iii)(F)	4421.6(d)(3)(F)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
post-closure requirements as necessary to protect human health and the environment; for areas where wastes will remain, monitoring and maintenance activities and frequency	121	264.552(e)(4)(iv)	4421.6(d)(4)	X			
Regional Administrator shall document rationale for CAMU designation; make documentation available to public	121	264.552(f)	4421.7	X			
incorporation of CAMU into existing permit approved by Regional Administrator under 270.41 or 270.42 procedures	121	264.552(g)	4421.8	X			
CAMU designation does not change EPA's existing authority to address clean-up levels, media-specific points of compliance, or other remedy selection decisions	121	264.552(h)	4421.9	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
† TEMPORARY UNITS (TU)							
Regional Administrator may determine alternative design, operating, or closure standards for temporary tanks and container storage areas for treatment or storage of hazardous remediation wastes under 264.101 or RCRA 3008(h); must protect human health and environment	121	264.553(a)	4421.10	X			
temporary unit to which alternative requirements are applied shall be:	121	264.553(b)	4421.11	X			
located within facility boundary	121	264.553(b)(1)	4421.11(a)	X			
used only for treatment or storage of remediation wastes	121	264.553(b)(2)	4421.11(b)	X			
factors Regional Administrator shall consider in establishing temporary unit standards:	121	264.553(c)	4421.12	X			
length of time unit will be in operation	121	264.553(c)(1)	4421.12(a)	X			
type of unit	121	264.553(c)(2)	4421.12(b)	X			
volumes of wastes to be managed	121	264.553(c)(3)	4421.12(c)	X			
physical and chemical characteristics of wastes to be managed	121	264.553(c)(4)	4421.12(d)	X			
potential for releases from the unit	121	264.553(c)(5)	4421.12(e)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
hydrogeological and other relevant environmental conditions which may influence migration of potential releases	121	264.553(c)(6)	4421.12(f)	X			
potential for exposure of humans and environmental receptors if releases occur	121	264.553(c)(7)	4421.12(g)	X			
Regional Administrator shall specify in permit or order length of time, up to a year, the temporary unit will be allowed to operate; design, operating, and closure requirements for the unit	121	264.553(d)	4421.13	X			
Regional Administrator may extend operational period of temporary unit once for no longer than one year beyond period specified in permit or order, if:	121	264.553(e)	4421.14	X			
continued operation of unit will not threaten human health and environment	121	264.553(e)(1)	4421.14(a)	X			
continued operation of unit is necessary to ensure timely and efficient implementation of remedial actions	121	264.553(e)(2)	4421.14(b)	X			
incorporation of a temporary unit or time extension for temporary unit in an existing permit shall be:	121	264.553(f)	4421.15	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts K-S, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
approved in accordance with 270.41 permit modification procedures	121	264.553(f)(1)	4421.15(a)	X			
requested by owner/operator as Class II modification in accordance with 270.42	121	264.553(f)(2)	4421.15(b)	X			
Regional Administrator shall document rationale for temporary unit designation; documentation made available to public	121	264.553(g)	4421.16	X			

US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
CONSOLIDATED CHECKLIST C5

Part 4 of 5 parts

Standards for Owners and Operators of Hazardous Waste Treatment,
Storage, and Disposal Facilities
40 CFR PART 264, Subparts W-BB, as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART W - DRIP PADS

APPLICABILITY

Subpart W applies to owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system; existing drip pads defined; applicability of 264.573 (b)(3) leak collection system requirement	82,92,120	264.570(a)	4424.1	X			
owner or operator of certain drip pads inside or under a structure not subject to 264.573(e) or 264.573(f) regulations, as appropriate	82,92	264.570(b)	4424.2	X			
Subpart W requirements not applicable to management of infrequent, incidental drippage in storage yards provided:	120	264.570(c)	4424.3	X			
owner or operator maintains and complies with a written contingency plan describing how owner or operator will respond immediately to discharge of infrequent and incidental drippage; at a minimum, what the contingency plan must describe	120	264.570(c)(1)	4424.3	X			
		264.570(c)(1)(i)	4424.3(a)	X			
		264.570(c)(1)(ii)	4424.3(b)	X			
		264.570(c)(1)(iii)	4424.3(c)	X			
		264.570(c)(1)(iv)	4424.3(d)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
ASSESSMENT OF EXISTING DRIP PAD INTEGRITY							
evaluation of existing drip pads; by June 6, 1991, written assessment obtained and kept on file; annual review, update and recertification required until 264.573 standards are met, except 264.573 (b) standards for liners and leak detection systems	82,92, 120	264.571(a)	4424.4	X			
development of written plan for upgrading, repairing and modifying drip pad to meet 264.573 (b) requirements; submittal of plan to Regional Administrator no later than 2 years before completion of modifications; written plan documentation, review and certification requirements	82,92, 120	264.571(b)	4424.5	X			
		264.571(b)(1)	NA	X			
		264.571(b)(2)	NA	X			
removed	82,92	264.571(b)(3)	NA	X			
submittal of required drawings and certification to Regional Administrator or State Director upon completion of all upgrades, repairs and modifications	82,92	264.571(c)	4424.6	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if drip pad found to be leaking or unfit for use, compliance with 264.573 (m) provisions or close drip pad in accordance with 264.575	82,92	264.571(d)	4424.7	X			

DESIGN AND INSTALLATION OF NEW DRIP PADS

owners and operators of new drip pads must ensure that the pads are designed, installed and operated in accordance with one of the following:	82,92, 120	264.572	4424.8	X			
all of the requirements of 264.573 (except 264.573 (a)(4)), 264.574 and 264.575	120	264.572(a)	4424.8(a)	X			
all of the requirements of 264.573 (except 264.573 (b)), 264.574 and 264.575	120	264.572(b)	4424.8(b)	X			

DESIGN AND OPERATING REQUIREMENTS

drip pads must:	82,92	264.573(a)	4424.9	X			
be constructed of non-earthen materials, excluding wood and non-structurally supported asphalt	82,92	264.573(a)(1)	4424.9(a)	X			
be sloped for free-drainage to the associated collection system	82,92	264.573(a)(2)	4424.9(b)	X			
have a curb or berm around the perimeter	82,92	264.573(a)(3)	4424.9(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
hydraulic conductivity requirements; maintain surface free of cracks and gaps; sealing material must be chemically compatible with preservatives that contact pad; requirements apply to existing drip pads and drip pads of owners/operators electing to comply with 264.572(a)	82,92,120	264.573(a)(4)(i)	4424.9(d)	X			
owner or operator must obtain and keep at the facility written assessment of drip pad certified by independent qualified registered engineer; assessment must attest to results of evaluation; assessment must be reviewed, updated and recertified annually; evaluation must document extent to which drip pad meets 264.573 (except 264.573(b)) design and operating standards	120	264.573(a)(4)(ii)	4424.9(e)	X			
removed	†91,92,†101,120	264.573(a)(4)/notes regarding administrative stays	NA	X			
be of sufficient structural strength and thickness to meet specified conditions	82,92	264.573(a)(5)	4424.9(f)	X			
if owner/operator elects to comply with § 264.572(b) instead of § 264.572(a), the drip pad must have:	82,92,120	264.573(b)	4424.10	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a synthetic liner that meets certain design, construction and installation specifications	82,92	264.573(b)(1)	4424.10(a)	X			
specific requirements for liner construction materials	82,92	264.573(b)(1)(i)	4424.10(a)(1)	X			
foundation or base requirements	82,92	264.573(b)(1)(ii)	4424.10(a)(2)	X			
liner must cover all surrounding earth that could come into contact with the waste or leakage	82,92	264.573(b)(1)(iii)	4424.10(a)(3)	X			
leakage detection system immediately above the liner; detection system must be:	82,92	264.573(b)(2)	4424.10(b)	X			
constructed of materials that are:	82,92	264.573(b)(2)(i)	4424.10(b)(1)	X			
chemically resistant to relevant waste and leakage	82,92	264.573(b)(2)(i)(A)	4424.10(b)(1)(A)	X			
of sufficient strength and thickness to prevent collapse	82,92	264.573(b)(2)(i)(B)	4424.10(b)(1)(B)	X			
designed and operated to function without clogging through the scheduled closure of the drip pad	82,92	264.573(b)(2)(ii)	4424.10(b)(2)	X			
designed to detect drip pad failure or the release of hazardous waste or accumulated liquid at the earliest practicable time	82,92	264.573(b)(2)(iii)	4424.10(b)(3)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
leakage collection system immediately above the liner designed, constructed, maintained and operated to collect leakage from below the drip pad; date, time and quantity of leakage collected must be documented in operating log	120	264.573(b)(3)	4424.10(c)	X			
maintenance of drip pads; note regarding remedial action	82,92	264.573(c)	4424.11	X			
convey, drain, and collect liquid resulting from drippage or precipitation in order to prevent run-off	82,92	264.573(d)	4424.12	X			
run-on control system requirements, unless control system is protected by a structure, as described in 264.570(b)	82,92	264.573(e)	4424.13	X			
run-off management system requirements, unless system is protected by a structure, as described in 264.570(b)	82,92	264.573(f)	4424.14	X			
evaluation of drip pad for compliance with 264.573 (a)-(f) requirements; design certification required	82,92	264.573(g)	4424.15	X			
removal of drippage and accumulated precipitation from associated collection system as necessary to prevent overflow onto the drip pad	82,92	264.573(h)	4424.16	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
thorough cleaning of drip pad surface in a manner and frequency to meet specified conditions; documentation of date, time and cleaning procedure in facility's operating log; owner/operator must determine whether residues are hazardous under 262.11 and, if so, manage them according to Parts 261-268, 270 and RCRA §3010	82,92, 120	264.573(i)	4424.17	X			
minimize tracking of hazardous waste or constituents off the drip pad	82,92	264.573(j)	4424.18	X			
after removal from treatment vessel, treated wood from pressure and non-pressure processes must be held on pad until drippage has ceased; documentation required	82,92	264.573(k)	4424.19	X			
collection and holding units for run-on and run-off control systems emptied or otherwise managed as soon as possible after storms to maintain design capacity	82,92	264.573(l)	4424.20	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
throughout the active life of the drip pad and as specified in the permit, repair of detected condition that may have caused or has caused a release of hazardous waste within a reasonable period of time, in accordance with the following procedures:	82,92	264.573(m)	4424.21	X			
upon detection of a condition that may have caused or has caused a release of hazardous waste, the owner must:	82,92	264.573(m)(1)	4424.21(a)	X			
enter discovery in the facility operating log	82,92	264.573(m)(1)(i)	4424.21(a)(1)	X			
immediately remove from service affected portion of drip pad	82,92	264.573(m)(1)(ii)	4424.21(a)(2)	X			
determine steps to repair drip pad and clean up any leakage; establish schedule for repairs	82,92	264.573(m)(1)(iii)	4424.21(a)(3)	X			
notify Regional Administrator within 24 hours after discovery; provide written notice as specified within 10 working days	82,92	264.573(m)(1)(iv)	4424.21(a)(4)	X			
review, determination and notification by Regional Administrator	82,92	264.573(m)(2)	4424.21(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
written notification to Regional Administrator and certification of compliance with 264.573 (m)(1)(iv) after repairs and clean up	82,92	264.573(m)(3)	4424.21(c)	X			
should a permit be necessary, Regional Administrator will specify in the permit all design and operating practices necessary to ensure that 264.573 requirements are met	82,92	264.573(n)	4424.22	X			
documentation in operating log, as specified, of past operating and waste handling practices	82,92	264.573(o)	4424.23	X			
INSPECTIONS							
inspection of liners and cover systems for uniformity, damage and imperfections during construction or installation; inspection and certification of liners to meet 264.573 requirements; maintenance of certification as part of the facility operating record; inspection of liners and covers after installation	82,92	264.574(a)	4424.24	X			
drip pad must be inspected weekly and after storms to detect evidence of any of the following:	82,92	264.574(b)	4424.25	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
deterioration, malfunctions or improper operation of run-on and run-off control systems	82,92	264.574(b)(1)	4424.25(a)	X			
presence of leakage in and proper functioning of leak detection system	82,92	264.574(b)(2)	4424.25(b)	X			
deterioration or cracking of drip pad surface; note regarding remedial action	82,92	264.574(b)(3)	4424.25(c)	X			

CLOSURE

at closure, removal and decontamination requirements; management as hazardous waste	82,92	264.575(a)	4424.26	X			
conditions under which owner or operator must close facility and perform post-closure care in accordance with 264.310 requirements; for permitted units, permit requirement continues throughout post-closure period; drip pad is considered a landfill and must meet Subparts G and H requirements of Part 264	82,92	264.575(b)	4424.27	X			

Corporation Counsel Statement Comment: At 20 DCMR §4424.27, the last reference to “landfill” was removed because these types of units are not allowed in the District. The stringency of this provision is not affected by this removal. While the wording is different than the Federal analog, this provision is equivalent to its Federal counterpart because this distinction is not needed in the District because all units are subject to post-closure care and financial assurance requirements.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator of an existing drip pad that does not comply with the 264.573(b)(1) liner requirements must:	82,92	264.575(c)(1)	4424.28	X			
include in closure plans for drip pad under 264.112, a plan for 264.575(a) compliance and a contingent plan for 264.575(b) compliance	82,92	264.575(c)(1)(i)	4424.28(a)	X			
prepare a contingent post-closure plan under 264.118 for complying with 264.575(b) in case not all contaminated subsoils can be practicably removed at closure	82,92	264.575(c)(1)(ii)	4424.28(b)	X			
cost estimates calculated under 264.112 and 264.144 for closure and post-closure care of drip pad subject to 264.575 must include the cost of complying with the contingent closure plan and the contingent post-closure plan; cost of expected closure under 264.575(a) need not be included	82,92	264.575(c)(2)	4424.29	X			
SUBPART X - MISCELLANEOUS UNITS							
APPLICABILITY							
to whom requirements apply	45	264.600	4425.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
ENVIRONMENTAL PERFORMANCE STANDARDS							
introductory paragraph regarding human health and the environment	45,154.1	264.601	4425.2	X			
prevention of release to groundwater	45	264.601(a)	4425.2(a)	X			
characteristics of waste	45	264.601(a)(1)	4425.2(a)(1)	X			
characteristics of unit	45	264.601(a)(2)	4425.2(a)(2)	X			
existing quality of groundwater	45	264.601(a)(3)	4425.2(a)(3)	X			
ground-water flow	45	264.601(a)(4)	4425.2(a)(4)	X			
ground-water users	45	264.601(a)(5)	4425.2(a)(5)	X			
patterns of land use	45	264.601(a)(6)	4425.2(a)(6)	X			
deposition or migration of wastes	45	264.601(a)(7)	4425.2(a)(7)	X			
potential for health risks	45	264.601(a)(8)	4425.2(a)(8)	X			
potential for damage from exposure	45	264.601(a)(9)	4425.2(a)(9)	X			
prevention of release to surface waters and soil	45	264.601(b)	4425.2(b)	X			
characteristics of waste	45	264.601(b)(1)	4425.2(b)(1)	X			
migration prevention systems and structures	45	264.601(b)(2)	4425.2(b)(2)	X			
hydrologic characteristics	45	264.601(b)(3)	4425.2(b)(3)	X			
precipitation patterns	45	264.601(b)(4)	4425.2(b)(4)	X			
ground-water flow	45	264.601(b)(5)	4425.2(b)(5)	X			
proximity to surface waters	45	264.601(b)(6)	4425.2(b)(6)	X			
current and potential uses	45	264.601(b)(7)	4425.2(b)(7)	X			
existing quality of surface waters and soils	45	264.601(b)(8)	4425.2(b)(8)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
patterns of land use	45	264.601(b)(9)	4425.2(b)(9)	X			
potential for health risks	45	264.601(b)(10)	4425.2(b)(10)	X			
potential for damage caused by exposure	45	264.601(b)(11)	4425.2(b)(11)	X			
prevention of releases to the air	45	264.601(c)	4425.2(c)	X			
characteristics of waste	45	264.601(c)(1)	4425.2(c)(1)	X			
emission prevention systems and structures	45	264.601(c)(2)	4425.2(c)(2)	X			
operating characteristics	45	264.601(c)(3)	4425.2(c)(3)	X			
characteristics of unit and area	45	264.601(c)(4)	4425.2(c)(4)	X			
existing quality of air	45	264.601(c)(5)	4425.2(c)(5)	X			
potential for health risks	45	264.601(c)(6)	4425.2(c)(6)	X			
potential for damage from exposure	45	264.601(c)(7)	4425.2(c)(7)	X			
MONITORING, ANALYSIS, INSPECTION, RESPONSE, REPORTING, AND CORRECTIVE ACTION							
compliance requirements	45	264.602	4425.3	X			
POST-CLOSURE CARE							
post-closure requirements	45	264.603	4425.4	X			
SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS							
APPLICABILITY							
regulations in this subpart apply to owners and operators of facilities that treat, store or dispose of hazardous waste except as provided in 264.1	79.87	264.1030(a)	4428.1	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
except for 264.1034(d)& (e), Subpart AA applies to process vents associated with operations managing hazardous wastes with at least 10-ppmw organic concentrations if conducted in specific units	79,87	264.1030(b)	4428.2	X			
units subject to the permitting requirements of Part 270	79	264.1030(b)(1)	4428.2(a)	X			
hazardous waste recycling units located on hazardous waste management facilities otherwise subject to Part 270 permitting requirements	79	264.1030(b)(2)	4428.2(b)	X			
unit that is exempt from penalty	154	264.1030(b)(3)	4428.2(c)	X			
incorporation of 264.1032 through 264.1036 requirements for permits received under Section 3005 of RCRA prior to December 21, 1990, when permit is reissued under 124.15 or reviewed under 270.50; note included	79	264.1030(c)	4428.3	X			

DEFINITIONS

introductory paragraph	79	264.1031	4428.5	X			
"air stripping operation"	79	264.1031	5400.1	X			
"bottoms receiver"	79	264.1031	5400.1	X			
"closed-vent system"	79	264.1031	5400.1	X			
"condenser"	79	264.1031	5400.1	X			
"connector"	79	264.1031	5400.1	X			
"continuous recorder"	79	264.1031	5400.1	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"control device"	79	264.1031	5400.1	X			
"control device shutdown"	79	264.1031	5400.1	X			
"distillate receiver"	79	264.1031	5400.1	X			
"distillation operation"	79	264.1031	5400.1	X			
"double block and bleed system"	79	264.1031	5400.1	X			
"equipment"	79	264.1031	5400.1	X			
"flame zone"	79	264.1031	5400.1	X			
"flow indicator"	79	264.1031	5400.1	X			
"first attempt at repair"	79	264.1031	5400.1	X			
"fractionation operation"	79	264.1031	5400.1	X			
"hazardous waste management unit shutdown"	79	264.1031	5400.1	X			
"hot well"	79	264.1031	5400.1	X			
"in gas/vapor service"	79	264.1031	5400.1	X			
"in heavy liquid service"	79	264.1031	5400.1	X			
"in light liquid service"	79	264.1031	5400.1	X			
"in situ sampling systems"	79	264.1031	5400.1	X			
"in vacuum service"	79	264.1031	5400.1	X			
"malfunction"	79	264.1031	5400.1	X			
"open-ended valve or line"	79	264.1031	5400.1	X			
"pressure release"	79	264.1031	5400.1	X			
"process heater"	79	264.1031	5400.1	X			
"process vent"	79	264.1031	5400.1	X			
"repaired"	79	264.1031	5400.1	X			
"sensor"	79	264.1031	5400.1	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"separator tank"	79	264.1031	5400.1	X			
"solvent extraction operation"	79	264.1031	5400.1	X			
"startup"	79	264.1031	5400.1	X			
"steam stripping operation"	79	264.1031	5400.1	X			
"surge control tank"	79	264.1031	5400.1	X			
"thin-film evaporation operation"	79	264.1031	5400.1	X			
"vapor incinerator"	79	264.1031	5400.1	X			
"vented"	79	264.1031	5400.1	X			

STANDARDS: PROCESS VENTS

owner or operator of facility with process vents meeting certain conditions shall either:	79	264.1032(a)	4428.6	X			
reduce total organic emissions below 1.4 kg/h and 2.8 Mg/yr	79	264.1032(a)(1)	4428.6(a)	X			
using control device, reduce total organic emissions by 95 weight percent	79	264.1032(a)(2)	4428.6(b)	X			
264.1033 requirements must be met if owner or operator installs closed-vent system and control device to comply with 264.1032(a) provisions	79	264.1032(b)	4428.7	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
use of engineering calculations or performance tests (conforming to 264.1034 (c) requirements) may be used for determining 1) vent emissions and emission reductions or 2) total organic compound concentrations achieved by add-on control devices	79	264.1032(c)	4428.8	X			
use of 264.1034(c) procedures to resolve disagreements between owner or operator and Regional Administrator on vent determinations	79	264.1032(d)	4428.9	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES							
compliance with provisions of 264.1033 by owners or operators of closed-vent systems and control devices used to comply with provisions of Part 264	79	264.1033(a)(1)	4428.10	X			
preparation of an implementation schedule by owner or operator, of existing facility, who cannot install a closed-vent system and control device to comply with Subpart AA provisions by effective date; units that begin operation after December 21, 1990, must comply with the rules immediately	79,154.6	264.1033(a)(2)	4428.11	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
specification of efficiency standards for control device involving vapor recovery unless 264.1032(a)(1) emission limits can be attained	79	264.1033(b)	4428.12	X			
organic emission standards for enclosed combustion device; for boiler or process heater used as control device, vent stream introduced into flame zone	79	264.1033(c)	4428.13	X			
specifications for the design and operation of a flare	79	264.1033(d)(1)	4428.14(a)	X			
		264.1033(d)(2)	4428.14(b)	X			
		264.1033(d)(3)	4428.14(c)	X			
		264.1033(d)(4)(i)	4428.14(d)(1)	X			
		264.1033(d)(4)(ii)	4428.14(d)(2)	X			
		264.1033(d)(4)(iii)	4428.14(d)(3)	X			
		264.1033(d)(5)	4428.14(e)	X			
		264.1033(d)(6)	4428.14(f)	X			
determination of compliance of a flare with the visible emission provisions of Subpart AA using Reference Method 22 in 40 CFR Part 60	79	264.1033(e)(1)	4428.15(a)	X			
calculation of net heating value of gas being combusted in a flare using specified equation	79	264.1033(e)(2)	4428.15(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
determination of actual exit velocity of a flare using flow rate as determined by Reference Methods 2, 2A, 2C or 2D in 40 CFR Part 60	79	264.1033(e)(3)	4428.15(c)	X			
determination of maximum allowed velocity for a flare complying with 264.1033 (d)(4)(iii)	79	264.1033(e)(4)	4428.15(d)	X			
determination of maximum allowed velocity for an air-assisted flare	79	264.1033(e)(5)	4428.15(e)	X			
monitoring and inspection of control device by owner and operator to ensure compliance with 264.1033 by implementing specified requirements:	79	264.1033(f)	4428.16	X			
installation, calibration, maintenance, and operation of a flow indicator; where sensor shall be installed	79	264.1033(f)(1)	4428.16(a)	X			
specifications for installation, calibration, maintenance, and operation of a device to continuously monitor control device operation:	79	264.1033(f)(2)	4428.16(b)	X			
temperature monitoring device with a continuous recorder for a thermal vapor incinerator	79	264.1033(f)(2)(i)	4428.16(b)(1)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
temperature monitoring device with a continuous recorder for a catalytic vapor incinerator	79	264.1033(f)(2)(ii)	4428.16(b)(2)	X			
heat sensing monitoring device with a continuous recorder for a flare	79	264.1033(f)(2)(iii)	4428.16(b)(3)	X			
temperature monitoring device with a continuous recorder for a boiler or process heater having a design heat input capacity less than 44 MW	79	264.1033(f)(2)(iv)	4428.16(b)(4)	X			
monitoring device with a continuous recorder for a boiler or process heater having a design heat input capacity greater than or equal to 44 MW	79	264.1033(f)(2)(v)	4428.16(b)(5)	X			
for a condenser, either:	79	264.1033(f)(2)(vi)	4428.16(b)(6)	X			
monitoring device with a continuous recorder to measure concentration level of the organic compounds in the exhaust vent stream from the condenser	79	264.1033(f)(2)(vi)(A)	4428.16(b)(6)(A)	X			
temperature monitoring device with a continuous recorder; specifications	79	264.1033(f)(2)(vi)(B)	4428.16(b)(6)(B)	X			
for a carbon adsorption system, either:	79	264.1033(f)(2)(vii)	4428.16(b)(7)	X			
monitoring device with a continuous recorder to measure concentration level of organic compounds in exhaust vent stream from carbon bed	79	264.1033(f)(2)(vii)(A)	4428.16(b)(7)(A)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
monitoring device with a continuous recorder to measure a parameter that indicates the carbon bed is regenerated on a regular predetermined time cycle	79	264.1033(f)(2)(vii)(B)	4428.16(b)(7)(B)	X			
daily inspection of readings from monitoring device required by 264.1033(f)(1) and 264.1033(f)(2); implement corrective measures if necessary	79,87	264.1033(f)(3)	4428.16(c)	X			
replacement of existing carbon in control device by owner or operator using a fixed-bed carbon adsorber that meets the 264.1035(b)(4)(iii)(F) requirement	79	264.1033(g)	4428.17	X			
replacement of carbon on a regular basis by owner or operator using a carbon canister	79	264.1033(h)	4428.18	X			
monitor organic compounds daily or at interval no greater than 20 percent of time required to consume total carbon working capacity established at 264.1035(b)(4)(iii)(G), whichever is longer; replace existing carbon when carbon break-through occurs	79	264.1033(h)(1)	4428.18(a)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
replacement of existing carbon at intervals less than design carbon replacement interval established as a requirement of 264.1035 (b)(4)(iii)(G)	79	264.1033(h)(2)	4428.18(b)	X			
alternative operational or process parameter may be monitored if specific demonstration can be made	79	264.1033(i)	4428.19	X			
documentation requirements for owner or operator seeking to comply with Part 264 provisions by using a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater condenser, or carbon adsorption system	79	264.1033(j)	4428.20	X			
design requirements for closed-vent system are either:	154	264.1033(k)	4428.21	X			
to operate with no detectable emissions as determined by 264.1034 (b) & visual inspections; or	79, 154	264.1033(k)(1)	4428.21(a)	X			
to operate at a pressure below atmospheric pressure; how to equip system	79,154.1, 154.6, 154.5, 154	264.1033(k)(2)	4428.21(b)	X			
removed	79, 154	264.1033(k)(3)	NA	X			
removed	79, 154	264.1033(k)(4)	NA	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator to monitor & inspect closed-vent system to ensure proper operation & maintenance by implementing following:	154	264.1033(l)	4428.22	X			
closed-vent system used to comply with 264.1033 (k)(1) shall be inspected & monitored in accordance with:	154	264.1033(l)(1)	4428.22(a)	X			
initial leak detection monitoring shall be conducted by owner/operator using procedures in 264.1034(b)	154	264.1033(l)(1)(i)	4428.22(a)(1)	X			
owner/operator shall inspect & monitor the closed-vent system, after initial leak detection monitoring required in 264.1033(l)(1)(i)	154	264.1033(l)(1)(ii)	4428.22(a)(2)	X			
		264.1033(l)(1)(ii)(A)	4428.22(a)(2)(A)	X			
		264.1033(l)(1)(ii)(B)	4428.22(a)(2)(B)	X			
in event that defect or leak is detected, the owner/operator shall repair in accordance with 264.1033(l)(3)	154	264.1033(l)(1)(iii)	4428.22(a)(3)	X			
owner/operator shall maintain record of inspection & monitoring in accordance with 264.1035	154	264.1033(l)(1)(iv)	4428.22(a)(4)	X			
a closed-vent system used to comply with 264.1033 (k)(2) shall be inspected & monitored in accordance with specified requirements	154	264.1033(l)(2)	4428.22(b)	X			
	154	264.1033(l)(2)(i)	4428.22(b)(1)	X			
	154	264.1033(l)(2)(ii)	4428.22(b)(2)	X			
	154	264.1033(l)(2)(iii)	4428.22(b)(3)	X			
	154	264.1033(l)(2)(iv)	4428.22(b)(4)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator shall repair all detected defects as follows:	154	264.1033(l)(3)	4428.22(c)	X			
detectable emissions shall be controlled as soon as practicable, but not later than 15 days after detection, except as in 264.1033(l)(3)(iii)	154	264.1033(l)(3)(i)	4428.22(c)(1)	X			
first attempt at repair to be made no later than 5 days after emission is detected	154	264.1033(l)(3)(ii)	4428.22(c)(2)	X			
when delay of closed-vent repair allowed; if repair is infeasible without shutdown or emissions resulting from repair are greater than those from delay, then repair shall be completed by end of next shutdown	154	264.1033(l)(3)(iii)	4428.22(c)(3)	X			
owner/operator shall maintain record of repair in accordance with 264.1035	154	264.1033(l)(3)(iv)	4428.22(c)(4)	X			
closed vent systems and control devices used to comply with provisions of Subpart AA shall be operated at all times when emissions may be vented to them	79, 154	264.1033(m)	4428.23	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the owner or operator using a carbon adsorption system shall document that all carbon removed that is hazardous waste from a carbon adsorption system to comply with 264.1033(g) and 264.1033(h) is managed in one of the following manners, regardless of volatile organic concentration:	154.1, 154.6, 154.5, 154	264.1033(n)	4428.24	X			
regenerated or reactivated in a thermal treatment unit that meets one of the following:	154.1, 154.6, 154.5, 154	264.1033(n)(1)	4428.24(a)	X			
owner/operator has been issued final permit under part 270, which implements subpart X requirements; or	154	264.1033(n)(1)(i)	4428.24(a)(1)	X			
unit is equipped with & operating air emission controls in accordance with subparts AA & CC of 264 or 265; or	154	264.1033(n)(1)(ii)	4428.24(a)(2)	X			
unit is equipped with & operating air emission controls in accordance with national emission standards of parts 61 or 63	154	264.1033(n)(1)(iii)	4428.24(a)(3)	X			
incinerated in a hazardous waste incinerator for which the owner or operator either:	154.1, 154.6, 154.5, 154	264.1033(n)(2)	4428.24(b)	X			
has been issued a final permit under part 270 which implements the requirements of subpart O; or	154.6, 154.5, 154	264.1033(n)(2)(i)	4428.24(b)(1)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
has designed and operates the incinerator in accordance with part 264, subpart O	154.6, 154.5, 154	264.1033(n)(2)(ii)	4428.24(b)(2)	X			
burned in a boiler or industrial furnace for which owner/operator either:	154.1, 154.6, 154.5, 154	264.1033(n)(3)	4428.24(c)	X			
owner/operator has been issued a final permit under part 270 and designs and operates unit in accordance with part 266, subpart H; or	154.6	264.1033(n)(3)(i)	4428.24(c)(1)	X			
owner/operator has certified compliance with interim status requirements of part 266, subpart H	154.6	264.1033(n)(3)(ii)	4428.24(c)(2)	X			
any components of a closed-vent system designated in 264.1035(c) (9) as unsafe are exempt from requirements of 264.1033(l)(1)(ii)(B) if:	154	264.1033(o)	4428.25	X			
owner/operator determines that monitoring personnel would be in danger as a consequence of complying; &	154	264.1033(o)(1)	4428.25(a)	X			
owner/operator adheres to written plan requiring monitoring using procedure in 264.1033(l) (1)(ii)(B) as frequently as practicable	154	264.1033(o)(2)	4428.25(b)	X			

TEST METHODS AND PROCEDURES

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
compliance with 264.1034 test methods and procedures by owner or operator subject to provisions of Subpart AA	79	264.1034(a)	4429.1	X			
when testing a closed-vent system for compliance with 264.1033(l) requirements, comply with following test requirements:	79, 154	264.1034(b)	4429.2	X			
monitoring in compliance with Reference Method 21 in 40 CFR Part 60	79	264.1034(b)(1)	4429.2(a)	X			
detection instrument shall meet the performance criteria of Reference Method 21	79	264.1034(b)(2)	4429.2(b)	X			
calibration of instrument by procedures specified in Reference Method 21	79	264.1034(b)(3)	4429.2(c)	X			
calibration gases shall be:	79	264.1034(b)(4)	4429.2(d)	X			
zero air	79	264.1034(b)(4)(i)	4429.2(d)(1)	X			
mixture of methane or n-hexane and air at specified concentration	79	264.1034(b)(4)(ii)	4429.2(d)(2)	X			
background level determined as set forth in Reference Method 21	79	264.1034(b)(5)	4429.2(e)	X			
instrument probe traverse requirements as described in Reference Method 21	79	264.1034(b)(6)	4429.2(f)	X			
arithmetic difference compared with 500 ppm for compliance determination	79	264.1034(b)(7)	4429.2(g)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
performance test requirements to determine compliance with 264.1032(a) and 264.1033(c)	79	264.1034(c)	4429.3	X			
reference methods and calculation procedures to use when determining total organic compound concentrations and mass flow rates	79	264.1034(c)(1)	4429.3(a)	X			
Method 2 in 40 CFR Part 60 for velocity and volumetric flow rate	79	264.1034(c)(1)(i)	4429.3(a)(1)	X			
Method 18 in 40 CFR Part 60 for organic content	79	264.1034(c)(1)(ii)	4429.3(a)(2)	X			
performance tests in three separate runs; conditions for conducting runs; averaging results on a time-weighted basis	79	264.1034(c)(1)(iii)	4429.3(a)(3)	X			
equation for determining total organic mass flow rates	79	264.1034(c)(1)(iv)	4429.3(a)(4)	X			
equation for determining annual total organic emission rate	79	264.1034(c)(1)(v)	4429.3(a)(5)	X			
determination of total organic emissions from all process vents using 264.1034(c)(1)(iv) equation and 264.1034(c)(1)(v) equation	79	264.1034(c)(1)(vi)	4429.3(a)(6)	X			
recording of process information necessary to determine performance test conditions; certain operational periods not applicable	79	264.1034(c)(2)	4429.3(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
performance testing facilities provided by owner or operator	79	264.1034(c)(3)	4429.3(c)	X			
sampling ports adequate for 264.1034(c)(1) test methods	79	264.1034(c)(3)(i)	4429.3(c)(1)	X			
safe sampling platform(s)	79	264.1034(c)(3)(ii)	4429.3(c)(2)	X			
safe access to sampling platform(s)	79	264.1034(c)(3)(iii)	4429.3(c)(3)	X			
utilities for sampling and testing equipment	79	264.1034(c)(3)(iv)	4429.3(c)(4)	X			
use of time-weighted average of three runs in making compliance determinations; Regional Administrator approval needed for average based on two runs if a sample is accidentally lost or certain conditions occur	79	264.1034(c)(4)	4429.3(d)	X			
to demonstrate a process vent is not subject to Subpart AA requirements, use one of two methods to determine an annual average total organic concentration of less than 10 ppmw	79	264.1034(d)	4429.4	X			
direct measurement using the following procedures:	79	264.1034(d)(1)	4429.4(a)	X			
minimum of four grab samples under specified process conditions	79	264.1034(d)(1)(i)	4429.4(a)(1)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for waste generated onsite, collect grab samples before exposure to the atmosphere; for waste generated offsite, collect grab samples at the inlet to the first waste management unit that receives the waste under specific conditions	79	264.1034(d)(1)(ii)	4429.4(a)(2)	X			
sample analysis using Method 9060 or 8260 of SW-846	79, 158	264.1034(d)(1)(iii)	4429.4(a)(3)	X			
calculation of time-weighted, annual average total organic concentration of waste	79	264.1034(d)(1)(iv)	4429.4(a)(4)	X			
using knowledge of the waste to determine its total organic concentration is less than 10 ppmw; documentation of the waste determination is required; examples of acceptable documentation	79	264.1034(d)(2)	4429.4(b)	X			
guidelines for the determination that hazardous wastes are managed with time-weighted, annual average total organic concentrations less than 10 ppmw	79	264.1034(e)	4429.5	X			
		264.1034(e)(1)	4429.5(a)	X			
		264.1034(e)(2)	4429.5(b)	X			
		264.1034(e)(3)	4429.5(c)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Method 8260 of SW-846 (incorporated by reference under §260.11) procedures used to resolve dispute in case of disagreement between owner or operator and Regional Administrator regarding the determination made in 264.1034(e)	79, 158	264.1034(f)	4429.6	X			
RECORDKEEPING REQUIREMENTS							
compliance with recordkeeping requirements	79	264.1035(a)(1)	4430.1	X			
recordkeeping requirements for more than one hazardous waste management unit in one recordkeeping system	79	264.1035(a)(2)	4430.2	X			
information that must be recorded in the facility operating record	79	264.1035(b)	4430.3	X			
for 264.1033(a)(2)-complying facilities, an implementation schedule that includes specified dates and rationale; inclusion in operating record by effective date the facility becomes subject to Subpart AA provisions	79	264.1035(b)(1)	4430.3(a)	X			
up-to-date documentation of 264.1032 standards	79	264.1035(b)(2)	4430.3(b)	X			
information and data identifying all affected process vents and specific information for each vent	79	264.1035(b)(2)(i)	4430.3(b)(1)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
information and data supporting determinations of vent emissions and emission reductions; new determination required if any action taken increases total emissions	79	264.1035(b)(2)(ii)	4430.3(b)(2)	X			
a performance test plan for owners or operators using test data for determination	79	264.1035(b)(3)	4430.3(c)	X			
a description of the determination that a planned test will be conducted when unit is operating at the highest load or capacity level	79	264.1035(b)(3)(i)	4430.3(c)(1)	X			
detailed engineering description of closed-vent system and control device	79	264.1035(b)(3)(ii)	4430.3(c)(2)	X			
		264.1035(b)(3)(ii)(A)	4430.3(c)(2)(A)	X			
		264.1035(b)(3)(ii)(B)	4430.3(c)(2)(B)	X			
		264.1035(b)(3)(ii)(C)	4430.3(c)(2)(C)	X			
		264.1035(b)(3)(ii)(D)	4430.3(c)(2)(D)	X			
		264.1035(b)(3)(ii)(E)	4430.3(c)(2)(E)	X			
detailed description of sampling and monitoring procedures	79	264.1035(b)(3)(iii)	4430.3(c)(3)	X			
documentation of compliance with 264.1033	79	264.1035(b)(4)	4430.3(d)	X			
information references and sources	79	264.1035(b)(4)(i)	4430.3(d)(1)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
records including the dates of each compliance test required by 264.1033 (k)	79,87	264.1035(b)(4)(ii)	4430.3(d)(2)	X			
if engineering calculations are used, a design analysis and other documents that present basic control device design information; design analysis addresses vent stream characteristics and control device operation parameters	79	264.1035(b)(4)(iii)	4430.3(d)(3)	X			
design analysis requirements for a thermal vapor incinerator	79	264.1035(b)(4)(iii)(A)	4430.3(d)(3)(A)	X			
design analysis requirements for a catalytic vapor incinerator	79	264.1035(b)(4)(iii)(B)	4430.3(d)(3)(B)	X			
design analysis requirements for a boiler or process heater	79	264.1035(b)(4)(iii)(C)	4430.3(d)(3)(C)	X			
design analysis requirements for a flare	79	264.1035(b)(4)(iii)(D)	4430.3(d)(3)(D)	X			
design analysis requirements for a condenser	79	264.1035(b)(4)(iii)(E)	4430.3(d)(3)(E)	X			
design analysis requirements for carbon adsorption system that regenerates the carbon bed directly onsite	79	264.1035(b)(4)(iii)(F)	4430.3(d)(3)(F)	X			
design analysis requirements for a carbon adsorption system that does not regenerate the carbon bed directly onsite	79	264.1035(b)(4)(iii)(G)	4430.3(d)(3)(G)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certification statement signed and dated by owner or operator regarding operating parameters	79	264.1035(b)(4)(iv)	4430.3(d)(4)	X			
certification statement signed and dated by owner or operator regarding control equipment meeting design specifications	79	264.1035(b)(4)(v)	4430.3(d)(5)	X			
all test results when performance tests are used to demonstrate compliance	79	264.1035(b)(4)(vi)	4430.3(d)(6)	X			
information to be recorded and kept up-to-date in the facility operating record for each closed-vent system and control device subject to the Part 264 regulations	79	264.1035(c)	4430.4	X			
description and date of each modification	79	264.1035(c)(1)	4430.4(a)	X			
identification of operating parameter, description of monitoring device and location diagram for compliance with 264.1033 (f)(1) and (f)(2)	79	264.1035(c)(2)	4430.4(b)	X			
information required by 264.1033(f)-(k)	79	264.1035(c)(3)	4430.4(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
date, time and duration of each period that occurs while control device is operating when any monitored parameter exceeds the value established in the design analysis	79	264.1035(c)(4)	4430.4(d)	X			
when combustion temperature is below 760°C or more than 28°C below design average combustion zone temperature for a thermal vapor incinerator	79	264.1035(c)(4)(i)	4430.4(d)(1)	X			
		264.1035(c)(4)(ii)	4430.4(d)(2)	X			
when temperature of vent stream is more than 28°C below average temperature or when temperature difference across catalyst bed is less than 80 percent of the design average temperature difference for a catalytic vapor incinerator	79	264.1035(c)(4)(iii)	4430.4(d)(3)	X			
		264.1035(c)(4)(iii)(A)	4430.4(d)(3)(A)	X			
		264.1035(c)(4)(iii)(B)	4430.4(d)(3)(B)	X			
boiler or process heater	79	264.1035(c)(4)(iv)	4430.4(d)(4)	X			
flame zone temperature is more than 28°C below design average temperature	79	264.1035(c)(4)(iv)(A)	4430.4(d)(4)(A)	X			
position changes	79	264.1035(c)(4)(iv)(B)	4430.4(d)(4)(B)	X			
period when the pilot flame is not ignited for a flare	79	264.1035(c)(4)(v)	4430.4(d)(5)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
period when organic compounds are more than 20 percent greater than the design level for a condenser	79	264.1035(c)(4)(vi)	4430.4(d)(6)	X			
condenser that complies with 264.1033(f)(2)(vi) (B)	79	264.1035(c)(4)(vii)	4430.4(d)(7)	X			
temperature of exhaust vent stream is more than 6°C above design average temperature	79	264.1035(c)(4)(vii) (A)	4430.4(d)(7)(A)	X			
temperature of exiting coolant fluid is more than 6°C above design average temperature	79	264.1035(c)(4)(vii) (B)	4430.4(d)(7)(B)	X			
period when organic compounds are more than 20 percent greater than the design level for a carbon adsorption system	79	264.1035(c)(4)(viii)	4430.4(d)(8)	X			
period when vent stream flow exceeds predetermined regeneration time for a carbon adsorption system	79	264.1035(c)(4)(ix)	4430.4(d)(9)	X			
explanation for each period under 264.1035(c) (4) of the cause for parameters being exceeded and measures implemented	79	264.1035(c)(5)	4430.4(e)	X			
date when existing carbon is replaced	79	264.1035(c)(6)	4430.4(f)	X			
log to record specific dates	79	264.1035(c)(7)	4430.4(g)	X			
		264.1035(c)(7)(i)	4430.4(g)(1)	X			
		264.1035(c)(7)(ii)	4430.4(g)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
date of each control device startup and shutdown	79	264.1035(c)(8)	4430.4(h)	X			
recordkeeping requirements for owner/operator designating any components of a closed-vent system as unsafe to monitor pursuant to 264.1033(o)	154	264.1035(c)(9)	4430.4(i)	X			
when each leak is detected as in 264.1033(l), the following shall be recorded:	154	264.1035(c)(10)	4430.4(j)	X			
instrument number, closed-vent system component ID number, & operator name, initials, or ID number	154	264.1035(c)(10)(i)	4430.4(j)(1)	X			
date leak was detected & date of first attempt to repair	154	264.1035(c)(10)(ii)	4430.4(j)(2)	X			
date of successful repair	154	264.1035(c)(10)(iii)	4430.4(j)(3)	X			
maximum instrument reading by Method 21, part 60, Appendix A	154	264.1035(c)(10)(iv)	4430.4(j)(4)	X			
"repair delayed" & reason for delay if not repaired within 15 days	154	264.1035(c)(10)(v)	4430.4(j)(5)	X			
develop written procedure that identifies conditions that justify delay of repair	154	264.1035(c)(10)(v)(A)	4430.4(j)(5)(A)	X			
documentation requirement if repair delay was caused by depletion of stocked parts	154	264.1035(c)(10)(v)(B)	4430.4(j)(5)(B)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
records required by paragraphs 264.1035(c)(3) through (c)(10) shall be maintained by the owner/operator for at least 3 years following the date of each occurrence, measurement, maintenance, corrective action, or record	79, 154	264.1035(d)	4430.5	X			
specification of recordkeeping requirements for certain control devices by Regional Administrator	79	264.1035(e)	4430.6	X			
logging of information used to determine if process vent is subject to 264.1032 and 264.1034(d) (2)	79	264.1035(f)	4430.7	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
REPORTING REQUIREMENTS							
semiannual report submitted by date specified by Regional Administrator; information the report must contain:	79	264.1036(a)	4431.1	X			
EPA ID number, name and address of facility	79	264.1036(a)(1)	4431.1(a)	X			
dates when design specifications are exceeded, duration and cause, and corrective measures taken	79	264.1036(a)(2)	4431.1(b)	X			
exception to reporting requirements specified in 264.1036(a)	79	264.1036(b)	4431.2	X			
reserved		264.1037-264.1049	4432 - 4444	X			

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY							
owners and operators of facilities that treat, store or dispose of hazardous wastes except as provided in 264.1	79	264.1050(a)	4445.1	X			
except as provided in 264.1064(k), applicability of Subpart BB to equipment that contains or contacts hazardous wastes with organic concentrations of at least 10 percent by weight that are managed in units or facilities subject to 40 CFR Part 270 permitting requirements	79, 154	264.1050(b)	4445.2	X			
	79, 87, 154	264.1050(b)(1)	4445.2(a)	X			
	79, 154	264.1050(b)(2)	4445.2(b)	X			
	154	264.1050(b)(3)	4445.2(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for permits received under Section 3005 of RCRA prior to December 21, 1990, requirements of 264.1052-264.1065 must be incorporated when permit is reissued under 124.15 or reviewed under 270.50	79	264.1050(c)	4445.3	X			
equipment subject to Subpart BB, Part 264 shall be marked	79	264.1050(d)	4445.4	X			
equipment in vacuum service excluded from requirements of 264.1052 to 264.1060 if identified as required in 264.1064(g)(5)	79	264.1050(e)	4445.5	X			
equipment that contains or contacts hazardous waste with specific organic concentration is excluded from 264.1052-264.1060 if identified as required in 264.1064(g)(6)	154	264.1050(f)	4445.6	X			
DEFINITIONS							
all terms have meaning given them in 264.1031, the Act, and Parts 260-266	79	264.1051	4445.7	X			
STANDARDS: PUMPS IN LIGHT LIQUID SERVICE							
monthly monitoring to detect leaks as specified by 264.1063(b) methods except as provided in 264.1052(d), (e) and (f)	79	264.1052(a)(1)	4446.1	X			
visual inspection each calendar week	79	264.1052(a)(2)	4446.2	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions indicating a leak is detected	79,87	264.1052(b)(1)	4446.3	X			
	79	264.1052(b)(2)	4446.4	X			
time frame for leak repair, except as provided in 264.1059	79	264.1052(c)(1)	4446.5	X			
first attempt at leak repair not to exceed 5 calendar days after leak detection	79	264.1052(c)(2)	4446.6	X			
pump equipped with dual mechanical seal system that includes a barrier fluid system is exempt from 264.1052(a) if specific requirements are met:	79	264.1052(d)	4446.7	X			
operational and equipment requirements for a dual mechanical seal system		264.1052(d)(1)	4446.7(a)	X			
		264.1052(d)(1)(i)	4446.7(a)(1)	X			
		264.1052(d)(1)(ii)	4446.7(a)(2)	X			
	79	264.1052(d)(1)(iii)	4446.7(a)(3)	X			
organic concentration limitation for barrier fluid system	79	264.1052(d)(2)	4446.7(b)	X			
sensor requirement	79	264.1052(d)(3)	4446.7(c)	X			
weekly visual check of pump	79	264.1052(d)(4)	4446.7(d)	X			
daily check of barrier fluid system sensor or monthly check of audible alarm	79	264.1052(d)(5)(i)	4446.7(e)	X			
determination of criterion to indicate failure of systems	79	264.1052(d)(5)(ii)	4446.7(f)	X			
leak detection criteria	79	264.1052(d)(6)(i)	4446.7(f)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
repair of leak not to exceed 15 calendar days, except as provided in 264.1059	79	264.1052(d)(6)(ii)	4446.7(f)	X			
first attempt at leak repair not to exceed 5 calendar days after leak detection	79	264.1052(d)(6)(iii)	4446.7(f)	X			
conditions under which pump designated for no detectable emissions is exempt from 264.1052(a), (c) and (d) requirements	79	264.1052(e)	4446.8	X			
		264.1052(e)(1)	4446.8(a)	X			
		264.1052(e)(2)	4446.8(b)	X			
		264.1052(e)(3)	4446.8(c)	X			
pump equipped with closed-vent system and control device in compliance with 264.1060 is exempt from 264.1052 (a)-(e) requirements	79	264.1052(f)	4446.9	X			

STANDARDS: COMPRESSORS

seal system requirement for compressor, except as provided in 264.1053(h)& (i)	79	264.1053(a)	4447.1	X			
specifications for compressor seal system	79	264.1053(b)	4447.2	X			
		264.1053(b)(1)	4447.2(a)	X			
		264.1053(b)(2)	4447.2(b)	X			
		264.1053(b)(3)	4447.2(c)	X			
organic concentration limitation for barrier fluid	79	264.1053(c)	4447.3	X			
sensor requirement	79	264.1053(d)	4447.4	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
daily check of barrier fluid system sensor or monthly check of audible alarm; daily check if compressor located within boundary of unmanned site	79	264.1053(e)(1)	4447.5	X			
determination of criterion to indicate failure of systems	79	264.1053(e)(2)	4447.6	X			
leak detection criteria	79	264.1053(f)	4447.7	X			
repair of leak not to exceed 15 calendar days, except as provided in 264.1059	79	264.1053(g)(1)	4447.7	X			
first attempt at leak repair not to exceed 5 calendar days after leak detection	79	264.1053(g)(2)	4447.7	X			
compressor equipped with closed-vent system and control device in compliance with 264.1060 is exempt from 264.1053 (a)&(b) requirements, except as provided in 264.1053(i)	79	264.1053(h)	4447.8	X			
conditions under which compressor designated for no detectable emissions is exempt from 264.1053(a) through (h) requirements	79	264.1053(i)	4447.9	X			
		264.1053(i)(1)	4447.9(a)	X			
		264.1053(i)(2)	4447.9(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS: PRESSURE RELIEF DEVICES IN GAS/VAPOR SERVICE							
except during pressure releases, no detectable emission standards for the operation of pressure relief device in gas/vapor service, as measured by 264.1063(c) method	79	264.1054(a)	4448.1	X			
time requirement and criteria for return of pressure relief device to a condition of no detectable emissions, except as provided in 264.1059	79	264.1054(b)(1)	4448.2	X			
monitoring of pressure relief device within 5 calendar days after pressure relief to confirm no detectable emissions, as measured by 264.1063 (c) method	79	264.1054(b)(2)	4448.3	X			
pressure relief device equipped with closed-vent system and control device in compliance with 264.1060 is exempt from 264.1054(a)&(b)	79	264.1054(c)	4448.4	X			
STANDARDS: SAMPLING CONNECTING SYSTEMS							
sampling connecting system equipped with closed-purge, closed loop or closed-vent system; reason for sample purge system; gases displaced during filling do not require collection	79, 154	264.1055(a)	4449.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
return, collect and recycle purged waste with no detectable emissions; be designed and operated to capture & transport purged process fluid to a waste management unit that complies with 264.1084-264.1086 or control device in compliance with 264.1060	79, 154	264.1055(b)	4449.2	X			
		264.1055(b)(1)	4449.2(a)	X			
		264.1055(b)(2)	4449.2(b)	X			
		264.1055(b)(3)	4449.2(c)	X			
in situ sampling systems and sampling systems without purges exempt from 264.1055(a)&(b) requirements	79, 154	264.1055(c)	4449.3	X			
STANDARDS: OPEN-ENDED VALVES OR LINES							
each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve	79	264.1056(a)(1)	4450.1	X			
requirement to seal open end at all times except during specified operations	79	264.1056(a)(2)	4450.2	X			
operational requirements for open-ended valve or line equipped with a second valve	79	264.1056(b)	4450.3	X			
requirements for bleed valve or line when a double block and bleed system is used; compliance with 264.1056(a)	79	264.1056(c)	4450.4	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS: VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE							
monthly monitoring of each valve in gas/vapor or light liquid service using 264.1063(b) methods; compliance with 264.1057 (b)-(e), except as provided in 264.1057(f),(g)&(h), 264.1061 and 264.1062	79	264.1057(a)	4451.1	X			
instrument reading of 10,000 ppm or greater indicates leak	79	264.1057(b)	4451.2	X			
monitoring requirements if leak not detected for two successive months	79	264.1057(c)(1)	4451.3	X			
monthly monitoring requirement if leak detected	79	264.1057(c)(2)	4451.4	X			
repair of leak not to exceed 15 calendar days, except as provided in 264.1059	79	264.1057(d)(1)	4451.4	X			
first attempt at leak repair not to exceed 5 calendar days after leak detection	79	264.1057(d)(2)	4451.4	X			
best practices to include in first attempt at repair	79	264.1057(e)	4451.5	X			
		264.1057(e)(1)	4451.5(a)	X			
		264.1057(e)(2)	4451.5(b)	X			
		264.1057(e)(3)	4451.5(c)	X			
		264.1057(e)(4)	4451.5(d)	X			
valve designated for no detectable emissions under 264.1064(g)(2) is exempt from 264.1057(a) requirements if specified conditions are met	79	264.1057(f)	4451.6	X			
		264.1057(f)(1)	4451.6(a)	X			
		264.1057(f)(2)	4451.6(b)	X			
		264.1057(f)(3)	4451.6(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions under which an unsafe-to-monitor valve as described in 264.1064(h)(1) is exempt from 264.1057(a) requirements	79	264.1057(g)	4451.7	X			
		264.1057(g)(1)	4451.7(a)	X			
		264.1057(g)(2)	4451.7(b)	X			
conditions under which a difficult-to-monitor valve as described in 264.1064(h)(2) is exempt from 264.1057(a) requirements	79	264.1057(h)	4451.8	X			
		264.1057(h)(1)	4451.8(a)	X			
		264.1057(h)(2)	4451.8(b)	X			
		264.1057(h)(3)	4451.8(c)	X			
STANDARDS: PUMPS AND VALVES IN HEAVY LIQUID SERVICE, PRESSURE RELIEF DEVICES IN LIGHT LIQUID OR HEAVY LIQUID SERVICE, AND FLANGES AND OTHER CONNECTORS							
monitoring of specified pumps and valves, pressure relief devices, flanges and other connectors within 5 days using 264.1063(b) methods in case of potential leaks	79	264.1058(a)	4452.1	X			
reading of 10,000 ppm or greater indicates leak	79	264.1058(b)	4452.2	X			
repair of leak not to exceed 15 calendar days, except as provided in 264.1059	79	264.1058(c)(1)	4452.3	X			
first attempt at leak repair not to exceed 5 calendar days after leak detection	79	264.1058(c)(2)	4452.4	X			
first attempt at repair includes best practices described under 264.1057(e)	79	264.1058(d)	4452.5	X			
exemption from the 265.1058(a) & 264.4064 requirements for inaccessible ceramic or ceramic-lined connectors	154	265.1058(e)	4452.6	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS: DELAY OF REPAIR							
requirements for the delay of repair of equipment for which leaks have been detected	79	264.1059(a)	4453.1	X			
type of equipment for which delay of repair allowed	79	264.1059(b)	4453.2	X			
conditions under which delay of repair of valves allowed	79	264.1059(c)	4453.3	X			
		264.1059(c)(1)	4453.3(a)	X			
		264.1059(c)(2)	4453.3(b)	X			
conditions under which delay of repair of pumps allowed	79	264.1059(d)	4453.4	X			
		264.1059(d)(1)	4453.4(a)	X			
		264.1059(d)(2)	4453.4(b)	X			
conditions for delay of repair beyond a hazardous waste management unit shutdown	79	264.1059(e)	4453.5	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES							
owners or operators of closed-vent systems and control devices shall comply with 264.1033 provisions	79	264.1060	4454.1	X			
ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: PERCENTAGE OF VALVES ALLOWED TO LEAK							
alternative standard allowing no greater than 2 percent of valves to leak for an owner or operator subject to 264.1057 requirements	79	264.1061(a)	4455.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
notification, performance test, and repair requirements if an owner or operator decides to comply with alternative standard	79	264.1061(b)	4455.2	X			
		264.1061(b)(1)	4455.2(a)	X			
		264.1061(b)(2)	4455.2(b)	X			
		264.1061(b)(3)	4455.2(c)	X			
monitoring standards, leak detection criterion and determination of leak percentage when conducting performance tests	79	264.1061(c)	4455.3	X			
		264.1061(c)(1)	4455.3(a)	X			
		264.1061(c)(2)	4455.3(b)	X			
		264.1061(c)(3)	4455.3(c)	X			
written notification to Regional Administrator of intent to follow 264.1057 (a)-(e) work practice standard if owner or operator decides to no longer comply with 264.1061	79	264.1061(d)	4455.4	X			

ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR

election to comply with 264.1062(b)(2)&(3) alternative work practices by owner or operator subject to 264.1057 requirements	79	264.1062(a)(1)	4456.1	X			
notification of Regional Administrator before implementing alternative work practice	79	264.1062(a)(2)	4456.2	X			
compliance with 264.1057 requirements, except as described in 264.1062(b) (2)&(3)	79	264.1062(b)(1)	4456.3	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions under which an owner or operator may begin to skip one of the quarterly leak detection periods for valves subject to 264.1057 requirements	79	264.1062(b)(2)	4456.3(a)	X			
conditions under which an owner or operator may begin to skip three of the quarterly leak detection periods for valves subject to 264.1057 requirements	79	264.1062(b)(3)	4456.3(b)	X			
compliance with 264.1057 monthly monitoring requirements if percentage of valves leaking exceeds 2 percent; may elect to use 264.1062 requirements again after meeting 264.1057(c)(1) requirements	79	264.1062(b)(4)	4456.4	X			
TEST METHODS AND PROCEDURES							
compliance with test methods and procedures requirements by owner or operator subject to provisions of Subpart BB	79	264.1063(a)	4457.1	X			
leak detection monitoring as required in 264.1052-264.1062 shall comply with specified requirements:	79	264.1063(b)	4457.2	X			
monitoring in compliance with Reference Method 21 in 40 CFR Part 60	79	264.1063(b)(1)	4457.2(a)	X			
detection instrument shall meet the performance criteria of Reference Method 21	79	264.1063(b)(2)	4457.2(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
calibration of instrument by procedures specified in Reference Method 21	79	264.1063(b)(3)	4457.2(c)	X			
calibration gases shall be:	79	264.1063(b)(4)	4457.2(d)	X			
zero air	79	264.1063(b)(4)(i)	4457.2(d)(1)	X			
mixture of methane or n-hexane and air at specified concentration	79	264.1063(b)(4)(ii)	4457.2(d)(2)	X			
instrument probe traverse requirements as described in Reference Method 21	79	264.1063(b)(5)	4457.2(e)	X			
test compliance requirements for equipment with no detectable emissions as required in 264.1052(e), 264.1053(i), 264.1054 and 264.1057(f)	79	264.1063(c)	4457.3	X			
		264.1063(c)(1)	4457.3(a)	X			
		264.1063(c)(2)	4457.3(b)	X			
		264.1063(c)(3)	4457.3(c)	X			
		264.1063(c)(4)	4457.3(d)	X			
in accordance with 264.13 (b), determination by owner or operator of whether equipment contains or contacts a hazardous waste with organic concentration equal to or greater than 10% by weight using the following:	79	264.1063(d)	4457.4	X			
methods described in ASTM Methods D 2267-88, E 169-87, E 168-88 and E 260-85	79	264.1063(d)(1)	4457.4(a)	X			
Method 9060 or 8260 of SW-846	79, 156	264.1063(d)(2)	4457.4(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced; documentation required; examples of documentation	79	264.1063(d)(3)	4457.4(c)	X			
determination as specified in 264.1063(d) can be revised only after following 264.1063(d)(1) or (d)(2) procedures	79	264.1063(e)	4457.5	X			
use of 264.1063(d)(1) or (d)(2) to resolve determination disputes between owner or operator and Regional Administrator	79	264.1063(f)	4457.6	X			
samples used for determination representative of highest expected total organic content hazardous waste	79	264.1063(g)	4457.7	X			
to determine if pumps or valves are in light liquid service, vapor pressures of constituents may be obtained from standard reference texts or may be determined by ASTM D-2879-86	79	264.1063(h)	4457.8	X			
performance tests for control device shall comply with 264.1034(c)(1) through (c)(4) procedures	79	264.1063(i)	4457.9	X			
RECORDKEEPING REQUIREMENTS							

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
compliance with recordkeeping requirements	79	264.1064(a)(1)	4458.1	X			
recordkeeping requirements for more than one hazardous waste management unit in one recordkeeping system	79	264.1064(a)(2)	4458.2	X			
specific information that owners and operators must record in the facility operating record	79	264.1064(b)	4458.3	X			
		264.1064(b)(1)	4458.3(a)	X			
		264.1064(b)(1)(i)	4458.3(a)(1)	X			
		264.1064(b)(1)(ii)	4458.3(a)(2)	X			
		264.1064(b)(1)(iii)	4458.3(a)(3)	X			
		264.1064(b)(1)(iv)	4458.3(a)(4)	X			
		264.1064(b)(1)(v)	4458.3(a)(5)	X			
		264.1064(b)(1)(vi)	4458.3(a)(6)	X			
for facilities that comply with the provisions of 264.1033(a)(2), an implementation schedule as specified in 264.1033(a)(2)	79	264.1064(b)(2)	4458.3(b)	X			
performance test plan as specified in 264.1035(b)(3) if test data are used for control device demonstration	79	264.1064(b)(3)	4458.3(c)	X			
documentation of compliance with 264.1060, including documentation or results specified in 264.1035(b)(4)	79	264.1064(b)(4)	4458.3(d)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
information requirements when each leak is detected as specified in 264.1052, 264.1053, 264.1057 and 264.1058	79	264.1064(c)	4458.4	X			
		264.1064(c)(1)	4458.4(a)	X			
		264.1064(c)(2)	4458.4(b)	X			
		264.1064(c)(3)	4458.4(c)	X			
inspection log information requirements when each leak is detected as specified in 264.1052, 264.1053, 264.1057 and 264.1058	79	264.1064(d)	4458.5	X			
		264.1064(d)(1)	4458.5(a)	X			
		264.1064(d)(2)	4458.5(b)	X			
		264.1064(d)(3)	4458.5(c)	X			
		264.1064(d)(4)	4458.5(d)	X			
		264.1064(d)(5)	4458.5(e)	X			
		264.1064(d)(6)	4458.5(f)	X			
		264.1064(d)(7)	4458.5(g)	X			
		264.1064(d)(8)	4458.5(h)	X			
		264.1064(d)(9)	4458.5(i)	X			
264.1064(d)(10)	4458.5(j)	X					
for each closed-vent system and control device subject to 264.1060, design documentation and monitoring, operating and inspection information recorded in facility operating record as specified in 264.1035(c)	79	264.1064(e)	4458.6	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for a control device other than thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system, Regional Administrator will specify appropriate recordkeeping requirements	79	264.1064(f)	4458.7	X			
information requirements for equipment subject to the requirements of 264.1052 through 264.1060 to be recorded in a log and kept in the facility operating record	79, 154	264.1064(g)	4458.8	X			
		264.1064(g)(1)	4458.8(a)	X			
		264.1064(g)(2)(i)	4458.8(b)	X			
		264.1064(g)(2)(ii)	4458.8(b)	X			
		264.1064(g)(3)	4458.8(c)	X			
		264.1064(g)(4)(i)	4458.8(d)	X			
		264.1064(g)(4)(ii)	4458.8(e)	X			
		264.1064(g)(4)(iii)	4458.8(f)	X			
		264.1064(g)(5)	4458.8(g)	X			
information requirements for valves subject to the requirements of 264.1057 (g)&(h)	79	264.1064(h)	4458.9	X			
		264.1064(h)(1)	4458.9(a)	X			
		264.1064(h)(2)	4458.9(b)	X			
information requirements for valves complying with 264.1062	79	264.1064(i)	4458.10	X			
		264.1064(i)(1)	4458.10(a)	X			
		264.1064(i)(2)	4458.10(b)	X			
additional information requirements	79	264.1064(j)	4458.11	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
criteria required in 264.1052(d)(5)(ii) and 264.1053(e)(2) and an explanation of the design criteria	79	264.1064(j)(1)	4458.11(a)	X			
any changes to the criteria and the reasons for the changes	79	264.1064(j)(2)	4458.11(b)	X			
information requirements to be recorded in a log for determining exemptions as provided in the applicability section of Subpart BB and other specific Subparts	79	264.1064(k)	4458.12	X			
		264.1064(k)(1)	4458.12(a)	X			
		264.1064(k)(2)	4458.12(b)	X			
		264.1064(k)(3)	4458.12(c)	X			
records of equipment leak and operating information need be kept for only three years	79	264.1064(l)	4458.13	X			
the owner or operator of facility subject to Subpart BB and to regulations at 40 CFR Part 60, Subpart VV, or 40 CFR Part 61, Subpart V, may elect to determine compliance by documentation either pursuant to 264.1064 or provisions of 40 CFR Part 60 or Part 61, to the extent that the documentation duplicates the documentation required under Subpart BB	79	264.1064(m)	4458.14	X			
REPORTING REQUIREMENTS							
a semiannual report submitted by owners or operators to Regional Administrator by specified dates	79	264.1065(a)	4459.1	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts W-BB, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
specific information the semiannual report must contain	79	264.1065(a)(1)	4459.1(a)	X			
		264.1065(a)(2)	4459.1(b)	X			
		264.1065(a)(2)(i)	4459.1(b)(1)	X			
		264.1065(a)(2)(ii)	4459.1(b)(2)	X			
		264.1065(a)(2)(iii)	4459.1(b)(3)	X			
		264.1065(a)(3)	4459.1(c)	X			
		264.1065(a)(4)	4459.1(d)	X			
a report to Regional Administrator not required if, during the semiannual reporting period, leaks from valves, pumps, and compressors are repaired per 264.1057(d), 264.1052(c) and (d)(6) and 264.1053(g) requirements and the control device does not exceed or operate outside 264.1064(e) specifications for more than 24 hours	79	264.1065(b)	4459.2	X			

US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
CONSOLIDATED CHECKLIST C5

Part 5 of 5 parts

Standards for Owners and Operators of Hazardous Waste Treatment,
Storage, and Disposal Facilities
40 CFR PART 264, Subparts CC-EE, as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES							

SUBPART CC - AIR EMISSIONS STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

APPLICABILITY

requirements in 264, Subpart CC apply to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers except as provided in 264.1 and 264.1080(b)	154.1	264.1080(a)	4474.1			X	
--	-------	-------------	--------	--	--	---	--

Corporation Counsel Statement Comment: This section is applicable only to tanks and containers, because surface impoundments are not allowed in the District. This makes the District's program more stringent than the Federal program.

requirements of 264, Subpart CC do not apply to the following waste management units at the facility:	154.1	264.1080(b)	4474.2	X			
a waste management unit that holds hazardous waste placed in such unit before October 6, 1996 and to which no hazardous waste is added on or after this date	154.1, 154.2, 154.4, 154.5, 154.6	264.1080(b)(1)	4474.2(a)	X			
a container with a design capacity of less than or equal to 0.1 m ³	154.1	264.1080(b)(2)	4474.2(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a tank to which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan	154.1	264.1080(b)(3)	4474.2(c)	X			
a surface impoundment in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan	154.1	264.1080(b)(4)	No direct analog; 4400.3, 4018	D			
Corporation Counsel Statement Comment: This paragraph has been removed because surface impoundments are not allowed in the District.							
a waste management unit that is used solely for on-site treatment or storage of hazardous waste generated from specified remedial activities	154.1	264.1080(b)(5)	4474.2(d)	X			
a waste management unit that is used solely for the management of radioactive mixed waste	154.1	264.1080(b)(6)	4474.2(e)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
hazardous waste management unit equipped with & operating air emission controls in accordance with Clean Air Act; a tank for which air emission control includes an enclosure must comply with 264.1084(i), except as in 264.1082(c)(5)	154	264.1080(b)(7)	4474.2(f)	X			
tank with process vent as defined in 264.1031	154	264.1080(b)(8)	4474.2(g)	X			
for owners and operators of a facility subject to 264, Subpart CC and who have received a final RCRA permit prior to October 6, 1996, the requirements of 264, Subpart CC shall be incorporated into the permit when that permit is reissued or reviewed; until such date when the owner or operator receives a final permit incorporating these requirements, the owner or operator is subject to the requirements of 265, Subpart CC	154.1, 154.2, 154.4, 154.5	264.1080(c)	4474.3	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
requirements of subpart CC, with the exception of the 264.1089(i) requirements, are administratively stayed for a tank or container used to manage hazardous waste generated by organic peroxide manufacturing and associated laboratory operations when the owner or operator meets all of the following conditions:	154.3	264.1080(d)	4474.4	X			
identifies the tank or container that receives hazardous waste generated by an organic peroxide manufacturing process that produces certain organic peroxides that could potentially undergo self-accelerating thermal decomposition and that organic peroxides are the predominant products manufactured by the process; what "organic peroxides" means for the purposes of this paragraph	154.3	264.1080(d)(1)	4474.4(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
prepares documentation, in accordance with 264.1089(i), explaining why an undue safety hazard is created if air emission controls specified in §§ 264.1084 through 264.1087 are installed and operated on the tanks and containers used to manage the hazardous waste generated by the organic peroxide manufacturing process(es) meeting the conditions of 264.1080(d)(1)	154.3	264.1080(d)(2)	4474.4(b)	X			
notifies the Regional Administrator in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of 264.1080(d)(1) are managed in tanks or containers meeting the conditions of 264.1080(d)(2); notification shall state name and address of the facility, and be signed and dated by an authorized representative of the owner or operator	154.3	264.1080(d)(3)	4474.4(c)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
DEFINITIONS							
terms in 264, Subpart CC shall have the meanings given to them in 265.1081, the Act, and Parts 260 through 266	154.1	264.1081	5400.1	X			
STANDARDS: GENERAL							
264.1082 applies to management of hazardous waste in tanks, surface impoundments, and containers subject to 264, Subpart CC	154.1, 154	264.1082(a)	4475.1	X			
the owner or operator shall control air emissions from each waste management unit in accordance with 264.1084 through 264.1087, except as provided in 264.1082(c)	154.1, 154	264.1082(b)	4475.2	X			
a tank, surface impoundment, or container is exempted from standards specified in 264.1084 through 264.1087, provided that it is:	154.1, 154	264.1082(c)	4475.3	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
tank, surface impoundment, or container for which entering hazardous waste has average VO concentration of hazardous waste at the point of origination is less than 500 ppmw; how the VO concentration shall be determined; frequency of reviews & updates	154.1, 154	264.1082(c)(1)	4475.3(a)	X			
tank, surface impoundment, or container for which the organic content of the hazardous waste is reduced by an organic destruction or removal process that achieves any one of the following conditions:	154.1, 154	264.1082(c)(2)	4475.3(b)	X			
a process that removes or destroys the organics to a level such that the average VO concentration of the hazardous waste at the point of waste treatment is less than the exit concentration limit established for the process; how the average VO concentration shall be determined	154.1, 154	264.1082(c)(2)(i)	4475.3(b)(1)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a process that removes or destroys the organics to a level such that the organic reduction efficiency is equal to or greater than 95 percent and the average VO concentration of the hazardous waste at the point of waste treatment is less than 100 ppmw; how the organic reduction efficiency and the average VO concentration will be determined	154.1, 154	264.1082(c)(2)(ii)	4475.3(b)(2)	X			
a process that removes or destroys the organics to a level such that the actual organic mass removal rate is greater than or equal to the required organic mass removal rate established for the process; how the required organic mass removal rate and the actual organic mass removal rate shall be determined	154.1, 154.6, 154.5, 154	264.1082(c)(2)(iii)	4475.3(b)(3)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a biological process that destroys or degrades the organics contained in the hazardous waste such that either one of the following conditions is met:	154.1, 154	264.1082(c)(2)(iv)	4475.3(b)(4)	X			
the organic reduction efficiency for the process is equal to or greater than 95 percent and the organic biodegradation efficiency for the process is equal to or greater than 95 percent; how the organic reduction efficiency and the biodegradation efficiency shall be determined	154.1, 154	264.1082(c)(2)(iv) (A)	4475.3(b)(4)(A)	X			
the total actual organic mass biodegradation rate for all hazardous waste treated by the process is equal to or greater than the required organic mass removal rate; how the organic mass removal rate and the actual mass biodegradation rate shall be determined	154.1, 154	264.1082(c)(2)(iv) (B)	4475.3(b)(4)(B)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a process that removes or destroys the organics contained in the hazardous waste and meets all of the specified conditions	154.1, 154	264.1082(c)(2)(v)	4475.3(b)(5)	X			
	154.1, 154	264.1082(c)(2)(v)(A)	4475.3(b)(5)(A)	X			
	154.1, 154	264.1082(c)(2)(v)(B)	4475.3(b)(5)(B)	X			
	154.1, 154	264.1082(c)(2)(v)(C)	4475.3(b)(5)(C)	X			
process that removes or destroys organics in hazardous waste to specified levels; specified levels to be determined using procedures in 264.1083(a)&(b)	154	264.1082(c)(2)(vi)	4475.3(b)(6)	X			
a hazardous waste incinerator for which the owner or operator has either:	154.1, 154	264.1082(c)(2)(vii)	No direct analog; 4400.3, 4018			X	
been issued a final permit under part 270 which implements Subpart O; or	154.1, 154	264.1082(c)(2)(vii)(A)	No direct analog 4400.3, 4018			X	
has designed and operates the unit in accordance with the interim status requirements of part 265, Subpart O	154.1, 154	264.1082(c)(2)(vii)(B)	No direct analog 4400.3, 4018			X	
Corporation Counsel Statement Comment: The District does not have a direct analog to 40 CFR 264.1082(c)(2)(vii) because the tank is feeding hazardous waste to an incinerator. Such an arrangement is illegal in the District because of the prohibitions at §§4400.3 and 4018. This difference makes the District's program more stringent.							
a boiler or industrial furnace for which the owner or operator has either:	154.1, 154	264.1082(c)(2)(viii)	No direct analog; 4400.3, 4018			X	

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
been issued a final permit under part 270 which implements part 266, Subpart H; or	154.1, 154	264.1082(c)(2)(viii)(A)	No direct analog; 4400.3, 4018			X	
designed and operates boiler or industrial furnace in accordance with the interim status requirements of 266, Subpart H	154.1, 154	264.1082(c)(2)(viii)(B)	No direct analog; 4400.3, 4018			X	

Corporation Counsel Statement Comment: The District's regulations do not include a direct analog to 40 CFR 264.1082(c)(2)(viii) because such tanks are feeding hazardous wastes to a BIF. Such an arrangement is illegal in the District because of the prohibitions at §§4400.3 and 4018. This difference makes the District's program more stringent than the Federal program.

for determining performance of organic destruction process, owner or operator shall account for VO concentrations below detection limit using the following:	154	264.1082(c)(2)(ix)	4475.3(b)(7)	X			
if Method 25D in part 60, appendix A is used, 1/2 of the blank value determined in the method	154	264.1082(c)(2)(ix)(A)	4475.3(b)(7)(A)	X			
if other method used, 1/2 of detection limit established for the method	154	264.1082(c)(2)(ix)(B)	4475.3(b)(7)(B)	X			
tank used for biological treatment of hazardous waste in accordance with 264.1082(c)(2)(iv)	154	264.1082(c)(3)	4475.3(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
tank, surface impoundment, or container for which hazardous waste placed in unit that either:	154	264.1082(c)(4)	4475.3(d)	X			
meets numerical concentration limits for organic constituents in 268.40; or	154	264.1082(c)(4)(i)	4475.3(d)(1)	X			
been treated as in 268.42(a), or by equivalent method pursuant to 268.42 (b)	154	264.1082(c)(4)(ii)	4475.3(d)(2)	X			
tank used for bulk feed of hazardous waste to an incinerator & all of the following are met:	154	264.1082(c)(5)	No direct analog; 4400.3, 4018			X	
tank is inside enclosure vented to control device designed & operated in accordance with part 61, subpart FF for facility generating benzene in quantities equal to or greater than 10 megagrams per year;	154	264.1082(c)(5)(i)	No direct analog; 4400.3, 4018			X	
tank's enclosure and control device installed and began operation prior to November 25, 1996; and		264.1082(c)(5)(ii)	No direct analog; 4400.3, 4018			X	

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
enclosure designed and operated in accordance with 52.741, appendix B; allowance for openings; verification as specified in § 5.0	154	264.1082(c)(5)(iii)	No direct analog; 4400.3, 4018			X	

Corporation Counsel Statement Comment: The exemption addressed by 40 CFR 264.1082(c)(5) is not allowed because the tank is feeding hazardous waste to an incinerator. Such a situation is illegal in the District because of the prohibitions at §§4400.3 and 4018. As such, the District does not have an analog to this provision, making the District's program more stringent than the Federal program.

the Regional Administrator may perform, or request the owner or operator perform, a waste determination for a hazardous waste managed in a tank, surface impoundment, or container exempted from using air emission controls under the provisions of 264.1082 as follows:	154.1, 154	264.1082(d)	4475.4	X			
the waste determination for average VO concentration of a hazardous waste at the point of waste origination shall be performed using direct measurement in accordance with the applicable requirements of 264.1083(a); how the waste determination will be performed	154.1, 154	264.1082(d)(1)	4475.4(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
in performing waste determination pursuant to 264.1082(d)(1), sample preparation shall be conducted as follows:	154	264.1082(d)(2)	4475.4(b)	X			
in accordance with the method used by the owner or operator, except as specified by 264.1082(d)(2)(ii)	154	264.1082(d)(2)(i)	4475.4(b)(1)	X			
if the Regional Administrator determines the owner or operator's methods to be inappropriate, then may choose the appropriate one	154	264.1082(d)(2)(ii)	4475.4(b)(2)	X			
when the owner or operator performs waste determination, the Regional Administrator may have an authorized representative observe sampling	154.1, 154	264.1082(d)(3)	4475.4(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if the results of the waste determination performed or requested by the Regional Administrator do not agree with the results of a waste's determination performed by the owner or operator, then the results of the waste determination performed under 264.1082(d)(1) shall be used to establish compliance	154.1, 154	264.1082(d)(4)	4475.4(d)	X			
if averaging period of greater than 1 hour was used to determine the average VO concentration of a hazardous waste at the point of origination, the Regional Administrator can establish 264, Subpart CC compliance by performing or requesting that the owner or operator perform a waste determination based on samples collected within a 1-hour period using direct measurement as specified in 264.1082(e)(4)(i)-(iii)	154.1	264.1082(d)(5)	4475.4(e)	X			
	154.1	264.1082(d)(5)(i)	4475.4(e)(1)	X			
	154.1	264.1082(d)(5)(ii)	4475.4(e)(2)	X			
	154.1	264.1082(d)(5)(iii)	4475.4(e)(3)	X			

WASTE DETERMINATION PROCEDURES

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
waste determination procedure to determine average VO concentration of a hazardous waste at the point of origination	154.1, 154	264.1083(a)	4476.1	X			
average VO concentration at the point of waste origination shall be determined for each hazardous waste placed in units exempted under the provisions of 264.1082(c)(1) from using air emission controls in accordance with 264.1084 through 264.1087	154.1, 154.6, 154.5, 154	264.1083(a)(1)	4476.1(a)	X			
the average VO concentration at the point of waste origination shall be determined in accordance with 265.1084(a)(2)-(6)	154.1, 154	264.1083(a)(2)	4476.1(b)	X			
waste determination procedures for treated hazardous waste:	154.1, 154	264.1083(b)	4476.2	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
an owner or operator shall perform the applicable waste determinations for each hazardous waste placed in units exempted under 264.1082(c)(2) from using air emission controls in accordance with 264.1084 through 264.1087	154.1, 154.6, 154.5, 154	264.1083(b)(1)	4476.2(a)	X			
the waste determination for a treated hazardous waste shall be performed in accordance with 265.1084(b)(2)-(9)	154.1, 154	264.1083(b)(2)	4476.2(b)	X			
procedure to determine the maximum organic vapor pressure of a hazardous waste in a tank:	154.1, 154	264.1083(c)	4476.3	X			
an owner or operator shall determine the maximum organic vapor pressure for each hazardous waste placed in tanks using Tank Level 1 controls in accordance with 264.1084(c)	154.1, 154	264.1083(c)(1)	4476.3(a)	X			
the maximum organic vapor pressure of the hazardous waste shall be determined in accordance with 265.1084(c)(2)-(4)	154.1, 154	264.1083(c)(2)	4476.3(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
procedure for determining no detectable organic emissions shall be conducted in accordance with 265.1084(d)	154	264.1083(d)	4476.4	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
STANDARDS: TANKS							
provisions of 264.1084 apply to control of air pollutant emissions from tanks for which 264.1082(b) references the use of 264.1084 for such air emission control	154	264.1084(a)	4477.1	X			
owner or operator shall control air pollutant emissions from each tank subject to the 264.1084 in accordance with the following:	154	264.1084(b)	4477.2	X			
requirements for a tank that manages hazardous waste & meets the conditions in 264.1084(b)(1)(i)-(iii)	154	264.1084(b)(1)	4477.2(a)	X			
hazardous waste in the tank has maximum organic vapor pressure less than the limit for tank's capacity as specified.	154	264.1084(b)(1)(i)	4477.2(a)(1)	X			
	154	264.1084(b)(1)(i)(A)	4477.2(a)(1)(A)	X			
	154	264.1084(b)(1)(i)(B)	4477.2(a)(1)(B)	X			
	154	264.1084(b)(1)(i)(C)	4477.2(a)(1)(C)	X			
hazardous waste in the tank is not heated by the owner or operator to temperature at which maximum organic vapor pressure is determined to comply with 264.1084(b)(1)(i)	154	264.1084(b)(1)(ii)	4477.2(a)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
hazardous waste in tank is not treated by owner or operator using waste stabilization process, as in 265.1081	154	264.1084(b)(1)(iii)	4477.2(a)(3)	X			
requirements for tanks that do not meet 264.1084(b)(1)(i)-(iii)	154	264.1084(b)(2)	4477.2(b)	X			
owners or operators controlling air pollutant emissions from a tank using Tank Level 1 controls meet the requirements in 264.1084(c)(1)-(c)(4)	154	264.1084(c)	4477.3	X			
the owner or operator shall determine the maximum organic vapor pressure for hazardous waste in tank using Tank Level 1 controls before placing waste in tank; maximum organic vapor pressure to be determined using 264.1083(c); when determinations shall be performed	154	264.1084(c)(1)	4477.3(a)	X			
tank shall be equipped with fixed roof designed to meet the following	154	264.1084(c)(2)	4477.3(b)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
fixed roof and its closure devices shall form a barrier over surface of hazardous waste in the tank; what is a fixed roof	154	264.1084(c)(2)(i)	4477.3(b)(1)	X			
installed without visible cracks, holes, gaps, or open spaces between joints/edges	154	264.1084(c)(2)(ii)	4477.3(b)(2)	X			
openings shall be equipped with a closure device or connected by a closed-vent system	154	264.1084(c)(2)(iii)	4477.3(b)(3)	X			
	154	264.1084(c)(2)(iii)(A)	4477.3(b)(3)(A)	X			
	154	264.1084(c)(2)(iii)(B)	4477.3(b)(3)(B)	X			
fixed roof and its closure devices shall consist of materials to minimize exposure of hazardous waste to atmosphere and maintain integrity throughout service life; factors for selecting material	154	264.1084(c)(2)(iv)	4477.3(b)(4)	X			
when hazardous waste is in the tank, fixed roof shall be installed with closure device secured in closed position except:	154	264.1084(c)(3)	4477.3(c)	X			
opening of closure devices or removal of fixed roof is allowed to provide access or to remove accumulated sludge	154	264.1084(c)(3)(i)	4477.3(c)(1)	X			
	154	264.1084(c)(3)(i)(A)	4477.3(c)(1)(A)	X			
	154	264.1084(c)(3)(i)(B)	4477.3(c)(1)(B)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
opening of pressure relief devices which vent to the atmosphere during normal operations to maintain internal pressure; designed to operate with no detectable emissions when closed; remain in closed position when internal pressure is within operating range determined by the owner or operator; normal operating conditions	154	264.1084(c)(3)(ii)	4477.3(c)(2)	X			
opening of safety device allowed to avoid an unsafe condition	154	264.1084(c)(3)(iii)	4477.3(c)(3)	X			
the owner or operator shall inspect and monitor air emission control equipment as follows:	154	264.1084(c)(4)	4477.3(d)	X			
fixed roof and closure devices to be visually inspected for defects; examples	154	264.1084(c)(4)(i)	4477.3(d)(1)	X			
initial inspection of fixed roof & closure devices on or before tank is subject to 264.1084; then at least once a year except under 264.1084(l)	154	264.1084(c)(4)(ii)	4477.3(d)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
in event of defect, shall be repaired in accordance with 264.1084(k)	154	264.1084(c)(4)(iii)	4477.3(d)(3)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(b)	154	264.1084(c)(4)(iv)	4477.3(d)(4)	X			
owners/operators controlling air pollutant emissions from a tank using Tank Level 2 controls shall use one of the following:	154	264.1084(d)	4477.4	X			
fixed-roof tank equipped with internal floating roof in accordance with 264.1084(e);	154	264.1084(d)(1)	4477.4(a)	X			
tank equipped with external floating roof in accordance with 264.1084(f);	154	264.1084(d)(2)	4477.4(b)	X			
tank vented through a closed-vent system to control device in accordance with 264.1084(g);	154	264.1084(d)(3)	4477.4(c)	X			
pressure tank designed & operated in accordance with 264.1084(h); or	154	264.1084(d)(4)	4477.4(d)	X			
tank inside an enclosure vented through a closed-vent system to an enclosed combustion control device in accordance with 264.1084(i)	154	264.1084(d)(5)	4477.4(e)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator who controls emissions from a tank using a fixed roof with internal floating roof shall meet 264.1084(e)(1)-(3) requirements	154	264.1084(e)	4477.5	X			
tank shall be equipped with fixed roof & internal floating roof in accordance with the following:	154	264.1084(e)(1)	4477.5(a)	X			
internal floating roof shall be designed to float on liquid surface except when supported by leg supports	154	264.1084(e)(1)(i)	4477.5(a)(1)	X			
internal floating roof shall be equipped with continuous seal that meets specified conditions	154	264.1084(e)(1)(ii)	4477.5(a)(2)	X			
	154	264.1084(e)(1)(ii)(A)	4477.5(a)(2)(A)	X			
	154	264.1084(e)(1)(ii)(B)	4477.5(a)(2)(B)	X			
	154	264.1084(e)(1)(iii)	4477.5(a)(3)	X			
	154	264.1084(e)(1)(iii)(A)	4477.5(a)(3)(A)	X			
	154	264.1084(e)(1)(iii)(B)	4477.5(a)(3)(B)	X			
internal floating roof shall meet listed specifications	154	264.1084(e)(1)(iii)(C)	4477.5(a)(3)(C)	X			
	154	264.1084(e)(1)(iii)(D)	4477.5(a)(3)(D)	X			
	154	264.1084(e)(1)(iii)(E)	4477.5(a)(3)(E)	X			
	154	264.1084(e)(1)(iii)(F)	4477.5(a)(3)(F)	X			
	154	264.1084(e)(1)(iii)(F)	4477.5(a)(3)(F)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator shall operate the tank in accordance with the following:	154	264.1084(e)(2)	4477.5(b)	X			
when floating roof is resting on leg supports, filling, emptying, or refilling shall be continuous & completed as soon as practical	154	264.1084(e)(2)(i)	4477.5(b)(1)	X			
automatic bleeder vents to be closed at all times when roof is floating, except when roof is being floated off or landed on leg supports	154	264.1084(e)(2)(ii)	4477.5(b)(2)	X			
prior to filling tank, openings in internal floating roof shall be closed; rim space vents open only when internal floating roof is not floating or when pressure exceeds manufacturer's recommended setting	154	264.1084(e)(2)(iii)	4477.5(b)(3)	X			
owner/operator shall inspect internal floating roof in accordance with the following:	154	264.1084(e)(3)	4477.5(c)	X			
floating roof & its closure devices shall be visually inspected for defects which could result in air pollutant emissions; potential defects	154	264.1084(e)(3)(i)	4477.5(c)(1)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
owner/operator shall inspect internal floating roof components with specified visual inspections except as provided in 264.1084(e)(3)(iii)	154	264.1084(e)(3)(ii)	4477.5(c)(2)	X			
	154	264.1084(e)(3)(ii)(A)	4477.5(c)(2)(A)	X			
	154	264.1084(e)(3)(ii)(B)	4477.5(c)(2)(B)	X			
as alternative to 264.1084(e)(3)(ii) inspections for internal floating roof equipped with two continuous seals, owner/operator may perform visual inspection each time tank is emptied & degassed & at least every 5 years	154	264.1084(e)(3)(iii)	4477.5(c)(3)	X			
before 264.1084(e)(3)(ii)-(iii) inspections, owner/operator shall notify Regional Administrator in advance to allow for observer during the inspection; notify Regional Administrator of date & location of inspection	154	264.1084(e)(3)(iv)	4477.5(c)(4)	X			
	154	264.1084(e)(3)(iv)(A)	4477.5(c)(4)(A)	X			
	154	264.1084(e)(3)(iv)(B)	4477.5(c)(4)(B)	X			
in event of a defect, it shall be repaired in accordance with 264.1084(k)	154	264.1084(e)(3)(v)	4477.5(c)(5)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(b)	154	264.1084(e)(3)(vi)	4477.5(c)(6)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator who controls emissions from tank using external floating roof shall meet requirements in 264.1084(f)(1)-(3)	154	264.1084(f)	4477.6	X			
owner/operator shall design external floating roof in accordance with the following:	154	264.1084(f)(1)	4477.6(a)	X			
external floating roof designed to float on liquid surface except when supported by leg supports	154	264.1084(f)(1)(i)	4477.6(a)(1)	X			
floating roof equipped with two continuous seals; the lower seal referred to as primary seal & upper seal as secondary seal	154	264.1084(f)(1)(ii)	4477.6(a)(2)	X			
	154	264.1084(f)(1)(ii)(A)	4477.6(a)(2)(A)	X			
	154	264.1084(f)(1)(ii)(B)	4477.6(a)(2)(B)	X			
	154	264.1084(f)(1)(iii)	4477.6(a)(3)	X			
	154	264.1084(f)(1)(iii)(A)	4477.6(a)(3)(A)	X			
	154	264.1084(f)(1)(iii)(B)	4477.6(a)(3)(B)	X			
	154	264.1084(f)(1)(iii)(C)	4477.6(a)(3)(C)	X			
	154	264.1084(f)(1)(iii)(D)	4477.6(a)(3)(D)	X			
external floating roof shall meet certain specifications	154	264.1084(f)(1)(iii)(E)	4477.6(a)(3)(E)	X			
	154	264.1084(f)(1)(iii)(F)	4477.6(a)(3)(F)	X			
	154	264.1084(f)(1)(iii)(G)	4477.6(a)(3)(G)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
	154	264.1084(f)(1)(iii)(H)	4477.6(a)(3)(H)	X			
	154	264.1084(f)(1)(iii)(I)	4477.6(a)(3)(I)	X			
owner/operator shall operate tank in accordance with the following:	154	264.1084(f)(2)	4477.6(b)	X			
when floating roof resting on leg supports, filling, emptying, or refilling shall be continuous & completed as soon as practical	154	264.1084(f)(2)(i)	4477.6(b)(1)	X			
except for automatic bleeder vents, rim space vents, roof drains, & leg sleeves, roof openings shall be secured & closed at all times except when closure device must be open for access	154	264.1084(f)(2)(ii)	4477.6(b)(2)	X			
covers on each access hatch & gauge float well shall be bolted or fastened if in closed position	154	264.1084(f)(2)(iii)	4477.6(b)(3)	X			
automatic bleeder vents to be closed at all times when roof floating, except when roof is being floated off or landed on leg supports	154	264.1084(f)(2)(iv)	4477.6(b)(4)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
rim space vents shall be open only when roof is being floated off the leg supports or when pressure beneath rim seal exceeds manufacturer's recommended setting	154	264.1084(f)(2)(v)	4477.6(b)(5)	X			
cap on end of unslotted guide poles shall be closed at all times except when measuring liquid level or collecting samples	154	264.1084(f)(2)(vi)	4477.6(b)(6)	X			
cover on each gauge hatch or sample well shall be closed at all times except when hatch or well must be accessed	154	264.1084(f)(2)(vii)	4477.6(b)(7)	X			
both primary & secondary seals shall completely cover annular space between external floating roof & tank wall in continuous fashion except during inspections	154	264.1084(f)(2)(viii)	4477.6(b)(8)	X			
owner/operator shall inspect external floating roof in accordance with the following:	154	264.1084(f)(3)	4477.6(c)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator shall measure external floating roof seal gaps in accordance with specified requirements	154	264.1084(f)(3)(i)	4477.6(c)(1)	X			
	154	264.1084(f)(3)(i)(A)	4477.6(c)(1)(A)	X			
	154	264.1084(f)(3)(i)(B)	4477.6(c)(1)(B)	X			
	154	264.1084(f)(3)(i)(C)	4477.6(c)(1)(C)	X			
	154	264.1084(f)(3)(i)(D)	4477.6(c)(1)(D)	X			
	154	264.1084(f)(3)(i)(D)(1)	4477.6(c)(1)(D)(i)	X			
	154	264.1084(f)(3)(i)(D)(2)	4477.6(c)(1)(D)(ii)	X			
	154	264.1084(f)(3)(i)(D)(3)	4477.6(c)(1)(D)(iii)	X			
	154	264.1084(f)(3)(i)(D)(4)	4477.6(c)(1)(D)(iv)	X			
	154	264.1084(f)(3)(i)(E)	4477.6(c)(1)(E)	X			
154	264.1084(f)(3)(i)(F)	4477.6(c)(1)(F)	X				
owner/operator shall visually inspect external floating roof in accordance with specified requirements	154	264.1084(f)(3)(ii)	4477.6(c)(2)	X			
	154	264.1084(f)(3)(ii)(A)	4477.6(c)(2)(A)	X			
	154	264.1084(f)(3)(ii)(B)	4477.6(c)(2)(B)	X			
	154	264.1084(f)(3)(ii)(C)	4477.6(c)(2)(C)	X			
	154	264.1084(f)(3)(ii)(D)	4477.6(c)(2)(D)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
prior to 264.1084(f)(3)(i) or (ii) inspections, owner/operator shall notify Regional Administrator in advance to allow for observer present during inspection; notify of date & location of inspection	154	264.1084(f)(3)(iii)	4477.6(c)(3)	X			
	154	264.1084(f)(3)(iii)(A)	4477.6(c)(3)(A)	X			
	154	264.1084(f)(3)(iii)(B)	4477.6(c)(3)(B)	X			
	154	264.1084(f)(3)(iii)(C)	4477.6(c)(3)(C)	X			
owner/operator who controls air pollutant emissions from a tank by venting to a control device shall meet requirements in 264.1084(g)(1)-(3)	154	264.1084(g)	4477.7	X			
tank shall be covered by fixed roof and vented directly to a control device in accordance with the following:	154	264.1084(g)(1)	4477.7(a)	X			
fixed roof & closure devices shall form continuous barrier over liquid in tank	154	264.1084(g)(1)(i)	4477.7(a)(1)	X			
each opening in fixed roof not vented to control device shall be equipped with closure device; when pressure in vapor headspace < atmospheric pressure; when pressure in vapor headspace ≥ atmospheric pressure	154	264.1084(g)(1)(ii)	4477.7(a)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
fixed roof & its closure devices shall be made of suitable materials that will minimize exposure to atmosphere & maintain integrity throughout service life; factors to consider when selecting materials	154	264.1084(g)(1)(iii)	4477.7(a)(3)	X			
the closed-vent system & control device shall be designed & operated in accordance with 264.1087	154	264.1084(g)(1)(iv)	4477.7(a)(4)	X			
whenever hazardous waste is in the tank, fixed roof shall be installed with closure device secured in closed position except:	154	264.1084(g)(2)	4477.7(b)	X			
venting to control device is not required, & opening of closure device or removal of fixed roof is allowed in specified circumstances	154	264.1084(g)(2)(i)	4477.7(b)(1)	X			
	154	264.1084(g)(2)(i)(A)	4477.7(b)(1)(A)	X			
	154	264.1084(g)(2)(i)(B)	4477.7(b)(1)(B)	X			
opening of a safety device, as defined in 264.1081, is allowed any time to avoid an unsafe condition	154	264.1084(g)(2)(ii)	4477.7(b)(2)	X			
owner/operator shall inspect & monitor air emission control equipment as follows:	154	264.1084(g)(3)	4477.7(c)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
fixed roof & its closure devices shall be visually inspected for defects; examples	154	264.1084(g)(3)(i)	4477.7(c)(1)	X			
closed-vent system & control device shall be inspected & monitored in accordance with 264.1087	154	264.1084(g)(3)(ii)	4477.7(c)(2)	X			
perform initial inspection of air emission control equipment on or before tank becomes subject to 264.1084; then at least once a year except under special conditions of 264.1084(l)	154	264.1084(g)(3)(iii)	4477.7(c)(3)	X			
in event of defect, it shall be repaired in accordance with 264.1084(k)	154	264.1084(g)(3)(iv)	4477.7(c)(4)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(b)	154	264.1084(g)(3)(v)	4477.7(c)(5)	X			
owner/operator who controls air pollutant emissions by using a pressure tank shall meet the following:	154	264.1084(h)	4477.8	X			
tank shall not be designed to vent to atmosphere as result of compression in vapor headspace during filling	154	264.1084(h)(1)	4477.8(a)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
tank openings shall be equipped with closure devices that operate with no detectable organic emissions as in 264.1083(d)	154	264.1084(h)(2)	4477.8(b)	X			
whenever hazardous waste is in the tank, it shall be operated as a closed system that does not vent to the atmosphere except if safety device requires opening to avoid an unsafe condition	154	264.1084(h)(3)	4477.8(c)	X			
owner/operator who controls air pollutant emissions by using enclosure vented through a closed-vent system to enclosed combustion control device shall meet requirements in 264.1084(i)(1)-(4)	154	264.1084(i)	4477.9	X			
tank shall be inside enclosure; enclosure shall be designed & operated in accordance with 52.741, appendix B; allowance for openings; perform verification as specified in Section 5.0	154	264.1084(i)(1)	4477.9(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
enclosure shall be vented through a closed-vent system to enclosed combustion control device designed & operated in accordance with certain standards specified in 264.1087	154	264.1084(i)(2)	4477.9(b)	X			
safety devices, defined in 265.1081, may be installed & operated on any enclosure, closed-vent system, or control device used to comply with 264.1084(i)(1)-(2)	154	264.1084(i)(3)	4477.9(c)	X			
owner/operator shall inspect & monitor the closed-vent system & control device as specified in 264.1087	154	264.1084(i)(4)	4477.9(d)	X			
owner/operator shall transfer hazardous waste to tank subject to 264.1084 in accordance with the following:	154	264.1084(j)	4477.10	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
transfer of hazardous waste, except as in 264.1084(j)(2), to tank from another tank subject to 264.1084 or from surface impoundment subject to 264.1085 shall use continuous hard-piping or another closed system; individual drain system	154	264.1084(j)(1)	4477.10(a)	D			

Corporation Counsel Statement Comment: The phrase addressing surface impoundments has been removed because surface impoundments are not allowed in the District. The equivalency of this provision is not affected by this removal.

264.1084(j)(1) requirements do not apply if transferring hazardous waste to tank under following:	154	264.1084(j)(2)	4477.10(b)	X			
hazardous waste meets average VO concentration conditions in 264.1082(c)(1) at point of waste origination	154	264.1084(j)(2)(i)	4477.10(b)(1)	X			
hazardous waste treated by an organic destruction or removal process to meet 264.1082(c)(2) requirements	154	264.1084(j)(2)(ii)	4477.10(b)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator shall repair each defect detected during inspections performed under 264.1084(c)(4), (e)(3), (f)(3), or (g)(3) as follows:	154	264.1084(k)	4477.11	X			
owner/operator shall make first efforts at repair no later than 5 days after detection & repair shall be completed no later than 45 days after detection except as in 264.1084(k)(2)	154	264.1084(k)(1)	4477.11(a)	X			
repairs may be delayed beyond 45 days if repair requires emptying or temporary removal from service & no alternative tanks are available; owner/operator shall repair the defect as soon as tank stops operation; repair shall be completed before resuming operation	154	264.1084(k)(2)	4477.11(b)	X			
after initial inspection & monitoring of cover pursuant to Subpart CC, inspection & monitoring may be at intervals longer than 1 year under the following conditions:	154	264.1084(l)	4477.12	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if inspecting or monitoring exposes a worker to dangerous, hazardous, or other unsafe conditions, the owner/operator may designate cover as unsafe & comply with the following:	154	264.1084(l)(1)	4477.12(a)	X			
prepare written explanation	154	264.1084(l)(1)(i)	4477.12(a)(1)	X			
develop & implement written plan & schedule to inspect & monitor	154	264.1084(l)(1)(ii)	4477.12(a)(2)	X			
if tank is buried partially or entirely, owner/operator must inspect & monitor only portions of cover that are located on or above ground	154	264.1084(l)(2)	4477.12(b)	X			

STANDARDS: SURFACE IMPOUNDMENTS

264.1085 provisions apply to control of air pollutant emissions from surface impoundments for which 264.1082(b) references this section	154	264.1085(a)-(g)	4400.3, 4018			X	
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Corporation Counsel Statement Comment: This section was not included in the District regulations because surface impoundments are not allowed in the District. As such, there would not be a need to control emissions from this type of unit. The District's program is more stringent by not allowing surface impoundments.

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
STANDARDS: CONTAINERS							
264.1086 applies to control of air pollutant emissions from containers for which 264.1082(b) references this section	154	264.1086(a)	4478.1	X			
general requirements	154	264.1086(b)	4478.2	X			
owner/operator shall control air pollutant emissions from each container subject to 264.1086 in accordance with the following:	154	264.1086(b)(1)	4478.2(a)	X			
for containers having design capacities greater than 0.1 m ³ & less than or equal to 0.46 m ³ , owner/operator shall control air pollutant emissions in accordance with Container Level 1 standards in 264.1086(c)	154	264.1086(b)(1)(i)	4478.2(a)(1)	X			
for containers having design capacities greater than 0.46 m ³ not in light material service, owner/operator shall control air pollutant emissions in accordance with Container Level 1 standards in 264.1086(c)	154	264.1086(b)(1)(ii)	4478.2(a)(2)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for containers having design capacities greater than 0.46 m ³ in light material service, owner/operator shall control air pollutant emissions in accordance with Container Level 2 standards in 264.1086(d)	154	264.1086(b)(1)(iii)	4478.2(a)(3)	X			
when containers with design capacities greater than 0.1 m ³ are used for treatment of hazardous waste by waste stabilization process, owner/operator shall control air pollutant emissions in accordance with Container Level 3 standards in 264.1086(e)	154	264.1086(b)(2)	4478.2(b)	X			
Container Level 1 standards	154	264.1086(c)	4478.3	X			
using Container Level 1 controls is one of the following:	154	264.1086(c)(1)	4478.3(a)	X			
meets applicable U.S. DOT regulations on packaging for transportation as in 264.1086(f)	154	264.1086(c)(1)(i)	4478.3(a)(1)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
equipped with cover & closure devices that form a continuous barrier over openings such that there are no visible open spaces into the interior	154	264.1086(c)(1)(ii)	4478.3(a)(2)	X			
open-top container in which organic-vapor suppressing barrier is used such that no hazardous waste is exposed; example	154	264.1086(c)(1)(iii)	4478.3(a)(3)	X			
container used to meet requirements of 264.1086(c)(1)(ii) or (c)(1)(iii) shall be equipped with covers & closure devices composed of materials to minimize exposure of hazardous waste to atmosphere & to maintain equipment integrity; factors to consider in selecting materials	154	264.1086(c)(2)	4478.3(b)	X			
when using Container Level 1 controls, owner/operator shall install covers & closure devices, & secure & maintain them in closed position except:	154	264.1086(c)(3)	4478.3(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
opening of closure device or cover is allowed to add hazardous waste or other material as specified	154	264.1086(c)(3)(i)	4478.3(c)(1)	X			
	154	264.1086(c)(3)(i)(A)	4478.3(c)(1)(A)	X			
	154	264.1086(c)(3)(i)(B)	4478.3(c)(1)(B)	X			
opening of closure device or cover is allowed to remove hazardous waste as specified	154	264.1086(c)(3)(ii)	4478.3(c)(2)	X			
	154	264.1086(c)(3)(ii)(A)	4478.3(c)(2)(A)	X			
	154	264.1086(c)(3)(ii)(B)	4478.3(c)(2)(B)	X			
opening of closure device or cover is allowed when access needed to perform routine activities other than transfer hazardous waste; examples; after activity, owner/operator shall promptly secure closure device or reinstall cover	154	264.1086(c)(3)(iii)	4478.3(c)(3)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
opening of pressure relief devices allowed during normal operations to maintain internal pressure in accordance with container design; device shall operate with no detectable organic emissions when closed; settings at which device opens shall allow device to remain in closed position when internal pressure is within operating range; examples	154	264.1086(c)(3)(iv)	4478.3(c)(4)	X			
opening of safety device, as defined in 265.1081, is allowed any time conditions require it to avoid an unsafe condition	154	264.1086(c)(3)(v)	4478.3(c)(5)	X			
inspect containers & their covers & closure devices as follows:	154	264.1086(c)(4)	4478.3(d)	X			
if hazardous waste is present in container when owner/operator first accepts possession & container is not emptied within 24 hours, it shall be visually inspected; if a defect is detected, owner/operator repair in accordance with 264.1086(c)(4) (iii)	154	264.1086(c)(4)(i)	4478.3(d)(1)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if container remains at the facility for 1 year or more, owner/operator shall inspect it & cover & closure devices initially & then, at least every 12 months; if defect is detected, owner/operator repair in accordance with 264.1086(c)(4)(iii)	154	264.1086(c)(4)(ii)	4478.3(d)(2)	X			
when a defect is detected, owner/operator shall make repair no later than 24 hours after detection & complete it no later than 5 days after detection; if repair cannot be completed within 5 days, hazardous waste shall be removed & container not used until repaired	154	264.1086(c)(4)(iii)	4478.3(d)(3)	X			
owner/operator shall maintain copy of procedure to determine that containers with 0.46 m ³ or greater capacity, are not managing hazardous waste in light material service	154	264.1086(c)(5)	4478.3(e)	X			
Container Level 2 standards	154	264.1086(d)	4478.4	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
container using Container Level 2 controls is one of the following:	154	264.1086(d)(1)	4478.4(a)	X			
meets the applicable U.S. DOT regulations on packaging for transportation as in 264.1086(f)	154	264.1086(d)(1)(i)	4478.4(a)(1)	X			
container that operates with no detectable organic emissions as determined in accordance with 264.1086(g)	154	264.1086(d)(1)(ii)	4478.4(a)(2)	X			
container that has been demonstrated to be vapor-tight by using part 60, appendix A, Method 27 in accordance with 264.1086(h)	154	264.1086(d)(1)(iii)	4478.4(a)(3)	X			
transfer of hazardous waste shall minimize exposure to the atmosphere, to extent practical; examples that meet 264.1086(d)(2) requirements	154	264.1086(d)(2)	4478.4(b)	X			
owner/operator shall install all covers & closure devices, & secure & maintain in closed position except:	154	264.1086(d)(3)	4478.4(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
opening of closure device or cover is allowed to add hazardous waste or other material as follows	154	264.1086(d)(3)(i)	4478.4(c)(1)	X			
	154	264.1086(d)(3)(i)(A)	4478.4(c)(1)(A)	X			
	154	264.1086(d)(3)(i)(B)	4478.4(c)(1)(B)	X			
opening of a closure device or cover is allowed to remove hazardous waste as follows	154	264.1086(d)(3)(ii)	4478.4(c)(2)	X			
	154	264.1086(d)(3)(ii)(A)	4478.4(c)(2)(A)	X			
	154	264.1086(d)(3)(ii)(B)	4478.4(c)(2)(B)	X			
opening of closure device or cover is allowed when access is needed to perform routine activities other than transfer; examples; after activity, promptly secure closure device or reinstall cover	154	264.1086(d)(3)(iii)	4478.4(c)(3)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
opening of pressure relief devices which vent to atmosphere is allowed during normal operations to maintain internal pressure in accordance with container design; device shall operate with no detectable organic emissions when in closed position; settings at which device opens shall allow device to remain in closed position when internal pressure is within operating range; examples	154	264.1086(d)(3)(iv)	4478.4(c)(4)	X			
opening of safety device, as defined in 265.1081, is allowed any time conditions require it to avoid an unsafe condition	154	264.1086(d)(3)(v)	4478.4(c)(5)	X			
owner/operator shall inspect containers & their covers & closure devices as follows:	154	264.1086(d)(4)	4478.4(d)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
if hazardous waste is present in container when owner/operator first accepts possession & container is not emptied within 24 hours, it shall be visually inspected; if defect is detected, owner/operator shall repair in accordance with 264.1086(d)(4)(iii)	154	264.1086(d)(4)(i)	4478.4(d)(1)	X			
if container remains at the facility for 1 year or more, owner/operator shall inspect it & cover & closure devices initially & then at least every 12 months to check for open spaces into its interior; if defect is detected, owner/operator shall repair in accordance with 264.1086(d)(4)(iii)	154	264.1086(d)(4)(ii)	4478.4(d)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
when defect is detected, owner/operator shall make efforts at repair no later than 24 hours after detections & complete it as soon as possible but no later than 5 days after detection; if repair cannot be completed within 5 days, hazardous waste shall be removed & container shall not be used until repaired	154	264.1086(d)(4)(iii)	4478.4(d)(3)	X			
Container Level 3 standards	154	264.1086(e)	4478.5	X			
container using Container Level 3 controls is one of the following:	154	264.1086(e)(1)	4478.5(a)	X			
container that is vented through a closed-vent system to control device in accordance with 264.1086(e)(2)(ii)	154	264.1086(e)(1)(i)	4478.5(a)(1)	X			
container that is vented inside an enclosure which is exhausted through closed-vent system to control device in accordance with 264.1086(e)(2)(i)-(ii)	154	264.1086(e)(1)(ii)	4478.5(a)(2)	X			
owner/operator shall meet the following, as applicable	154	264.1086(e)(2)	4478.5(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
container enclosure shall be designed & operated in accordance with 52.741, appendix B; permanent or temporary openings; verification procedure as in Section 5.0	154	264.1086(e)(2)(i)	4478.5(b)(1)	X			
closed-vent system & control device shall be designed & operated in accordance with 264.1087	154	264.1086(e)(2)(ii)	4478.5(b)(2)	X			
safety devices, in 265.1081, may be installed & operated on any container, enclosure, closed-vent system, or control device used to comply with 264.1086(e)(1)	154	264.1086(e)(3)	4478.5(c)	X			
owner/operator shall inspect & monitor the closed-vent system & control devices as specified in 264.1087	154	264.1086(e)(4)	4478.5(d)	X			
owners/operators shall prepare & maintain records specified in 264.1089(d)	154	264.1086(e)(5)	4478.5(e)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for purpose of 264.1086(c)(1)(i) or (d)(1)(i) compliance, containers shall meet applicable U.S. DOT regulations on packaging for transportation as follows:	154	264.1086(f)	4478.6	X			
meets applicable requirements in 49 CFR part 178 or 49 CFR part 179	154	264.1086(f)(1)	4478.6(a)	X			
hazardous waste managed in container in accordance with 49 CFR part 107, subpart B; 49 CFR part 172; 49 CFR part 173; & 49 CFR part 180	154	264.1086(f)(2)	4478.6(b)	X			
no exceptions to the 49 CFR part 178 or 179 regulations are allowed except as in 264.1086(f)(4)	154	264.1086(f)(3)	4478.6(c)	X			
for lab pack managed in accordance with 49 CFR part 178, owner/operator may comply with the exceptions for combination packaging in 49 CFR 173.12(b)	154	264.1086(f)(4)	4478.6(d)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
owner/operator shall use 264.1083(d) procedure for determining if container operates with no detectable organic emissions as in 264.1086(d)(1)(ii)	154	264.1086(g)	4478.7	X			
each potential leak interface on container, cover, & closure devices shall be checked; examples	154	264.1086(g)(1)	4478.7(a)	X			
test performed when container is filled with material expected to be managed in this container; during test, container cover & closure devices shall be closed	154	264.1086(g)(2)	4478.7(b)	X			
procedure for determining a container to be vapor-tight using Method 27 of part 60, appendix A to comply with 264.1086(d)(1)(iii)	154	264.1086(h)	4478.8	X			
test performed in accordance with Method 27 of part 60, appendix A	154	264.1086(h)(1)	4478.8	X			

Corporation Counsel Statement Comment: The District removed a direct analog to 264.1086(h)(1) because it is stated in its analog to 40 CFR 264.1086(h).

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
pressure measurement device shall be used with a precision of ± 2.5 mm water & capable of measuring above that used for vapor pressure tightness	154	264.1086(h)(2)	4478.8(a)	X			
if test results indicate container sustains a pressure change less than or equal to 750 Pascals, then it's vapor-tight	154	264.1086(h)(3)	4478.8(b)	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES							
264.1087 applies to each closed-vent system and control device installed and operated to control air emissions	154.1	264.1087(a)	4479.1	X			
the closed-vent system shall meet the following requirements:	154.1	264.1087(b)	4479.2	X			
the system shall route gases, vapors, and fumes to a control device that meets the requirements specified in 264.1087(c)	154.1	264.1087(b)(1)	4479.2(a)	X			
the system shall be designed and operated in accordance with 264.1033(k)	154.1	264.1087(b)(2)	4479.2(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if the closed-vent system includes bypass devices, each device shall be equipped with either flow indicator, seal or locking device; other fittings used for safety purposes are not bypass devices	154.1, 154	264.1087(b)(3)	4479.2(c)	X			
if flow indicator is used to comply with 264.1087(b)(3), it shall be installed at inlet to bypass line; flow indicator is a device which indicates gas or vapor flow	154	264.1087(b)(3)(i)	4479.2(c)(1)	X			
if a seal or locking device is used to comply with 264.1087(b)(3), it shall be placed such that bypass device cannot be opened without breaking the seal or removing the lock; examples; inspect seal or closure mechanism at least once a month	154	264.1087(b)(3)(ii)	4479.2(c)(2)	X			
closed-vent system shall be inspected and monitored by owner or operator in accordance with 264.1033(l)	154	264.1087(b)(4)	4479.2(d)	X			
the control device shall meet the following requirements:	154.1	264.1087(c)	4479.3	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the control device shall be one of the following devices:	154.1	264.1087(c)(1)	4479.3(a)	X			
a control device designed and operated to reduce the total organic content of the inlet vapor stream by at least 95 percent	154.1	264.1087(c)(1)(i)	4479.3(a)(1)	X			
an enclosed combustion device designed and operated in accordance with 264.1033(c)	154.1	264.1087(c)(1)(ii)	4479.3(a)(2)	X			
a flare designed and operated in accordance with 264.1033(d)	154.1	264.1087(c)(1)(iii)	4479.3(a)(3)	X			
an owner or operator who uses closed-vent system and control device to comply with 264.1087 shall comply with 264.1087(c)(2)(i)-(c)(2)(vi)	154	264.1087(c)(2)	4479.3(b)	X			
periods of planned routine maintenance of control device during which 264.1087(c)(1)(i)-(iii) are not met, shall not exceed 240 hours/year	154	264.1087(c)(2)(i)	4479.3(b)(1)	X			
requirements in 264.1087(c)(1)(i)-(iii) do not apply during planned routine maintenance	154	264.1087(c)(2)(ii)	4479.3(b)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
requirements in 264.1087(c)(1)(i)-(iii) do not apply during control device system malfunction	154	264.1087(c)(2)(iii)	4479.3(b)(3)	X			
owner or operator shall demonstrate compliance with 264.1087(c)(2)(i) by recording information in 264.1089(e)(1)(v)	154	264.1087(c)(2)(iv)	4479.3(b)(4)	X			
owner/operator shall correct control device system malfunctions as soon as practicable to minimize excess air pollutant emissions	154	264.1087(c)(2)(v)	4479.3(b)(5)	X			
owner or operator shall operate closed-vent system such that gases, vapors, or fumes are not vented to control device during maintenance or malfunction except when necessary	154	264.1087(c)(2)(vi)	4479.3(b)(6)	X			
an owner or operator using a carbon adsorption system shall operate and maintain the control device in accordance with the following requirements:	154.1	264.1087(c)(3)	4479.3(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
following initial startup, all activated carbon shall be replaced with fresh carbon regularly in accordance with 264.1033(g) or (h)	154.1	264.1087(c)(3)(i)	4479.3(c)(1)	X			
all carbon that is hazardous waste and is removed from the control device shall be managed in accordance with 264.1033(n) regardless of VO concentration	154.1, 154.6, 154	264.1087(c)(3)(ii)	4479.3(c)(2)	X			
an owner or operator using a control device other than a thermal vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system shall operate and maintain the control device in accordance with 264.1033(j)	154.1	264.1087(c)(4)	4479.3(d)	X			
demonstrate that a control device achieves the performance requirements of 264.1087(c)(1) as follows:	154.1	264.1087(c)(5)	4479.3(e)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
demonstrate, using either a performance test as specified in 264.1087(c)(5)(iii) or a design analysis as specified in 264.1087(c)(5)(iv), the performance for each control device except for the following:	154.1	264.1087(c)(5)(i)	4479.3(e)(1)	X			
a flare	154.1	264.1087(c)(5)(i)(A)	4479.3(e)(1)(A)	X			
a boiler or process heater with design input capacity of 44 megawatts or greater	154.1	264.1087(c)(5)(i)(B)	4479.3(e)(1)(B)	X			
a boiler or process heater into which the vent stream is introduced with the primary fuel	154.1	264.1087(c)(5)(i)(C)	4479.3(e)(1)(C)	X			
a boiler or industrial furnace burning hazardous waste for which the owner or operator has been issued a final permit and has designed and operates the unit in accordance with 266, Subpart H	154.1, 154	264.1087(c)(5)(i)(D)	4479.3(e)(1)(D)	X			
a boiler or industrial furnace burning hazardous waste for which the owner or operator has designed and operates in accordance with requirements of 266, Subpart H	154.1, 154	264.1087(c)(5)(i)(E)	4479.3(e)(1)(E)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
the owner or operator shall demonstrate the performance of each flare in accordance with 264.1033(e)	154.1	264.1087(c)(5)(ii)	4479.3(e)(2)	X			
for a performance test, the owner or operator shall use the test methods and procedures in 264.1034(c)(1)-(4)	154.1	264.1087(c)(5)(iii)	4479.3(e)(3)	X			
a design analysis shall meet the requirements specified in 264.1035(b)(4)(iii)	154.1	264.1087(c)(5)(iv)	4479.3(e)(4)	X			
the owner or operator shall demonstrate that a carbon adsorption system achieves the 264.1087(c)(1) performance requirements as specified	154.1	264.1087(c)(5)(v)	4479.3(e)(5)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if the owner or operator and the Regional Administrator do not agree on a demonstration of control device performance using a design analysis, then the disagreement shall be resolved using the results of a performance test in accordance with 264.1087(c)(5)(iii); the Regional Administrator may choose an authorized representative to observe the test	154.1	264.1087(c)(6)	4479.3(f)	X			
control device shall be inspected and monitored by the owner or operator in accordance with 264.1033(f)(2) and 264.1033(l); readings from each monitoring device inspected at least once each day; any necessary corrective measures immediately implemented	154	264.1087(c)(7)	4479.3(g)	X			
INSPECTION AND MONITORING REQUIREMENTS							
owner or operator shall inspect and monitor air emission control equipment in accordance with 264.1084-264.1087	154	264.1088(a)	4480.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator shall develop and implement written plan schedule to perform inspections and monitoring required by 264.1088(a); shall incorporate plan into facility inspection plan under 264.15	154	264.1088(b)	4480.2	X			

RECORDKEEPING REQUIREMENTS

owners or operators subject to 264, Subpart CC shall record and maintain information specified in 264.1089(b)-(i); with exception, records shall be maintained for at least 3 years; documentation maintained until air emission control equipment is replaced; information required by 264.1089(i) shall be maintained as long as tank or container is not using air emission controls in 264.1084 through 264.1087	154	264.1089(a)	4481.1	X			
owner or operator of a tank using air emission controls in accordance with 264.1084 shall prepare and maintain records that include:	154	264.1089(b)	4481.2	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for tank using air emission controls in accordance with 264.1084, owner or operator shall record:	154	264.1089(b)(1)	4481.2(a)	X			
tank identification number	154	264.1089(b)(1)(i)	4481.2(a)(1)	X			
record for each inspection required by 264.1084 that includes inspection date and other information for defects detected	154	264.1089(b)(1)(ii)	4481.2(a)(2)	X			
	154	264.1089(b)(1)(ii)(A)	4481.2(a)(2)(A)	X			
	154	264.1089(b)(1)(ii)(B)	4481.2(a)(2)(B)	X			
owner or operator shall record following information, as applicable to the tank:	154	264.1089(b)(2)	4481.2(b)	X			
owner or operator using a fixed roof shall prepare and maintain records for each maximum organic vapor pressure determination in accordance with 264.1084(c); date and time of sample collection, analysis method, and results	154	264.1089(b)(2)(i)	4481.2(b)(1)	X			
owner or operator using internal floating roof shall prepare and maintain documentation describing design	154	264.1089(b)(2)(ii)	4481.2(b)(2)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owners or operators using external floating roof shall prepare and maintain documentation and records for specified items	154	264.1089(b)(2)(iii)	4481.2(b)(3)	X			
	154	264.1089(b)(2)(iii)(A)	4481.2(b)(3)(A)	X			
	154	264.1089(b)(2)(iii)(B)	4481.2(b)(3)(B)	X			
each owner or operator using an enclosure shall prepare and maintain specified records	154	264.1089(b)(2)(iv)	4481.2(b)(4)	X			
	154	264.1089(b)(2)(iv)(A)	4481.2(b)(4)(A)	X			
	154	264.1089(b)(2)(iv)(B)	4481.2(b)(4)(B)	X			
owner or operator of a surface impoundment using air emission controls in accordance with 264.1085 shall prepare and maintain records that include:	154	264.1089(c), 264.1089(c)(1)-(4)	4400.3, 4018			X	
Corporation Counsel Statement Comment: This provision was not included because surface impoundments are prohibited in the District. The District's program is more stringent than the Federal program because of this prohibition.							
owner or operator of containers using Container Level 3 air emission controls in accordance with 264.1086 shall prepare and maintain records that include:	154	264.1089(d)	4481.3	X			
records for most recent calculations and measurements to verify enclosure meets criteria of a permanent total enclosure as in "Procedure T" 40 CFR 52.741, appendix B	154	264.1089(d)(1)	4481.3(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
records required for closed-vent system and control device in accordance with 264.1089(e)	154	264.1089(d)(2)	4481.3(b)	X			
an owner or operator using closed-vent system and control device in accordance with 264.1087 shall prepare and maintain records that include:	154	264.1089(e)	4481.4	X			
documentation that includes:	154	264.1089(e)(1)	4481.4(a)	X			
certification signed & dated by owner/operator stating the control device is designed to operate at performance level when operating at capacity	154	264.1089(e)(1)(i)	4481.4(a)(1)	D			
Corporation Counsel Statement Comment: "Surface impoundment" has been removed from this section because the District does not allow them. While different than its Federal analog, it is still equivalent.							
specified design documentation if design analysis used; include a description of the control device design in accordance with 264.1035(b)(4) (iii) & certification by owner/operator that control equipment meets applicable specifications	154	264.1089(e)(1)(ii)	4481.4(a)(2)	X			
performance test plan & all test results, if performance tests are used	154	264.1089(e)(1)(iii)	4481.4(a)(3)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
information as required by 264.1035 (c)(1)-(2)	154	264.1089(e)(1)(iv)	4481.4(a)(4)	X			
owner/operator shall record on semiannual basis, information specified in 264.1089(e)(1)(v) (A)-(B) for planned routine maintenance operations requiring control devices to meet 264.1087(c)(1) (i)-(iii) requirements	154	264.1089(e)(1)(v)	4481.4(a)(5)	X			
	154	264.1089(e)(1)(v) (A)	4481.4(a)(5)(A)	X			
	154	264.1089(e)(1)(v) (B)	4481.4(a)(5)(B)	X			
	154	264.1089(e)(1)(vi)	4481.4(a)(6)	X			
owner/operator shall record the information specified in 264.1089(e)(1)(vi) (A)-(C) for unexpected control device system malfunctions	154	264.1089(e)(1)(vi) (A)	4481.4(a)(6)(A)	X			
	154	264.1089(e)(1)(vi) (B)	4481.4(a)(6)(B)	X			
	154	264.1089(e)(1)(vi) (C)	4481.4(a)(6)(C)	X			
	154	264.1089(e)(1)(vii)	4481.4(a)(7)	X			
management records of carbon removed from a carbon adsorption system conducted in accordance with 264.1087(c)(3)(ii)	154	264.1089(e)(1)(vii)	4481.4(a)(7)	X			
an owner or operator of a tank, surface impoundment, or container exempted from standards in accordance with 264.1082(c) shall prepare and maintain the following records:	154	264.1089(f)	4481.5	D			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Corporation Counsel Statement Comment: There is not a direct analog to this introductory paragraph; it is not needed because the District does not have an analog to 40 CFR 264.1089(f)(2).							
if exempted under 264.1082(c)(1)-(2), owner or operator shall record information used for each waste determination in operating log; if waste sample results used for the determination, date, time and location shall be recorded in accordance with 264.1083	154	264.1089(f)(1)	4481.5	X			
if exempted under 264.1082(c)(2)(vii) or (viii), owner or operator shall record ID number for the incinerator, boiler, or industrial furnace in which hazardous waste is treated	154	264.1089(f)(2)	No analog			X	
Corporation Counsel Statement Comment: The situations addressed by 40 CFR 264.1082(c)(2)(vii) and (viii) are illegal in the District because of the prohibitions at §§4400.3 and 4018. Thus, the 40 CFR 264.1089(f)(2) exemption is not applicable. The District's program is more stringent than the Federal program.							
owners or operators designating a cover as "unsafe to inspect and monitor" shall record in the facility log: ID numbers, explanations, and inspection plans and schedules	154	264.1089(g)	4481.6	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owners or operators subject to the requirements of 264, Subpart CC and to the control device standards in 40 CFR Part 60, Subpart VV or 40 CFR 61, Subpart V may elect to demonstrate compliance by documentation either pursuant to 264, Subpart CC or to the provisions of 40 CFR Part 60, Subpart VV or 40 CFR 61, Subpart V, to the extent that such documentation duplicates the documentation required by 264.1089	154.1, 154	264.1089(h)	4481.7	X			
for each tank or container not using air emissions controls specified in 264.1084 through 264.1087, the owner or operator shall record and maintain the following information:	154.3, 154	264.1089(i)	4481.8	X			
a list of individual organic peroxide compounds manufactured at the facility that meet the conditions specified in 264.1080(d)(1)	154.3, 154	264.1089(i)(1)	4481.8(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a description of how the hazardous waste containing the organic peroxide compounds identified in 264.1089(i)(1) are managed in the tanks and containers; the description shall include:	154.3, 154	264.1089(i)(2)	4481.8(b)	X			
for tanks, sufficient information shall be provided to describe for each tank: a facility tank identification number, purpose and placement of the tank in the management train of this hazardous waste, and procedures used to ultimately dispose of the hazardous waste managed in the tanks	154.3, 154	264.1089(i)(2)(i)	4481.8(b)(1)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for containers, sufficient information shall be provided to describe: a facility identification number for each container or group of containers; purpose and placement of container(s) in the management train of this hazardous waste, and procedures used to ultimately dispose of the hazardous waste managed in the container(s)	154.3, 154	264.1089(i)(2)(ii)	4481.8(b)(2)	X			
an explanation of why managing the hazardous waste containing the organic peroxide compounds identified in 264.1089(i)(1) in the tanks or containers described in 264.1089(i)(2) would create an undue safety hazard if specified air emission controls are installed and operated on these waste management units; the explanation shall include the following information:	154.3, 154	264.1089(i)(3)	4481.8(c)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
for tanks, sufficient information to explain how the use of the required air emission controls would affect the tank design features and the facility operating procedures currently used to prevent an undue safety hazard, and why installation of safety devices on the required air emission controls allowed under 264.1084(g) will not address those situations in which evacuation of tanks equipped with such controls is necessary and consistent with good engineering and safety practices	154.3, 154	264.1089(i)(3)(i)	4481.8(c)(1)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
for containers, sufficient information to explain how the use of the required air emission controls would affect the container design features and handling procedures currently used to prevent an undue safety hazard, and why installation of safety devices under Part 264, Subpart CC, on the required air emission controls will not address those situations in which evacuation of containers equipped with such controls is necessary and consistent with good engineering and safety practices	154.3, 154	264.1089(i)(3)(ii)	4481.8(c)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
REPORTING REQUIREMENTS							
each owner or operator managing hazardous waste in a tank, surface impoundment, or container exempted from using air emissions controls in accordance with 264.1082(c) shall report to the Regional Administrator each occurrence when there is noncompliance with the conditions specified in 264.1082(c)(1) or (2); examples; a written report shall be submitted within 15 calendar days; the written report shall contain specified information; the report shall be signed and dated by an authorized representative of the owner or operator	154.1, 154.6, 154.5, 154	264.1090(a)	4482.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
each owner or operator using tank air emission controls in accordance with 264.1084(c) shall report to the Regional Administrator each occurrence when there is noncompliance with the conditions specified in 264.1084(b); a written report shall be submitted within 15 calendar days; the written report shall contain specified information; the report shall be signed and dated by an authorized representative of the owner or operator	154.1, 154	264.1090(b)	4482.2	X			
each owner or operator using a control device in accordance with 264.1087 shall submit a semiannual written report to the Regional Administrator except as provided in 264.1090(d); the report shall describe each occurrence for the past six months when either:	154.1, 154.6, 154.5	264.1090(c)	4482.3	X			
a control device is operated for 24 hours or longer in noncompliance with 264.1035(c)(4) or;	154.1, 154.6	264.1090(c)(1)	4482.3(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a flare is operated with visible emissions as defined in 264.1033(d);	154.1, 154.6	264.1090(c)(2)	4482.3(b)	X			
the written report shall contain specified information; the report shall be signed and dated by an authorized representative of the owner or operator	154.1, 154.6	264.1090(c)/ undesignated text	4482.4	X			
a report to the Regional Administrator is not required for a 6-month period if	154.1, 154.6	264.1090(d)	4482.5	X			
for no period of 24 hours or longer did a control device operate continuously in noncompliance with 264.1035(c)(4); and	154.1, 154.6	264.1090(d)(1)	4482.5(a)	X			
no flare operated with visible emissions as defined in 264.1033(d)	154.1, 154.6	264.1090(d)(2)	4482.5(b)	X			
ALTERNATIVE CONTROL REQUIREMENTS FOR TANKS							
reserve	154.1, 154	264.1091	4483	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART DD - CONTAINMENT BUILDINGS							
APPLICABILITY							
applies to owners/operators storing or treating hazardous waste in units designed and operated under 264.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit:	109	264.1100	4484.1	X			
is a completely enclosed, self-supporting structure designed and constructed as specified	109	264.1100(a)	4484.1(a)	X			
has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit	109	264.1100(b)	4484.1(b)	X			
if used to manage liquids:	109	264.1100(c)	4484.1(c)	X			
primary barrier designed and constructed to prevent migration of hazardous constituents into barrier	109	264.1100(c)(1)	4484.1(c)(1)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
liquid collection system to minimize accumulation of liquid on primary barrier	109	264.1100(c)(2)	4484.1(c)(2)	X			
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 264.1101(b)(4)	109	264.1100(c)(3)	4484.1(c)(3)	X			
controls to prevent fugitive dust emissions to meet 264.1101(c)(1)(iv) standards	109	264.1100(d)	4484.1(d)	X			
designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment	109	264.1100(e)	4484.1(e)	X			
DESIGN AND OPERATING STANDARDS							
all containment buildings must comply with following design standards:	109	264.1101(a)	4485.1	X			
completely enclosed as specified	109	264.1101(a)(1)	4485.1(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for lightweight doors and windows will apply:	109	264.1101(a)(2)	4485.1(b)	X			
provide effective barrier against fugitive dust emissions under 264.1101(c)(1)(iv)	109	264.1101(a)(2)(i)	4485.1(b)(1)	X			
unit designed and operated so that wastes do not contact openings	109	264.1101(a)(2)(ii)	4485.1(b)(2)	X			
no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail	109	264.1101(a)(3)	4485.1(c)	X			
must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics	109	264.1101(a)(4)	4485.1(d)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
requirements for hazardous waste containing free liquids or treated with free liquids:	109	264.1101(b)	4485.2	X			
primary barrier to prevent migration of hazardous constituents into the barrier	109	264.1101(b)(1)	4485.2(a)	X			
liquid collection and removal system to minimize accumulation of liquid on primary barrier:	109	264.1101(b)(2)	4485.2(b)	X			
primary barrier sloped to drain liquids to collection system	109	264.1101(b)(2)(i)	4485.2(b)(1)	X			
liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time	109	264.1101(b)(2)(ii)	4485.2(b)(2)	X			
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified	109	264.1101(b)(3)	4485.2(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
what must be installed at a minimum to satisfy leak detection component of secondary containment system	109	264.1101(b)(3)(i)	4485.2(c)(1)	X			
constructed with 1% or greater bottom slope	109	264.1101(b)(3)(i)(A)	4485.2(c)(1)(A)	X			
granular, synthetic, or geonet drainage materials as specified	109	264.1101(b)(3)(i)(B)	4485.2(c)(1)(B)	X			
if treatment conducted in building, treatment area designed to prevent releases to other portions of building	109	264.1101(b)(3)(ii)	4485.2(c)(2)	X			
secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system	109	264.1101(b)(3)(iii)	4485.2(c)(3)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must:	109	264.1101(b)(4)	4485.2(d)	X			
provide written notice by February 18, 1993; what notice must contain	109	264.1101(b)(4)(i)	4485.2(d)(1)	X			
respond to Regional Administrator comments within 30 days	109	264.1101(b)(4)(ii)	4485.2(d)(2)	X			
if approved, fulfill terms of revised plans	109	264.1101(b)(4)(iii)	4485.2(d)(3)	X			
owners and operators of all containment buildings must:	109	264.1101(c)	4485.3	X			
use controls and practices to ensure containment of hazardous waste within unit; at a minimum:	109	264.1101(c)(1)	4485.3(a)	X			
maintain primary barrier as specified	109	264.1101(c)(1)(i)	4485.3(a)(1)	X			
maintain level of stored/treated hazardous waste as specified	109	264.1101(c)(1)(ii)	4485.3(a)(2)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management	109	264.1101(c)(1)(iii)	4485.3(a)(3)	X			
take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained	109	264.1101(c)(1)(iv)	4485.3(a)(4)	X			
certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit	109	264.1101(c)(2)	4485.3(b)	X			
prompt repairs of unit throughout active life as specified, according to the following procedures:	109	264.1101(c)(3)	4485.3(c)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
detection of condition that has led to a release; leakage from primary barrier; owner or operator must:	109	264.1101(c)(3)(i)	4485.3(c)(1)	X			
enter record of discovery in facility operating record	109	264.1101(c)(3)(i)(A)	4485.3(c)(1)(A)	X			
immediately remove portion of containment building affected by the condition from service	109	264.1101(c)(3)(i)(B)	4485.3(c)(1)(B)	X			
determine steps to be taken for repair, remove leakage from secondary collection system and establish schedule for cleanup and repairs	109	264.1101(c)(3)(i)(C)	4485.3(c)(1)(C)	X			
within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include	109	264.1101(c)(3)(i)(D)	4485.3(c)(1)(D)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing	109	264.1101(c)(3)(ii)	4485.3(c)(2)	X			
written notification to Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 264.1101(c)(3)(i)(D) plan	109	264.1101(c)(3)(iii)	4485.3(c)(3)	X			
what must be inspected and recorded in facility's operating record, at least once every seven days	109	264.1101(c)(4)	4485.3(d)	X			
for containment buildings that contain areas both with and without secondary containment, the owner/operator must:	109	264.1101(d)	4485.4	X			
design and operate each area in accordance with 264.1101(a)-(c) requirements	109	264.1101(d)(1)	4485.4(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
take measures to prevent release of liquids or wet materials into areas without secondary containment	109	264.1101(d)(2)	4485.4(b)	X			
maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment	109	264.1101(d)(3)	4485.4(c)	X			
Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate	109	264.1101(e)	4485.5	X			
CLOSURE AND POST-CLOSURE CARE							
what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 264 Subpart G & H requirements	109	264.1102(a)	4486.1	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if 264.1102(a) requirements met and not all contaminated subsoils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 264.310; owner/operator must meet 264 Subpart G & H requirements for landfills	109	264.1102(b)	4486.2	D			

Corporation Counsel Statement Comment: The reference to landfills in the last sentence was removed. The reference to landfills is not needed because all the units are subject to post-closure requirements, not just those listed at 40 CFR 264.110(b) and 40 CFR 264.140(b). Thus, it is not necessary to consider such containment buildings as "landfills". In addition, use of the term "landfill" is not appropriate because of the prohibitions against such units. This difference does not make the District's provision more stringent than its Federal analog.

reserved	109	264.1103-264.1110	4487-4494	X			
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SUBPART EE - HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

APPLICABILITY

subpart applies to owners and operators who store munitions and explosive hazardous wastes	156	264.1200	4495.1	X			
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DESIGN AND OPERATING STANDARDS

storage units must meet following requirements	156	264.1201(a)	4495.2	X			
minimize potential for detonation or release	156	264.1201(a)(1)	4495.2(a)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
provide primary barrier to contain waste	156	264.1201(a)(2)	4495.2(b)	X			
if stored outdoors must not be in standing precipitation	156	264.1201(a)(3)	4495.2(c)	X			
for liquids, provide secondary containment or vapor detection system	156	264.1201(a)(4)	4495.2(d)	X			
provide monitoring and inspection procedures meeting specified requirements	156	264.1201(a)(5)	4495.2(e)	X			
hazardous waste military munitions and explosives may be stored in the following	156	264.1201(b)	4495.3	X			
earth-covered magazines; requirements for earth-covered magazines	156	264.1201(b)(1)	4495.3(a)	X			
	156	264.1201(b)(1)(i)	4495.3(a)(1)	X			
	156	264.1201(b)(1)(ii)	4495.3(a)(2)	X			
	156	264.1201(b)(1)(ii)(A)-(C)	4495.3(a)(2)(A)-(C)	X			
	156	264.1201(b)(1)(iii)	4495.3(a)(3)	X			
above-ground magazines must be designed to minimize propagation of explosion	156	264.1201(b)(2)	4495.3(b)	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
outdoor or open storage areas must be designed to minimize propagation of explosion	156	264.1201(b)(3)	4495.3(c)	X			
hazardous waste military munitions and explosives must be stored in accordance with Standard Operating Procedure; if procedure serves same purpose as certain Part 264 requirements, they may be used	156	264.1201(c)	4495.4	X			
hazardous waste military munitions and explosives must be packaged to ensure safety	156	264.1201(d)	4495.5	X			
hazardous waste military munitions and explosives must be inventoried annually	156	264.1201(e)	4495.6	X			
hazardous waste military munitions and explosives must be inspected and monitored to ensure safety and no migration	156	264.1201(f)	4495.7	X			

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
CLOSURE AND POST-CLOSURE CARE							
at closure of magazine or unit that stored hazardous waste under Subpart EE, o/o must remove or decontaminate residues, components, subsoils, structures and equipment; closure must meet 264 subparts G and H requirements, but may defer as long as munitions or explosives magazine or storage unit	156	264.1202(a)	4495.8	X			
if all contaminated subsoils cannot be practicably removed, o/o must close facility and perform post-closure as per 264.310	156	264.1202(b)	4495.9	X			
APPENDIX I TO PART 264							
RECORDKEEPING INSTRUCTIONS							
instructions for keeping portions of the operating record	*,131	Appendix I	4496.1(a), 4016	X			
APPENDIX IV TO PART 264							
COCHRAN'S APPROXIMATION TO THE BEHRENS-FISHER STUDENTS' T-TEST							
instructions for calculation of the t-test	*	Appendix IV	4496.1(b), 4016	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C5
40 CFR Part 264, Subparts CC-EE, as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

APPENDIX V TO PART 264

EXAMPLES OF POTENTIALLY INCOMPATIBLE WASTE

list of wastes and potential consequences of mixing	*	Appendix V	4496.1(c), 4016	X			
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APPENDIX VI TO PART 264

POLITICAL JURISDICTIONS IN WHICH COMPLIANCE WITH §264.18(a) MUST BE DEMONSTRATED

political jurisdictions by state and city	*	Appendix VI	4496.1(d), 4016	X			
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APPENDIX IX TO PART 264

GROUND-WATER MONITORING LIST

list of substances, suggested test methods, and practical quantitation limits	40, 158	Appendix IX	4496.1(e), 4016	X			
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DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C6
 Interim Status Standards for Owners and Operators of
 Hazardous Waste Treatment, Storage, and Disposal Facilities
 40 CFR Part 265 as of July 1, 1997

General Comment: At 20 DCMR §4401, facilities which meet the requirements of interim status specified at 20 DCMR §4401.1, are subject to the requirements of 40 CFR Part 265 and to the restrictions that are found at 20 DCMR §4401.2. Comments regarding each of the restrictions is included below in this consolidated checklist. 20 DCMR §4016 establishes that the version of 40 CFR Part 265, to which interim status facilities are subject, is the version as it appears in the July 1, 1998 CFR.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

SUBPART A - GENERAL

Purpose, scope, and applicability	265.1, except 265.1(c)(12)& 265.1(d)	4401.2 intro, 4016	X			
transporters storing in containers meeting 262.30	265.1(c)(12)	4401.2 intro, 4401.2(i), 4016			X	

Corporation Counsel Statement Comment: The District subjects transfer facilities storing for 10 days or less to requirements analogous to 40 CFR Part 264, Subparts C, D, and F as well as to 40 CFR 264.14-264.17. This difference makes the District's program more stringent than the Federal program.

universal waste handlers and transporters handling the listed universal waste are subject to Part 273 rather than Part 265	265.1(d)	4401.2 intro, 4401.2(j), 4016			X	
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Corporation Counsel Statement Comment: (1) The District includes mercury-containing lamps as a universal waste. (2) The District requires all universal wastes except pesticides be recycled in order to be eligible for the reduced requirements of 20 DCMR Chapter 48 (the analog to 40 CFR Part 273). Once the waste is destined for disposal, it is subject to full regulation under 20 DCMR Chapters 42 through 46 and Chapter 50. This difference makes the District's program more stringent than the Federal program.

[Reserved]	265.2-265.3	NA	NA			
Imminent hazard action	265.4	4401.2 intro, 4016	X			

SUBPART B - GENERAL FACILITY STANDARDS

Applicability	265.10	4401.2 intro, 4016	X			
Identification number	265.11	4401.2 intro, 4016	X			
Required notices	265.12	4401.2 intro, 4016	X			

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
General waste analysis	265.13, except 265.13(b)(7) intro- (b)(7)(iii)(B)(2) & 265.13(c)(3)	4401.2 intro, 4016	X			
surface impoundments exempted from land disposal restrictions under 268.4; procedures and schedules for:	265.13(b)(7) intro- (b)(7)(iii)(B)(2)	4401.2 intro, 4401.2(a), 4401.2(k), 4016			X	

Corporation Counsel Statement Comment: The management and disposal of hazardous waste in surface impoundments is not allowed in the District. Therefore this requirement in 40 CFR Part 265 is not applicable. This difference makes the District's program more stringent than the Federal program.

procedures a landfill owner would use to determine if a biodegradable sorbent has been added	265.13(c)(3)	4401.2 intro, 4401.2(a), 4401.2(k), 4016			X	
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Corporation Counsel Statement Comment: The management and disposal of hazardous waste in landfills (40 CFR 265.13(c)(3)) is not allowed in the District. Therefore, this requirement in 40 CFR Part 265 is not applicable. As such, the District's program is more stringent than the Federal program.

Security	265.14	4401.2 intro, 4016	X			
General inspection requirements	265.15	4401.2 intro, 4016	X			
Personnel training	265.16	4401.2 intro, 4016	X			
General requirements for ignitable, reactive, or incompatible wastes	265.17	4401.2 intro, 4016	X			
Location standards	265.18	4401.2 intro 4401.2(l), 4016			X	

Corporation Counsel Statement Comment: The District requires that the entire facility, rather than just the waste management portions, be 200 feet from a fault having movement in Holocene time. This difference makes the District's program more stringent than the Federal program.

Construction quality assurance program	265.19	4401.2 intro, 4016	X			
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SUBPART C - PREPAREDNESS AND PREVENTION

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Applicability	265.30	4401.2 intro, 4016	X			
Maintenance and operation of facility	265.31	4401.2 intro, 4016	X			
Required equipment	265.32	4401.2 intro, 4016	X			
Testing and maintenance of equipment	265.33	4401.2 intro, 4016	X			
Access to communications or alarm system	265.34	4401.2 intro, 4016	X			
Required aisle space	265.35	4401.2 intro, 4016	X			
[Reserved]	265.36	NA	NA			
Arrangements with local authorities	265.37	4401.2 intro, 4016	X			
SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES						
Applicability	265.50	4401.2 intro, 4016	X			
Purpose and implementation of contingency plan	265.51	4401.2 intro, 4016	X			
Content of contingency plan	265.52	4401.2 intro, 4016	X			
Copies of contingency plan	265.53	4401.2 intro, 4016	X			
Amendment of contingency plan	265.54	4401.2 intro, 4016	X			
Emergency coordinator	265.55	4401.2 intro, 4016	X			
Emergency procedures	265.56	4401.2 intro, 4016	X			
SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING						
Applicability	265.70	4401.2 intro, 4016	X			

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Use of manifest system	265.71	4401.2 intro, 4016	X			
Manifest discrepancies	265.72	4401.2 intro, 4016	X			
Operating record	265.73	4401.2 intro, 4016	X			
Availability, retention, and disposition of records	265.74	4401.2 intro, 4016	X			
Biennial report	265.75	4401.2 intro, 4016	X			
Unmanifested waste report	265.76	4401.2 intro, 4016	X			
Additional reports	265.77	4401.2 intro, 4016	X			

SUBPART F - GROUND-WATER MONITORING

Applicability	265.90	4401.2 intro, 4016	X			
Ground-water monitoring system	265.91	4401.2 intro, 4016	X			
Sampling and analysis	265.92	4401.2 intro, 4016	X			
Preparation, evaluation, and response	265.93	4401.2 intro, 4016	X			
Recordkeeping and reporting	265.94	4401.2 intro, 4016	X			

SUBPART G - CLOSURE AND POST-CLOSURE

Applicability	265.110(a)	4401.2 intro, 4016	X			
applicability of post-closure requirements	265.110(b)	4401.2 intro, 4401.2(b), 4016			X	

Corporation Counsel Statement Comment: Post-closure care is required for all units even if clean closure is achieved through removal and decontamination. Thus, the restriction of post-closure requirements to the units specified at 40 CFR 265.110(b) is not applicable. As such, the District's program is more stringent than the Federal program.

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Closure performance standard	265.111	4401.2 intro, 4016	X			
Closure plan; amendment of plan	265.112, except 265.112(d)(1)&(d)(2)(i)	4401.2 intro, 4401.2(m), 4016	X			
notification when owner/operator expects to begin closure	265.112(d)(1)	4401.2 intro, 4401.2(m), 4016	D			

Corporation Counsel Statement Comment: The District restricts those units required to comply with 40 CFR 265.112(d)(1) to only waste piles, tanks, and containers because the other units addressed by this provision are prohibited in the District. This difference does not make this provision any more stringent than its Federal counterpart.

Date an owner/operator expects to begin closure for units meeting the requirements of 40 CFR 265.113(d)	265.112(d)(2)(ii)	4401.2 intro, 4401.2(m), 4016			X	
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Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 265.112(d)(2)(ii) because it is a situation which applies only to landfills, land treatment, and surface impoundments. None of these units are allowed in the District. The District's program is more stringent than the Federal because it does not allow these types of units.

Closure; time allowed for closure	265.113, except 265.113(d)&(e)	4401.2 intro, 4016	X			
non-hazardous waste receipt-- surface impoundments, landfills, or land treatment; additional requirements for surface impoundments	265.113(d)&(e)	4401.2 intro, 4401.2(a), 4401.2(k), 4016			X	

Corporation Counsel Statement Comment: (1) The District does not allow the receipt of non-hazardous waste because the types of units which can receive these wastes as per 40 CFR 265.113(d) are prohibited in the District. (2) The surface impoundments addressed by 40 CFR 264.113(e) are not allowed in the District. Therefore, both provisions are not applicable in the District. These differences make the District's program more stringent than the Federal program.

Disposal or decontamination of equipment, structures and soils	265.114	4401.2 intro, 4016	X			
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CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Certification of closure	265.115	4401.2 intro, 4016	X			
Survey plat	265.116	4401.2 intro, 4016	X			
Post-closure care and use of property	265.117, except 265.117(a)(1)& 265.117(b)	4401.2 intro, 4016	X			
when post-closure care starts; continue for 30 years	265.117(a)(1)	4401.2 intro, 4401.2(b), 4016			X	

Corporation Counsel Statement Comment: As under 20 DCMR §4413.1 for permitted units, post-closure care is required for all interim status units even if clean closure is achieved through removal and decontamination. Thus, the restriction of post-closure to the units specified at 40 CFR 264.110(b) is not applicable. Similarly at 40 CFR 265.117(a)(1), all interim status units are subjected to post-closure care requirements.

what the Regional Administrator may require at partial and final closure	265.117(b)	4401.2 intro, 4401.2(c), 4016			X	
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Corporation Counsel Statement Comment: At 20 DCMR §4401.2(c), the District subjects interim status units and facilities to the requirements of 20 DCMR §4413.19 rather than 40 CFR 265.117(b). 20 DCMR §4413.19 requires that all hazardous waste be removed at closure. If this is not practicable after all reasonable efforts, requirements analogous to 40 CFR 264.310 must be met.

Post-closure plan; amendment of plan	265.118	4401.2 intro, 4016	X			
Post-closure notices	265.119, except 265.119(a)	4401.2 intro, 4016	X			
record that must be submitted to the local zoning authority	265.119(a)	4401.2 intro, 4401.2(n), 4016			X	

Corporation Counsel Statement Comment: The District excludes the last sentence at 265.119(a), because no waste was allowed to be disposed of in the District even prior to this date. Thus, the exact location of all wastes must be given if any wastes were disposed of. This difference makes the District's program more stringent than the Federal program.

Certification of completion of post-closure care	265.120	4401.2 intro, 4016	X			
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SUBPART H - FINANCIAL REQUIREMENTS

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Applicability	265.140, except 265.140(b)	4401.2 intro, 4016	X			
limitation of to whom the post-closure financial requirements apply	265.140(b)	4401.2 intro, 4401.2(d), 4016			X	

Corporation Counsel Statement Comment: The post-closure financial assurance requirements apply to all facilities, not just those listed in 40 CFR 265.140(b)(1)-(3). This difference makes the District's program more stringent than the Federal program.

Definition of terms as used in this subpart	265.141	4401.2 intro, 4401.2(p), 4016	X			
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Corporation Counsel Statement Comment: The definition of current plugging and abandonment found at 40 CFR 265.141(f) does not apply because the District does not allow underground injection.

Cost estimate for closure	265.142, except 265.142(a)(2)	4401.2 intro, 4016	X			
based on costs of third party	265.142(a)(2)	4401.2 intro, 4401.2(e), 4016			X	

Corporation Counsel Statement Comment: Relative to 40 CFR 265.142(a)(2), the use of on-site disposal costs is not allowed because this type of disposal is not allowed in the District. This difference makes the District's program more stringent than the Federal program.

Financial assurance for closure	265.143, except 265.143(e)(1)(i)(B)& (D), 265.143(e)(1)(ii)(B)& (D), 265.143(e)(2), and 265,143(g)	4401.2 intro, 4016	X			
net working capital and tangible net worth relative to closure/post-closure estimates	265.143(e)(1)(i)(B)& (D)	4401.2 intro, 4401.2(p), 4016	D			

Corporation Counsel Statement Comment: The phrases addressing current plugging and abandonment cost estimates are not applicable because underground injection is prohibited in the District.

tangible net worth at least six times sum of closure/post-closure cost estimates; 90% assets in U.S.	265.143(e)(ii)(B)& (D)	4401.2 intro, 4401.2(p), 4016	D			
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CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Corporation Counsel Statement Comment: The phrases addressing current plugging and abandonment cost estimates are not applicable because underground injection is prohibited in the District.						
definitions of "current closure and post-closure cost estimates" and "current plugging and abandonment cost estimates"	265.143(e)(2)	4401.2 intro, 4401.2(p), 4016	D			
Corporation Counsel Statement Comment: The sentence addressing current plugging and abandonment cost estimates are not applicable because underground injection is prohibited in the District.						
Use of financial mechanisms for multiple facilities; conditions which must be met	265.143(g)	4401.2 intro, 4401.2(f), 4016			X	
Corporation Counsel Statement Comment: The District is more stringent because while it allows the use of the same financial mechanism for multiple facilities, all of the facilities must be in the District.						
Cost estimate for post-closure care	265.144	4401.2 intro, 4016	X			
Financial assurance for post-closure care	265.145, except 265.145(e)(1)(i)(B)&(D), 265.145(e)(1)(ii)(B)&(D), 265.145(e)(2), and 265.145(g)	4401.2 intro, 4016	X			
net working capital and tangible net worth relative to closure/post-closure estimates	265.145(e)(1)(i)(B)&(D)	4401.2 intro, 4401.2(p), 4016	D			
Corporation Counsel Statement Comment: The phrases addressing current plugging and abandonment cost estimates are not applicable because underground injection is prohibited in the District.						
tangible net worth at least six times sum of closure/post-closure cost estimates; 90% assets in U.S.	265.145(e)(1)(ii)(B)&(D)	4401.2 intro, 4401.2(p), 4016	D			
Corporation Counsel Statement Comment: The phrases addressing current plugging and abandonment cost estimates are not applicable because underground injection is prohibited in the District.						

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
definitions of "current closure and post-closure cost estimates" and "current plugging and abandonment cost estimates"	265.145(e)(2)	4401.2 intro, 4401.2(p), 4016	D			

Corporation Counsel Statement Comment: The sentence addressing current plugging and abandonment cost estimates are not applicable because underground injection is prohibited in the District.

Use of financial mechanisms for multiple facilities; conditions which must be met	265.145(g)	4401.2 intro, 4401.2(f), 4016			X	
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Corporation Counsel Statement Comment: The District is more stringent because while it allows the use of the same financial mechanism for multiple facilities, all of the facilities must be in the District.

Use of a mechanism for financial assurance of both closure and post-closure care	265.146	4401.2 intro, 4016	X			
Liability requirements	265.147	4401.2 intro, 4016	X			
Incapacity of owners or operators, guarantors, or financial institutions	265.148	4401.2 intro, 4016	X			
Use of State-required mechanisms	265.149	4401.2 intro, 4016	NA			
State assumption of responsibility	265.150	4401.2 intro, 4016	NA			

SUBPART I - USE AND MANAGEMENT OF CONTAINERS

Applicability	265.170	4401.2 intro, 4016	X			
Condition of containers	265.171	4401.2 intro, 4016	X			
Compatibility of waste with containers	265.172	4401.2 intro, 4016	X			
Management of containers	265.173	4401.2 intro, 4016	X			

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Inspections	265.174	4401.2 intro, 4016	X			
[Reserved]	265.175	N/A	N/A			
Special requirements for ignitable or reactive waste	265.176	4401.2 intro, 4016	X			
Special requirements for incompatible wastes	265.177	4401.2 intro, 4016	X			
Air emission standards	265.178	4401.2 intro, 4016	X			
Containment and closure	No Federal analog	4401.2(r)			X	

Corporation Counsel Statement Comment: The District container requirements are more stringent because owners and operators must also comply with containment and closure requirements equivalent to 40 CFR 264.175 and 264.178, respectively.

SUBPART J - TANK SYSTEMS

Applicability	265.190	4401.2 intro, 4016	X			
Assessment of existing tank system's integrity	265.191	4401.2 intro, 4016	X			
Design and installation of new tank systems or components	265.192	4401.2 intro, 4016	X			
Containment and detection of releases	265.193	4401.2 intro, 4016	X			
General operating requirements	265.194	4401.2 intro, 4016	X			
Inspections	265.195	4401.2 intro, 4016	X			
Response to leaks or spills and disposition of leaking or unfit-for-use tank systems	265.196, except 265.196(d)(1)	4401.2 intro, 4016	X			
notifications and reports following any release to the environment	265.196(d)(1)	4401.2 intro, 4401.2(t), 4016			X	

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District does not allow the report submitted under the D.C. Water Pollution Control Act to substitute for the release report which must be submitted to the Director. This difference makes the District's program more stringent than the Federal program.

Closure and post-closure care	265.197	4401.2 intro, 4016	X			
Special requirements for ignitable or reactive wastes	265.198	4401.2 intro, 4016	X			
Special requirements for incompatible wastes	265.199	4401.2 intro, 4016	X			
Waste analysis and trial tests	265.200	4401.2 intro, 4016	X			
Special requirements for generators of between 100 and 1,000 kg/mo that accumulate hazardous waste in tanks	265.201	4401.2 intro, 4401.2(h), 4016			X	

Corporation Counsel Statement Comment: The District does not allow the special requirement found at 40 CFR 265.201 relating to generators of between 100 and 1,000 kg/mo that accumulate hazardous waste. Such generators are subject to the full tank requirements as specified at 20 DCMR §4202.7(b)(2). This difference makes the District's program more stringent than the Federal program.

Air Emission Standards	265.202	4401.2 intro, 4016	X			
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SUBPART K - SURFACE IMPOUNDMENTS

Surface impoundment requirement	265.220-265.231	4401.2 intro, 4401.2(a)			X	
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Corporation Counsel Statement Comment: The use of surface impoundments for the treatment, storage or disposal of hazardous wastes is prohibited in the District. This difference makes the District's program more stringent than the Federal program

SUBPART L - WASTE PILES

Requirements for waste piles	265.250-265.260	4401.2 intro, 4401.2(g)			X	
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Corporation Counsel Statement Comment: The District subjects waste piles to the requirements at 20 DCMR §4417 (analog to 40 CFR 264, Subpart L), rather than to the 40 CFR 265, Subpart L requirements. These requirements are more stringent than both 40 CFR 264, Subpart L and 40 CFR 265, Subpart L. See the comments on Consolidated Checklist C5 found in Appendix V for 40 CFR 264, Subpart L.

SUBPART M - LAND TREATMENT

CONSOLIDATED CHECKLIST C6
 Interim Status Standards for Owners and Operators of
 Hazardous Waste Treatment, Storage, and Disposal Facilities
 40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Requirements for land treatment	265.270-265.282	4401.2 intro, 4401.2(a)			X	

Corporation Counsel Statement Comment: The land treatment of hazardous waste is prohibited in the District. This difference makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART N - LANDFILLS

Requirements for landfills	265.300-265.316	4401.2 intro, 4401.2(a)			X	
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Corporation Counsel Statement Comment: The use of landfills for hazardous waste is prohibited in the District. This difference makes the District's program more stringent than the Federal program.

SUBPART O - INCINERATORS

Requirements for incinerators	265.340-265.369	4401.2 intro, 4401.2(a)			X	
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Corporation Counsel Statement Comment: The use of incinerators for hazardous waste is prohibited in the District. This difference makes the District's program more stringent than the Federal program.

SUBPART P - THERMAL TREATMENT

Other thermal treatment	265.370	4401.2 intro, 4016	X			
[Reserved]	265.371-265.372	NA	NA			
General operating requirements	265.373	4401.2 intro, 4016	X			
[Reserved]	265.374	NA	NA			
Waste analysis	265.375	4401.2 intro, 4016	X			
[Reserved]	265.376	NA	NA			
Monitoring and inspections	265.377	4401.2 intro, 4016	X			
[Reserved]	265.378-265.380	NA	NA			
Closure	265.381	4401.2 intro, 4016	X			
Open burning; waste explosives	265.382	4401.2 intro, 4016	X			
Interim status thermal treatment devices burning particular hazardous waste	265.383	4401.2 intro, 4016	X			

SUBPART Q - CHEMICAL, PHYSICAL, AND BIOLOGICAL TREATMENT

Applicability	265.400	4401.2 intro, 4016	X			
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CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
General operating requirements	265.401	4401.2 intro, 4016	X			
Waste analysis and trial tests	265.402	4401.2 intro, 4016	X			
Inspections	265.403	4401.2 intro, 4016	X			
Closure	265.404	4401.2 intro, 4016	X			
Special requirements for ignitable or reactive waste	265.405	4401.2 intro, 4016	X			
Special requirements for incompatible wastes	265.406	4401.2 intro, 4016	X			

SUBPART R - UNDERGROUND INJECTION

Applicability	265.430	4401.2 intro, 4401.2(a)			X	
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Corporation Counsel Statement Comment: Underground injection is prohibited in the District. This difference makes the District's program more stringent than the Federal program.

SUBPARTS S-V - RESERVED

SUBPART W - DRIP PADS

Applicability	265.440	4401.2 intro, 4016	X			
Assessment of existing drip pad integrity	265.441	4401.2 intro, 4016	X			
Design and installation of new drip pads	265.442	4401.2 intro, 4016	X			
Design and operating requirements	265.443	4401.2 intro, 4016	X			
Inspections	265.444	4401.2 intro, 4016	X			
Closure	265.445	4401.2 intro, 4016	X			

SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Applicability	265.1030	4401.2 intro, 4016	X			
Definitions	265.1031	4401.2 intro, 5400.1, 4016	X			
Standards: process vents	265.1032	4401.2 intro, 4016	X			
Standards: closed-vent systems and control devices	265.1033	4401.2 intro, 4016	X			
Test methods and procedures	265.1034	4401.2 intro, 4016	X			
Recordkeeping requirements	265.1035	4401.2 intro, 4016	X			
[Reserved]	265.1036- 265.1049	NA	NA			

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

Applicability	265.1050	4401.2 intro, 4016	X			
Definitions	265.1051	4401.2 intro, 4016	X			
Standards: pumps in light liquid service	265.1052	4401.2 intro, 4016	X			
Standards: compressors	265.1053	4401.2 intro, 4016	X			
Standards: pressure relief devices in gas/vapor service	265.1054	4401.2 intro, 4016	X			
Standards: sampling connecting systems	265.1055	4401.2 intro, 4016	X			
Standards: open-ended valves or lines	265.1056	4401.2 intro, 4016	X			
Standards: valves in gas/vapor service or in light liquid service	265.1057	4401.2 intro, 4016	X			

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Standards: pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors	265.1058	4401.2 intro, 4016	X			
Standards: delay of repair	265.1059	4401.2 intro, 4016	X			
Standards: closed-vent systems and control devices	265.1060	4401.2 intro, 4016	X			
Alternative standards for valves in gas/vapor service or in light liquid service: percentage of valves allowed to leak	265.1061	4401.2 intro, 4016	X			
Alternative standards for valves in gas/vapor service or in light liquid service: skip period leak detection and repair	265.1062	4401.2 intro, 4016	X			
Test methods and procedures	265.1063	4401.2 intro, 4016	X			
Recordkeeping requirements	265.1064	4401.2 intro, 4016	X			
[Reserved]	265.1065-265.1079	NA	NA			

SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

Air Emission Standards for Tanks, Surface impoundments, and Containers	265.1080-265.1091	4401.2 intro, 4401.2(a)&(q), 4016	X			
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Corporation Counsel Statement Comment: The District analog is applicable only to tanks and containers, since surface impoundments are not allowed in the District. Additionally, 40 CFR 265.1083(c)(2)(vii) & (viii) and 40 CFR 265.1090(f)(2) are not applicable because the tank addressed is feeding waste to a device prohibited in the District.

SUBPART DD - CONTAINMENT BUILDINGS

CONSOLIDATED CHECKLIST C6
Interim Status Standards for Owners and Operators of
Hazardous Waste Treatment, Storage, and Disposal Facilities
40 CFR Part 265 as of July 1, 1997 (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Applicability	265.1100	4401.2 intro, 4016	X			
Design and operating standards	265.1101	4401.2 intro, 4016	X			
Closure and post-closure care	265.1102	4401.2 intro, 4410.2(s), 4016			X	

Corporation Counsel Statement Comment: The District subject's containment buildings to post-closure care and financial assurance even if clean closure is achieved under 40 CFR 265.1102(a). This difference makes the District's program more stringent than the Federal program.

[Reserved]	265.1103-265.1110	NA	NA			
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APPENDICES TO PART 265

Recordkeeping instructions	Appendix I	4401.2 intro, 4016	X			
[Reserved]	Appendix II	NA	NA			
EPA Interim Primary Drinking Water Standards	Appendix III	4401.2 intro, 4016	X			
Tests for significance	Appendix IV	4401.2 intro, 4016	X			
Examples of potentially incompatible waste	Appendix V	4401.2 intro, 4016	X			

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C7
 Standards for the Management of Specific Hazardous Wastes and
 Specific Types of Hazardous Waste Management Facilities
 40 CFR Part 266 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

SUBPART A - [RESERVED]

SUBPART B - [RESERVED]

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

applied to or placed on the land:	13	266.20(a)	4502.1	X			
without mixing	13	266.20(a)(1)	4502.1(a)	X			
after mixing or in combination	13,37	266.20(a)(2)	4502.1(b)	X			
subparagraph removed	13,37	266.20(a)(3)	No analog	X			
† products for general public's use; must have undergone chemical reaction so they are inseparable and must meet treatment standards of 268, Subpart D; exemption for certain commercial fertilizers containing recyclable materials; zinc-containing fertilizer exemption	13,50,66	266.20(b)	4502.2 through 4502.3	X			
uses of slags from HTMR processing of hazardous wastes K061, K062 and F006 not covered by 266.20(b)	136	266.20(c)	4502.4	X			

STANDARDS APPLICABLE TO GENERATORS AND TRANSPORTERS OF MATERIALS USED IN A MANNER THAT CONSTITUTES DISPOSAL

generator and transporter requirements	13	266.21	4502.5	X			
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CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS APPLICABLE TO STORERS OF MATERIALS THAT ARE TO BE USED IN A MANNER THAT CONSTITUTES DISPOSAL WHO ARE NOT THE ULTIMATE USERS							
requirements for storers of material	13	266.22	4502.6	X			
STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT CONSTITUTES DISPOSAL							
requirements for users of material	13,17 G, 137	266.23(a)	4502.7	X			
use of dioxin-contaminated material is prohibited	17 G	266.23(b)	4502.8	X			
SUBPART D - [RESERVED]							
Subpart D removed and reserved	13,19,85	266.30-266.35	No analog	X			
CONDITIONAL EXEMPTION FOR SPENT MATERIALS AND BY-PRODUCTS EXHIBITING A CHARACTERISTIC OF HAZARDOUS WASTE							
section removed	†13,19	266.36	4503	X			
SUBPART E - USED OIL BURNED FOR ENERGY RECOVERY							
APPLICABILITY							
Subpart E removed and reserved	19,94,96, 112	266.40-266.44	4504	X			
SUBPART F - RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL RECOVERY							
APPLICABILITY AND REQUIREMENTS							
reclamation of recyclable materials to recover precious metals	13	266.70(a)	4505.1	X			
requirements for generators, transporters or storers	13	266.70(b)	4505.2	X			
notification	13	266.70(b)(1)	4505.2(a)	X			
Part 262 subpart B for generators; §§ 263.20 and 263.21 for transporters; §§ 265.71 and 265.72 for storers; and	13,†152	266.70(b)(2)	4505.2(b)	X			

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† for precious metals exported to or imported from OECD countries	152	266.70(b)(3)	4505.2(c)	X			
recordkeeping requirements for storers	13	266.70(c)	4505.3	X			
		266.70(c)(1)	4505.3(a)	X			
		266.70(c)(2)	4505.3(b)	X			
		266.70(c)(3)	4505.3(c)	X			
applicable provisions for materials accumulated speculatively	13	266.70(d)	4505.4	X			

SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED

APPLICABILITY AND REQUIREMENTS

persons who reclaim batteries	13,142 B	266.80(a)	4506.1	X			
requirements for storage before reclamation	13	266.80(b)	4506.2	X			
		266.80(b)(1)	4506.2(a)	X			
		266.80(b)(2)	4506.2(b)	X			
		266.80(b)(3)	4506.2(c)	X			
		266.80(b)(4)	4506.2(d)	X			

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

Because of the District's prohibition on the burning of hazardous wastes and hazardous waste fuels in boilers and industrial furnaces (BIFs), the District's regulations contain an abbreviated version of 40 CFR 266 Subpart H at 20 DCMR §4507. This section only contains the 40 CFR 266, Subpart H requirements for the generation, transport and storage of hazardous waste and hazardous waste fuel that will be burned in a BIF because the generation and storage of such waste occurs in the District prior to being transported to a BIF outside the District. Such waste is generated, stored and transported within the District prior to arriving at and being burned in a BIF outside the District. The introductory paragraph to 20 DCMR §4507 contains a sentence which points to 40 CFR 266, Subpart H for the requirements which apply to the BIFs, outside the District, to which this waste is sent. Relative to generation, storage and transport, the District's program is equivalent to the Federal program, but is more stringent because of the prohibition on hazardous waste and hazardous waste fuel burning in the District.

APPLICABILITY

regulations apply to hazardous waste burned or processed in a boiler or industrial furnace, irrespective of purpose, except as 266.100(b),(c), (d) and (f) provide; definition of "burn"; 266.104-266.107 emissions standards apply to interim status or permitted facilities	85,96, †98,†105, 111	266.100(a)	4507.1				X
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Corporation Counsel Statement Comment: 20 DCMR 4507.1 serves as a general introduction to the District's BIF requirements and explains what is outlined in the Corporation Counsel Statement regarding the District's analog to 40 CFR 266, Subpart H. This provision is marked as more stringent because of the District's prohibition on burning of hazardous waste and hazardous waste fuel in the District.

hazardous wastes and facilities not subject to regulation under Subpart H:	85	266.100(b)	No direct analog	D			
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Corporation Counsel Statement Comment: Because of restructuring of the regulations, this provision was not necessary. This removal does not affect the equivalency of the District's regulations.

used oil burned for energy recovery that is hazardous solely because it exhibits a characteristic; regulated under Part 279	85,112	266.100(b)(1)	4507.2	X			
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CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
gas recovered from landfills and burned for energy recovery	85,94	266.100(b)(2)	No analog			X	

Corporation Counsel Statement Comment: 20 DCMR §4507 does not contain an analog to 40 CFR 266.100 (b)(2) because this provision addresses gas recovered from landfills. Such units are not allowed in the District. The District's program is more stringent than the Federal program because of this prohibition.

exempt hazardous wastes under 261.4 and 261.6(a)(3)(iv)-(vi); CESQG hazardous wastes under 261.5	85,94, 135	266.100(b)(3)	4507.3			X	
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Corporation Counsel Statement Comment: The District does not exempt from the §4507 requirements those wastes subject to the District's analog to 40 CFR 261.5. This difference makes the District's program more stringent than the Federal program.

coke ovens burning only K087	85	266.100(b)(4)	4507.1			X	
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Corporation Counsel Statement Comment: 20 DCMR §4507, the analog to 40 CFR 266, Subpart H, does not contain a provision analogous to 40 CFR 266.100(b)(4) addressing the exemption for coke ovens burning only K087 because of the District's prohibition on the burning of hazardous wastes and hazardous waste fuels. 20 DCMR §4507.1 is cited because it addresses this prohibition.

owners and operators of smelting, melting and refining furnaces processing hazardous waste solely for metal recovery conditionally exempt, except for 266.101 and 266.112	85	266.100(c)	4507.1			X	
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requirements for exemption from 266.102 through 266.111 for owner or operator of metal recovery furnaces or mercury recovery furnaces; owner or operator of a lead or a nickel-chromium recovery furnace, or certain metal recovery furnaces subject to 266.100(c)(3) requirements	85,96, 137	266.100(c)(1)-(c)(1)(iii)	4507.1			X	
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CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<p>Corporation Counsel Statement Comment: The burning of hazardous waste in smelting, melting, and refining furnaces is not allowed in the District. As such, the District's regulations do not include an exemption from this type of burning. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.</p>							
criteria under which a hazardous waste is not processed solely for metal recovery	85	266.100(c)(2)-(c)(2)(ii)	4507.1			X	
<p>Corporation Counsel Statement Comment: The District does not allow the burning of hazardous waste under conditions addressed by this provision. As such, the District's regulations do not include an exemption from this type of burning. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.</p>							
requirements for exemption from 266.102 through 266.111 for owner or operator of certain metal recovery furnaces; written notice to director; 266.100(c)(1) compliance	96,137	266.100(c)(3)-(c)(3)(ii)(C)	4507.1			X	
<p>Corporation Counsel Statement Comment: The burning of hazardous waste under the conditions addressed by this provision is not allowed in the District. As such, the District's regulations do not include an exemption from this type of burning. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.</p>							
other exemptions from the subpart requirements	85	266.100(d)-(f)	4507.1			X	
<p>Corporation Counsel Statement Comment: The District does not allow the burning of hazardous waste in these types of units. As such, the District's regulations do not include exemptions from this type of burning. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.</p>							
MANAGEMENT PRIOR TO BURNING							
generators of hazardous waste that is burned in a boiler or industrial furnace subject to Part 262	85	266.101(a)	4507.4	X			
transporters of hazardous waste that is burned in a boiler or industrial furnace subject to Part 263	85	266.101(b)	4507.5	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
owners and operators of facilities that store hazardous waste burned in a boiler or industrial furnace subject to the applicable provisions of parts 264, 265, and 270, except as provided by 266.101(c)(2); standards applicable to storage by burners and intermediary facilities	85,111	266.101(c)(1)	4507.6	X			
generators of hazardous waste who burn on-site in boilers or industrial furnaces exempt from regulation under 266.108 small quantity burner provisions are exempt from the regulations of parts 264, 265, and 270 applicable to storage units for those storage units that store mixtures of hazardous waste and the primary fuel in tanks that feed mixture directly to burner; hazardous waste storage prior to mixing subject to 266.101(c)(1) regulation	85,111	266.101(c)(2)	4507.1			X	

Corporation Counsel Statement Comment: The Department does not allow such facilities in the District. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

PERMIT STANDARDS FOR BURNERS

permit standards	85, 94, 96	266.102	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

INTERIM STATUS STANDARDS FOR BURNERS

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
interim status standards for boilers and industrial furnaces	85	266.103	4507.1			X	

Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

STANDARDS TO CONTROL ORGANIC EMISSIONS

standards for controlling organic emissions	85,94	266.104	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

STANDARDS TO CONTROL PARTICULATE MATTER

standards to control particulate matter	85	266.105	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

STANDARDS TO CONTROL METALS EMISSIONS

standards to control metals emissions	85,94	266.106	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

STANDARDS TO CONTROL HYDROGEN CHLORIDE (HCl) AND CHLORINE GAS (Cl₂) EMISSIONS

standards to control HCl and Cl ₂	85,94,111	266.107	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

SMALL QUANTITY ON-SITE BURNER EXEMPTION

small quantity burner exemption	85,94	266.108	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
LOW RISK WASTE EXEMPTION							
low risk waste exemption	85	266.109	4507.1			X	

Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
WAIVER OF DRE TRIAL BURN FOR BOILERS							
waiver of DRE trial burn for boilers	85	266.110	4507.1			X	

Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

STANDARDS FOR DIRECT TRANSFER

standards for direct transfer	85	266.111	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

REGULATION OF RESIDUES

regulation of residues	85,94	266.112	4507.1			X	
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Corporation Counsel Statement Comment: The Department does not allow the burning of hazardous waste in boilers and industrial furnaces. 20 DCMR §4507.1 is cited because it addresses the District's prohibition on the burning of hazardous waste and hazardous waste fuel.

SUBPARTS I - L (Reserved)

SUBPART M - MILITARY MUNITIONS

APPLICABILITY

subpart identifies when military munitions become a solid waste, and if they are hazardous	156	266.200(a)	4512.1	X			
all requirements of 40 CFR 260 through 270 apply unless otherwise specified	156	266.200(b)	4512.2	X			

DEFINITIONS

definitions are in addition to 260.10 definitions	156	266.201 intro	5400.1	X			
"active range"	156	266.201	5400.1	X			
"chemical agents and munitions"	156	266.201	5400.1	X			

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"director"	156	266.201	5400.1	X			
"explosives or munitions emergency response specialist"	156	266.201	5400.1	X			
"explosives or munitions emergency"	156	266.201	5400.1	X			
"explosives or munitions emergency response"	156	266.201	5400.1	X			
"inactive range"	156	266.201	5400.1	X			
"military"	156	266.201	5400.1	X			
"military munitions"	156	266.201	5400.1	X			
"military range"	156	266.201	5400.1	X			
"unexploded ordnance (UXO)"	156	266.201	5400.1	X			

DEFINITION OF SOLID WASTE

military munition is not a solid waste under listed circumstances	156	266.202(a)	4512.3	X			
	156	266.202(a)(1)	4512.3(a)	X			
	156	266.202(a)(1)(i)	4512.3(a)(1)	X			
	156	266.202(a)(1)(ii)	4512.3(a)(2)	X			
	156	266.202(a)(1)(iii)	4512.3(a)(3)	D			
	156	266.202(a)(2)	4512.3(b)	X			

Corporation Counsel Statement Comment: At §4512.3(a)(3), the following clarifying language replaced "the burial": "whether or not the disposal or burial".

unused military munition is a solid waste under listed circumstances	156	266.202(b)	4512.4	X			
	156	266.202(b)(1)	4512.4(a)	D			
	156	266.202(b)(2)	4512.4(b)	X			
	156	266.202(b)(3)	4512.4(c)	X			
	156	266.202(b)(4)	4512.4(d)	D			

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: (1) At §4512.4(a), the following clarifying language has been added after "disposal of": "buried, sunk in surface water". (2) At §4512.4(d) the following clarifying language has been added after "military official": "or District of Columbia official". In the Federal regulations, 40 CFR 266.202(b)(4) was added to make it clear that authorized military personnel can identify unused military munitions as a RCRA "solid waste". The addition of "District of Columbia Official" clarifies that such officials can make this determination as well.

used or fired military munition is solid waste under listed circumstances	156	266.202(c)	4512.5	X			
	156	266.202(c)(1)	4512.5(a)	X			
	156	266.202(c)(2)	4512.5(b)	X			
	N/A	No analog	4512.5(c)				X

Corporation Counsel Statement Comment: At 20 DCMR §4512.5(c), the District has included an additional condition under which a used or fired military munition is a solid waste, i.e., used or fired munitions left on the range after failure to detonate during use. This addition makes the District's regulations potentially broader in scope.

military munition is solid waste when it lands off-range and is not promptly taken care of; imminent and substantial threats must be addressed; action if remedial action is infeasible	156	266.202(d)	4512.6	X			
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STANDARDS APPLICABLE TO THE TRANSPORTATION OF SOLID WASTE MILITARY MUNITIONS

criteria for regulation of waste non-chemical military munitions in transportation	156	266.203(a)	4512.7(a)	X			
military munitions that are being transported and exhibit hazardous waste characteristic or are listed in Part 261 are hazardous unless all listed conditions are met	156	266.203(a)(1)	4512.7(a)(1)	X			
	156	266.203(a)(1)(i)	4512.7(a)(1)(A)	X			
	156	266.203(a)(1)(ii)	4512.7(a)(1)(B)	X			
	156	266.203(a)(1)(iii)	4512.7(a)(1)(C)	X			
	156	266.203(a)(1)(iv)	4512.7(a)(1)(D)	X			

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
receiving facility has 5 days to report to Director shipments not received within 45 days of shipment	156	266.203(a)(2)	4512.7(a)(2)	X			
266.203(a)(1) exemption only applies to transportation; does not affect storage, treatment or disposal	156	266.203(a)(3)	4512.7(a)(3)	X			
266.203(a)(1) exemption applies so long as all listed 266.203(a)(1) conditions are met	156	266.203(a)(4)	4512.7(a)(4)	X			
if 266.203(a)(1) exemption lost, can apply to Director for reinstatement as soon as munitions returned to 266.203(a)(1) compliance; if Director finds appropriate, may reinstate; if no action in 60 days, reinstatement deemed granted; termination of conditional exemption; Director may specify additional conditions	156	266.203(b)	4512.7(b)	X			
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in <u>FR</u>	156	266.203(c)	4512.7(c)	X			
STANDARDS APPLICABLE TO EMERGENCY RESPONSES							
explosives and military munitions emergencies are subject to listed citations	156	266.204	4512.8	X			

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS APPLICABLE TO THE STORAGE OF SOLID WASTE MILITARY MUNITIONS							
criteria for regulation of storage	156	266.205(a)	4512.9(a)	X			
waste military munitions in storage that exhibit hazardous waste characteristic or listed in Part 261 are hazardous waste unless listed conditions met	156	266.205(a)(1)	4512.9(a)(1)	X			
	156	266.205(a)(1)(i)	4512.9(a)(1)(A)	X			
	156	266.205(a)(1)(ii)	4512.9(a)(1)(B)	X			
	156	266.205(a)(1)(iii)	4512.9(a)(1)(C)	X			
	156	266.205(a)(1)(iv)	4512.9(a)(1)(D)	X			
	156	266.205(a)(1)(v)	4512.9(a)(1)(E)	X			
	156	266.205(a)(1)(vi)	4512.9(a)(1)(F)	X			
	156	266.205(a)(1)(vii)	4512.9(a)(1)(G)	D			
	<p>Corporation Counsel Statement Comment: At §4512.9(a)(1)(D), the date was revised because this date has past and the District cannot conduct retroactive enforcement. At §4512.9(a)(1)(G), the following clarifying language has replaced "authorized personnel": "personnel, authorized by the military or the District of Columbia".</p>						
266.205(a)(1) exemption only applies to storage; does not affect transportation, treatment or disposal	156	266.205(a)(2)	4512.9(a)(2)	X			
266.205(a)(1) exemption applies so long as all listed 266.205(a)(1) conditions met	156	266.205(a)(3)	4512.9(a)(3)	X			
<p>Note: A comment following §4512.9(a)(3) states that munition storage in the District is limited by the U.S. Code which prohibits storage of munitions within 3 miles of the Capitol.</p>							
o/o must notify Director when 266.205(a)(1)(iv) storage is no longer used	156	266.205(b)	4512.9(b)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in <u>FR</u>	156	266.205(c)	4512.9(c)	X			
waste chemical munitions	156	266.205(d)	4512.9(d)	X			
chemical agents or chemical military munitions that exhibit hazardous characteristic or listed in Part 261 are hazardous and subject to RCRA Subtitle C	156	266.205(d)(1)	4512.9(d)(1)	X			
hazardous waste chemical agents or chemical munitions not subject to 268.50	156	266.205(d)(2)	4512.9(d)(2)	X			
chemical agents and chemical munitions defined	N/A	No analog	4512.9(d)(3)	D			

Corporation Counsel Statement Comment: At 20 DCMR §4512.9(d)(3), the District has added this definition of chemical agents and chemical munitions for clarification.

DDESB storage standards which are applicable; any amendments are effective on date published in <u>FR</u>	156	266.205(e)	4512.9(e)	X			
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STANDARDS APPLICABLE TO THE TREATMENT AND DISPOSAL OF WASTE MILITARY MUNITIONS

treatment and disposal of hazardous waste military munitions subject to Parts 260 through 270	156	266.206	4512.10	X			
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CONSOLIDATED CHECKLIST C7:
40 CFR Part 266 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

APPENDIX I - XIII TO PART 266

Corporation Counsel Statement Comment: The appendices are not included because the burning of hazardous waste in boilers and industrial furnaces is not allowed in the District. 20 DCMR §4507.1 points to the 40 CFR 266, Subpart H requirements for boilers and industrial furnaces burning hazardous waste or hazardous waste fuel.

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C8
 Land Disposal Restrictions
 40 CFR Part 268 as of July 1, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

purpose	34	268.1(a)	5000.1	D			
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Corporation Counsel Statement Comment: 20 DCMR §5000.1, the analog to 40 CFR 268.1(a), makes it clear that while land disposal is prohibited in the District, 20 DCMR Chapter 50 is included in the regulations for the convenience of the regulated community who send their wastes off-site for treatment or disposal. It is also made clear that the chapter contains specific generation, treatment and storage requirements which are applicable to hazardous waste generators and handlers in the District. Finally, this provision states that any provision in the chapter addressing treatment, storage or disposal in a unit type prohibited in the District refers to units outside the District. An example of where the requirements address a unit outside the District is found at 20 DCMR 5000.12(h)(2).

applicability	34	268.1(b)	5000.2			X	
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Corporation Counsel Statement Comment: At 20 DCMR §§5000.2, the analog to 40 CFR 268.1(b), the District does not exclude wastes, regulated under its analog to 40 CFR 261.5, from the land disposal restrictions because of its overall regulatory approach to the generators of this waste. This difference makes the District's program more stringent.

conditions for continued land disposal:	34,66	268.1(c)	5000.3	X			
persons with an extension	34	268.1(c)(1)	5000.3(a)	X			
persons with an exemption	34	268.1(c)(2)	5000.3(b)	X			
wastes that are hazardous only because they exhibit a hazardous characteristic, and which are otherwise prohibited from land disposal if the wastes:	34,50,66,78,151.1,151.3	268.1(c)(3)	5000.3(c)	X			
are disposed into a nonhazardous or hazardous injection well as defined in 40 CFR 144.6(a)	78,151.1,151.3	268.1(c)(3)(i)	5000.3(c)(1)	X			
do not exhibit any prohibited characteristic of hazardous waste at the point of injection; and	78,137,151.1,151.3	268.1(c)(3)(ii)	5000.3(c)(2)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
removed	137, 151.1	268.1(c)(3)(iii)	5000.3(c)(3)	X			
wastes that exhibit a hazardous characteristic (except D003 reactive cyanide and those subject to a treatment method other than DEACT in 268.40) are not prohibited from land disposal if:	34,50,66, 151.3	268.1(c)(4)	5000.3(d)	X			
the wastes are managed in a treatment system with a permit under Clean Water Act (CWA) §402, or	151.3	268.1(c)(4)(i)	5000.3(d)(1)	X			
the wastes are treated under the pretreatment requirements of CWA §307, or	151.3	268.1(c)(4)(ii)	5000.3(d)(2)	X			
the wastes are managed in a zero discharge system engaged in CWA-equivalent treatment as defined in 268.37(a), and	151.3	268.1(c)(4)(iii)	5000.3(d)(3)	X			
the wastes no longer exhibit a prohibited characteristic at the point of land disposal	151.3	268.1(c)(4)(iv)	5000.3(d)(4)	X			
removed	39,48,50, 78	268.1(c)(5)	N/A	X			
preserve waiver availability under 121(d) (4) of CERCLA	50	268.1(d)	5000.4	X			
wastes that are not subject to any provisions of Part 268	66	268.1(e)	5000.5	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
wastes generated by generators of less than 100 kg of hazardous waste or less than 1 kg of acute hazardous waste, as defined in 261.5	66	268.1(e)(1)	No analog			X	

Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 268.1(e)(1) because it does not exclude wastes, regulated under its analog to 40 CFR 261.5, from the land disposal restrictions because of its overall regulatory approach to the generators of this waste. This difference makes the District's program more stringent.

waste pesticides that a farmer disposes pursuant to 262.70	66	268.1(e)(2)	5000.5(a)	X			
wastes identified or listed as hazardous after November 8, 1984 for which EPA has not promulgated land disposal prohibitions or treatment standards	66,151, 151.1	268.1(e)(3)	5000.5(b)	X			
<i>de minimis</i> losses to wastewater treatment systems of commercial chemical product or chemical intermediates that are ignitable, corrosive, or are organic constituents that exhibit characteristics of toxicity and that contain underlying hazardous constituents as defined in 268.2(i), are not considered to be prohibited wastes; <i>de minimis</i> defined	124, 137, 151, 151.1, 157	268.1(e)(4)	5000.5(c)	X			
[subparagraphs added by Rule 151, were withdrawn by Rule 151.1]	151, 151.1	268.1(e)(4)(i)&(ii)	5000.5(c)(1) & (2)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
land disposal prohibitions for hazardous characteristic wastes do not apply to laboratory wastes displaying the characteristic of ignitability, corrosivity, or organic toxicity: such wastes at facilities whose ultimate discharge is subject to regulation under the CWA, provided the annualized flow of laboratory wastewater into facility's headworks does not exceed 1%, or provided that the laboratory wastes' combined annualized average concentration does not exceed one part per million in the facility's headworks	124,137, 151, 151.1	268.1(e)(5)	5000.5(d)	X			
universal waste handlers and transporters are exempt from 268.7 and 268.50 for the listed universal wastes; these handlers are subject to Part 273 instead	142 A	268.1(f)	5000.6	X			
	142 B	268.1(f)(1)	5000.6(a)	X			
	142 C	268.1(f)(2)	5000.6(b)	X			
	142 D	268.1(f)(3)	5000.6(c)	X			

Corporation Counsel Statement Comment: 1) At §5000.6(d), the District also regulates mercury-containing lamps as a universal waste. 2) The District is more stringent because to be regulated as a universal waste the waste must be recycled. Once the waste is destined for disposal, the handlers are subject to full regulation under Chapters 42 through 46 and Chapter 50. Pesticides which are universal wastes are exempted from the recycling requirement.

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
DEFINITIONS APPLICABLE IN THIS PART							
introductory paragraph regarding definitions	78	268.2	5400.1	X			
"halogenated organic compounds" or "HOCs"	39,78	268.2(a)	5400.1	X			
"hazardous constituent or constituents"	34,78	268.2(b)	5400.1	X			
"land disposal"	34,39,78,121	268.2(c)	5400.1	X			

Corporation Counsel Statement Comment: The District has adopted the Revision Checklist 121 changes to the definition of "land disposal"; however, the District is not seeking authorization for corrective action at this time.

"nonwastewaters"	78,83	268.2(d)	5400.1	X			
"polychlorinated biphenyls" or "PCBs"	39,78	268.2(e)	5400.1	X			
"wastewaters"	78,151	268.2(f)	5400.1	X			
	78,83,151	268.2(f)(1)-(2)	N/A	X			
removed	78,151	268.2(f)(3)	N/A	X			
"debris"	78,83,109,137	268.2(g)	5400.1	X			
removed	78,83,109	268.2(g)(1)-(8)	N/A	X			
"hazardous debris"	109	268.2(h)	5400.1	X			
"underlying hazardous constituent"	124,137,151	268.2(i)	5400.1	X			
"inorganic metal bearing waste"	151,151.3	268.2(j)	5400.1	X			
[paragraphs added by Rule 151 were withdrawn by Rule 151.1]	151, 151.1	268.2(k)&(l)	N/A	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT							
except as provided in 268.3(b), dilution not substitute for treatment; restriction regarding circumvention of effective dates and avoidance of prohibition of Subpart C or RCRA 3004	34,39,78, 151, 151.1	268.3(a)	5000.7	X			
permissible forms of dilution related to Sections 307 or 402 of the CWA; exception for D003 reactive cyanide wastewater or nonwastewater	78,102, 151, 151.1, 151.3	268.3(b)	5000.8	X			
combustion of hazardous waste codes listed in part 268 Appendix XI is prohibited unless the waste complies with one or more criteria of 268.3 (c)(1)-(6)	151, 151.1	268.3(c)	5000.9	X			
the waste contains hazardous organic constituents or cyanide at levels exceeding the constituent-specific treatment standard of 268.48	151, 151.1	268.3(c)(1)	5000.9(a)	X			
the waste consists of organic, debris-like materials contaminated with an inorganic metal-bearing hazardous waste	151, 151.1	268.3(c)(2)	5000.9(b)	X			
the waste, at the point of generation, has reasonable heating value	151, 151.1	268.3(c)(3)	5000.9(c)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the waste is co-generated with waste for which combustion is a required method of treatment	151, 151.1	268.3(c)(4)	5000.9(d)	X			
the waste is subject to Federal and/or State requirements necessitating reduction of organics	151, 151.1	268.3(c)(5)	5000.9(e)	X			
the waste contains greater than 1% Total Organic Carbon (TOC)	151, 151.1	268.3(c)(6)	5000.9(f)	X			

† TREATMENT SURFACE IMPOUNDMENT EXEMPTION

when prohibited wastes may be treated in a surface impoundment	34,39,50,157	268.4(a)-(b)	5000.11			X	
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Corporation Counsel Statement Comment: At 20 DCMR §5000.11, the analog to 40 CFR 268.4, the District prohibits the treatment of wastes in surface impoundments, but refers the regulated community to 40 CFR 268.4 for such treatment outside the District. This difference makes the District more stringent.

PROCEDURES FOR CASE-BY-CASE EXTENSIONS TO AN EFFECTIVE DATE

application to EPA Administrator for an extension to effective date of any Part 268, Subpart C restriction; what the applicant must demonstrate:	34	268.5(a)	5000.12(a)	X			
good-faith effort to locate and contract with treatment, recovery, or disposal facilities nationwide to manage waste according to Subpart C effective date	34	268.5(a)(1)	5000.12(a)(1)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
binding contractual commitment to construct or provide alternate treatment, recovery (e.g., recycling), or disposal capacity that meets Subpart D treatment standards; requirements when no treatment standards	34,39	268.5(a)(2)	5000.12(a)(2)	X			
demonstration that alternative capacity cannot reasonably be available by effective date due to circumstances beyond applicant's control; how this must be demonstrated	34	268.5(a)(3)	5000.12(a)(3)	X			
capacity being constructed or provided by applicant must be sufficient to manage entire quantity of waste	34	268.5(a)(4)	5000.12(a)(4)	X			
detailed schedule for obtaining required permits or outlines of how and when alternate capacity will be available	34	268.5(a)(5)	5000.12(a)(5)	X			
arranged for adequate capacity during extension and documented in all site locations where wastes will be managed	34	268.5(a)(6)	5000.12(a)(6)	X			
surface impoundment or landfill used must meet 268.5(h)(2) requirements	34	268.5(a)(7)	5000.12(a)(7)	X			
certification by authorized representative signing an application	34	268.5(b)	5000.12(b)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Administrator may request additional information	34	268.5(c)	5000.12(c)	X			
extension applies only to waste generated at individual facility covered by extension	34	268.5(d)	5000.12(d)	X			
Administrator may grant extension of up to 1 year from effective date; extension for 1 additional year if 268.5 (a) demonstration can still be made; no extension beyond 24 months from 268, Subpart C effective date; length of extension determined by Administrator and basis; public notice and comment; final decision published in <u>Federal Register</u>	34	268.5(e)	5000.12(e)	X			
notify Administrator of change in certified conditions	34	268.5(f)	5000.12(f)	X			
written progress reports at intervals designated by Administrator; what progress reports must include; conditions for revocation of extension by Administrator	34	268.5(g)	5000.12(g)	X			
during period established by Administrator for which extension is in effect:	34	268.5(h)	5000.12(h)	X			
268.50(a) storage restrictions do not apply	34,39	268.5(h)(1)	5000.12(h)(1)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
conditions for disposal in landfill or surface impoundment regardless of whether unit is existing, new, replacement or lateral extension	34,50,66	268.5(h)(2)	5000.12(h)(2)			X	

Corporation Counsel Statement Comment: The District does not allow disposal in surface impoundments and landfills in the District. The requirements at 268.5(h)(2) have been included for information for those persons sending wastes to such units outside the District.

interim status landfill requirements	34	268.5(h)(2)(i)	5000.12(h)(2)(A)	X			
permitted landfill requirements	34,109	268.5(h)(2)(ii)	5000.12(h)(2)(B)	X			
interim status surface impoundment requirements	34,39	268.5(h)(2)(iii)	5000.12(h)(2)(C)	X			
permitted surface impoundment requirements	34,109	268.5(h)(2)(iv)	5000.12(h)(2)(D)	X			
surface impoundments newly subject to RCRA 3006(j); compliance with 265 Subpart F within 12 months and with 265.221 (a), (c), and (d) within 48 months; effect of a national capacity variance	109	268.5(h)(2)(v)	5000.12(h)(2)(E)	X			
requirements for landfills disposing of specified PCB waste	39,109	268.5(h)(2)(vi)	5000.12(h)(2)(F)	X			
pending decision on application, compliance with all legal disposal restrictions once effective date has been reached	34	268.5(i)	5000.12(i)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PETITIONS TO ALLOW LAND DISPOSAL OF A WASTE PROHIBITED UNDER SUBPART C OF PART 268							
submit petition to Administrator; demonstration of no waste migration; demonstration components:	34	268.6(a)	5000.13(a)	X			
identify specific unit and waste	34	268.6(a)(1)	5000.13(a)(1)	X			
waste analysis	34	268.6(a)(2)	5000.13(a)(2)	X			
comprehensive disposal unit characterization	34	268.6(a)(3)	5000.13(a)(3)	X			
monitoring plan detecting migration at the earliest time	50	268.6(a)(4)	5000.13(a)(4)	X			
sufficient information to assure Administrator that owner/operator is in compliance with other applicable Federal, State and local laws	50	268.6(a)(5)	5000.13(a)(5)	X			
demonstration criteria:	50	268.6(b)	5000.13(b)	X			
data must be accurate and reproducible	50	268.6(b)(1)	5000.13(b)(1)	X			
Administrator approved sampling, testing and estimation techniques	34	268.6(b)(2)	5000.13(b)(2)	X			
model calibration; models verified with actual data	34	268.6(b)(3)	5000.13(b)(3)	X			
quality assurance/control plan approved by Administrator	34	268.6(b)(4)	5000.13(b)(4)	X			
uncertainty analysis	34	268.6(b)(5)	5000.13(b)(5)	X			
what each petition must include:	50	268.6(c)	5000.13(c)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
monitoring plan including description of monitoring program to verify continued compliance with variance; information which must be included:	50	268.6(c)(1)	5000.13(c)(1)	X			
media monitored	50	268.6(c)(1)(i)	5000.13(c)(1)(A)	X			
type of monitoring	50	268.6(c)(1)(ii)	5000.13(c)(1)(B)	X			
monitoring station location	50	268.6(c)(1)(iii)	5000.13(c)(1)(C)	X			
monitoring interval	50	268.6(c)(1)(iv)	5000.13(c)(1)(D)	X			
specific hazardous constituents to be monitored	50	268.6(c)(1)(v)	5000.13(c)(1)(E)	X			
monitoring program implementation schedule	50	268.6(c)(1)(vi)	5000.13(c)(1)(F)	X			
monitoring station equipment	50	268.6(c)(1)(vii)	5000.13(c)(1)(G)	X			
sampling and analytical techniques employed	50	268.6(c)(1)(viii)	5000.13(c)(1)(H)	X			
data recording/reporting procedures	50	268.6(c)(1)(ix)	5000.13(c)(1)(I)	X			
268.6(c)(1) monitoring program must be in place by Administrator-specified time period, as part of approval of the petition prior to prohibited waste receipt at unit	50	268.6(c)(2)	5000.13(c)(2)	X			
268.6(c)(1) monitoring data sent to Administrator according to monitoring plan must be according to approved format and schedule	50	268.6(c)(3)	5000.13(c)(3)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
monitoring data as per 268.6(c)(1) monitoring plan must be kept in on-site operating record	50	268.6(c)(4)	5000.13(c)(4)	X			
criteria the 268.6(c)(1) monitoring program must meet:	50	268.6(c)(5)	5000.13(c)(5)	X			
Administrator approval for all sampling, testing, and analytical data; data accurate and reproducible	50	268.6(c)(5)(i)	5000.13(c)(5)(A)	X			
Administrator approval of all estimation and monitoring techniques	50	268.6(c)(5)(ii)	5000.13(c)(5)(B)	X			
QA/QC plan for all aspects of monitoring program provided to and approved by Administrator	50	268.6(c)(5)(iii)	5000.13(c)(5)(C)	X			
petition submitted to Administrator	34,50	268.6(d)	5000.13(d)	X			
reporting of changes at unit and/or surrounding environment that significantly depart from variances and affect migration potential	50	268.6(e)	5000.13(e)	X			
changes to unit design, construction or operation proposed in writing and a demonstration to Administrator 30 days prior to change; Administrator makes determination if petition is invalidated and determines appropriate response; Administrator approval before changes can be made	50	268.6(e)(1)	5000.13(e)(1)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
within 10 days of discovering change, written notification to Administrator if condition is not as predicted or modeled in petition; Administrator decides if change requires further action	50	268.6(e)(2)	5000.13(e)(2)	X			
owner/operator responsibilities if hazardous waste migration:	50	268.6(f)	5000.13(f)	X			
immediate suspension of prohibited waste receipt	50,66	268.6(f)(1)	5000.13(f)(1)	X			
within 10 days written notification to Administrator	50	268.6(f)(2)	5000.13(f)(2)	X			
Administrator decision within 60 days as to continued receipt of prohibited waste; Administrator determines if further examination of any migration warranted	50	268.6(f)(3)	5000.13(f)(3)	X			
signed statement	34,50	268.6(g)	5000.13(g)	X			
Administrator may request additional information	34,50	268.6(h)	5000.13(h)	X			
waste unit to which petition applies	34,50	268.6(i)	5000.13(i)	X			
Administrator gives public notice in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34,50	268.6(j)	5000.13(j)	X			
term of petition	34,50	268.6(k)	5000.13(k)	X			
requirements prior to Administrator's decision	34,50	268.6(l)	5000.13(l)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
petition granted by Administrator does not relieve responsibilities under RCRA	34,50	268.6(m)	5000.13(m)	X			
noneligibility of certain liquid PCB wastes for "no migration" petitions under 268.6	39,50	268.6(n)	5000.13(n)	X			

WASTE ANALYSIS AND RECORDKEEPING

requirements for generators:	34,39, 50,83, 124,126, 137,151, 157	268.7(a)	5000.14(a)	X			
generator of hazardous waste must determine if it has to be treated before it can be land disposed; this is done by determining if the waste meets treatment standards in 268.40 or 268.45; determination can be made in two ways: test the waste; or use knowledge of the waste; for testing, method 1311 is used and land treatment methods of 268.40 and 268.42 may apply; if characteristic waste, generators must comply with 268.9	34,39,50, 137,157	268.7(a)(1)	5000.14(a)	X			
removed	34,137	268.7(a)(1)(i)	N/A	X			
	34,39,78, 83,124, 137,151	268.7(a)(1)(ii)	N/A	X			
	34,109, 137	268.7(a)(1)(iii)	N/A	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
	109,137, 151	268.7(a)(1)(iv)	N/A	X			
	34,109, 137,151	268.7(a)(1)(v)	N/A	X			
removed	137,151	268.7(a)(1)(vi)	N/A	X			
if waste does not meet treatment standard, one-time notice with initial shipment of waste to each treatment or storage facility receiving waste; the generator must place a copy in the file; notice must include information in 268.7(a)(2) column of 268.7(a)(4) table; no further notice is necessary unless waste or facility change	34,39,50, 109,137, 157	268.7(a)(2)	5000.14(b)	X			
	34,137, 157	268.7(a)(2)(i)	N/A	X			
		268.7(a)(2)(i)(A)	N/A	X			
	34,39,78, 83,137, 151,157	268.7(a)(2)(i)(B)	N/A	X			
	34,137, 157	268.7(a)(2)(i)(C)	N/A	X			
removed		268.7(a)(2)(i)(D)	N/A	X			
removed	34, 39, 137, 157	268.7(a)(2)(ii)	N/A	X			
if waste meets treatment standard at original point of generation	34,50,66, 137,157	268.7(a)(3)	5000.14(c)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
with initial shipment of waste, generator must send one-time written notice to each treatment/storage/disposal facility receiving waste, and place a copy in the file; notice must include information in the 268.7(a)(3) column of 268.7(a)(4) table; certification statement	50,137, 157	268.7(a)(3)(i)	5000.14(c)(1)	X			
if waste changes, generator must send new notice and certification to receiving facility and place a copy in their files; generators of hazardous debris excluded from definition of hazardous waste under 261.3(f) are not subject to these requirements	50,78,83, 137,151, 157	268.7(a)(3)(ii)	5000.14(c)(2)	X			
	50,137, 157	268.7(a)(3)(iii)	N/A	X			
	50,109, 137	268.7(a)(3)(iv)	N/A	X			
	109,137	268.7(a)(3)(v)	N/A	X			
	137	268.7(a)(3)(v)(A)	N/A	X			
	137	268.7(a)(3)(v)(B)	N/A	X			
	50,109, 137	268.7(a)(3)(vi)	N/A	X			
removed	137	268.7(a)(3)(vii)	N/A	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certain exemptions from the requirement that hazardous wastes meet treatment standards before land disposed include but are not limited to case-by-case extensions under 268.5, disposal in a no-migration unit under 268.6 or national capacity variance or case-by-case capacity variance under subpart C; with initial shipment, generator must send one-time written notice to each land disposal facility for exempted waste; notice must include information in 268.7(a)(4) column of 268.7(a)(4) table; changed waste requires further notice	157	268.7(a)(4)	5000.14(d)	X			
for prohibited waste managed and treated under 262.34 and treated to meet 268.40 standards, waste analysis plan to be developed, followed and kept on-site; generators treating hazardous debris under 268.45, Table 1 alternative treatment standards not subject to analysis requirements	50,66,78, 109,137, 157	268.7(a)(5)	5000.14(e)	X			
waste analysis plan based on detailed chemical and physical analysis of representative sample; contain information necessary to treat waste in accordance with 268 requirements	50,78, 137,157	268.7(a)(5)(i)	5000.14(e)(1)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
plan must be kept on-site and made available to inspectors	50,78, 137,157	268.7(a)(5)(ii)	5000.14(e)(2)	X			
compliance with 268.7 (a)(3) notification requirements for wastes shipped off-site	50,78, 137,157	268.7(a)(5)(iii)	5000.14(e)(3)	X			
removed	50,78, 157	268.7(a)(5)(iv)	N/A	X			
maintenance of data supporting knowledge of waste; retention of waste analysis data on-site in files	34, 50, 137, 157	268.7(a)(6)	5000.14(f)	X			
conditions under which a generator, managing a restricted waste excluded from the definition of hazardous or solid waste, must place a one-time notice, in the facility's file, containing specified information	83,137, 157	268.7(a)(7)	5000.14(g)	X			
three-year retention period for notices, certifications, demonstrations, etc., produced relative to 268.7; extensions during enforcement actions; requirements apply to solid wastes even when hazard characteristic is removed prior to disposal or when waste excluded from definition of hazardous or solid waste in 261.2 through 261.6 or exempted from RCRA Subtitle C regulation subsequent to the point of generation	50,83, 137,157	268.7(a)(8)	5000.14(h)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† if generator is managing lab packs containing hazardous waste and wishes to use alternative treatment method in 268.42(c):	78,83, 137, 157	268.7(a)(9)	5000.14(i)	X			
with initial shipment of waste, generator must submit notice with information in the 268.7(a)(9) column of the 268.7(a)(4) table; certification must be placed in files; replace old certification with new certification	157	268.7(a)(9)(i)	5000.14(i)(1)	X			
no further notification is necessary until wastes or receiving facility change in which case new notice and certification must be sent and copy placed in files	157	268.7(a)(9)(ii)	5000.14(i)(2)	X			
if lab pack contains characteristic hazardous wastes (D001-D043), underlying hazardous constituents need not be determined	157	268.7(a)(9)(iii)	5000.14(i)(3)	X			
generator must also comply with requirements in 268.7(a)(6) and (a)(7)	157	268.7(a)(9)(iv)	5000.14(i)(4)	X			
notification and certification requirements for small quantity generators with tolling agreements pursuant to 40 CFR 262.20(e)	78,83, 137	268.7(a)(10)	No analog			X	

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<p>Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 268.7(a)(10), because it does not allow the 40 CFR 262.20(e) exemption since the generators of between 100 and 1,000 kilograms per calendar month are regulated as large quantity generators. This difference makes the District's program more stringent.</p>							
treatment facility testing at frequency specified in waste analysis plan	34,39,50, 157	268.7(b)	5000.15(a)	X			
for wastes with treatment standards expressed as concentrations in waste extract, owner or operator must test extract of treatment residues using test method 1311 to assure that treatment residues extract meet applicable treatment standards	50, 157	268.7(b)(1)	5000.15(a)(1)	X			
testing for wastes with treatment standards expressed as concentrations in waste	50, 157	268.7(b)(2)	5000.15(a)(2)	X			
one-time notice must be sent with initial shipment of waste to land disposal facility; copy of notice must be placed in facility's file	34,50,109, 157	268.7(b)(3)	5000.15(a)(3)	X			
no further notification is necessary until waste or receiving facility change in which case new notice must be sent and copy placed in facility's file	34,50, 157	268.7(b)(3)(i)	5000.15(a)(3) (A)	X			
the one-time notice must include these requirements	34,39,50, 78,83, 124,137, 151,157	268.7(b)(3)(ii)	5000.15(a)(3) (B)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
treatment facility must submit a one-time certification signed by an authorized representative with initial shipment of waste or treatment residue of restricted waste to land disposal facility; certification	34,39,50,109,157	268.7(b)(4)	5000.15(a)(4)	X			
copy of the certification must be placed in treatment facility's on-site files; if waste or treatment residue changes, new notice must be sent and copy placed in files	34,39,50,78,157	268.7(b)(4)(i)	5000.15(a)(5)(A)	X			
debris excluded from definition of hazardous waste in 261.3(e) is subject to notification and certification requirements of 268.7(d)	34,50, 157	268.7(b)(4)(ii)	5000.15(a)(5)(B)	X			
for wastes with organic constituents having treatment standards expressed as concentration levels, if compliance with treatment standards is based in whole or in part on analytical detection limit alternative specified in 268.40(d), certification, signed by authorized representative; certification statement	78	268.7(b)(4)(iii)	5000.15(a)(5)(C)	X			
removed	137,151,157	268.7(b)(4)(iv)	No analog	X			
removed	151,157	268.7(b)(4)(v)	No analog	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
compliance with generator notice and certification requirements if waste sent off-site	50,157	268.7(b)(5)	5000.15(a)(6)	X			
no 268.7(b)(4) notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste-derived products	50,66,78,157	268.7(b)(6)	5000.15(a)(7)	X			
requirements for land disposal facility except where the owner or operator is disposing recyclable wastes pursuant to 266.20(b):	34,39,50,78	268.7(c)	5000.16	X			
have copies of notice and certifications under 268.7(a) or (b)	34,39,50,157	268.7(c)(1)	5000.16(a)	X			
test of waste or extract; applicable treatment standards to be met; frequency of testing	39,50, 157	268.7(c)(2)	5000.16(b)	X			
removed	50,78	268.7(c)(3)	N/A				
removed	66,78	268.7(c)(4)	N/A				
notification and certification requirements for generators or treaters who first claim that hazardous debris is excluded from the definition of hazardous waste under 261.3(e)	109,137	268.7(d)	5000.17	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
one-time notification including specified information	109,137	268.7(d)(1)	5000.17(a)	X			
	109	268.7(d)(1)(i)	5000.17(a)(1)	X			
		268.7(d)(1)(ii)	5000.17(a)(2)	X			
		268.7(d)(1)(iii)	5000.17(a)(3)	X			
when notification must be updated	109	268.7(d)(2)	5000.17(b)	X			
how the owner or operator must document and certify compliance with Table 1, 268.45 treatment standards	109	268.7(d)(3)	5000.17(c)	X			
		268.7(d)(3)(i)	5000.17(c)(1)	X			
		268.7(d)(3)(ii)	5000.17(c)(2)	X			
		268.7(d)(3)(iii)	5000.17(c)(3)	X			
removed and reserved	50,66,78,151	268.8	No analog	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC							
initial generator of solid waste must determine each EPA Hazardous Waste Number in order to determine treatment standards under subpart D; for 268, waste will carry the waste code for any applicable listed waste; where waste exhibits characteristic, it will carry one or more of the characteristic waste codes, except when treatment standard operates in lieu of treatment standard for characteristic waste, as specified in 268.9(b); if generator determines that waste displays hazardous characteristic, generator must determine defined hazardous constituent except for certain D001 wastes	78,83, 124,137, 151,157	268.9(a)	5000.19(a)	X			
the treatment standard for the waste code listed in 40 CFR Part 261, Subpart D will operate for wastes both listed under Part 261 Subpart D and exhibit a characteristic under Subpart C of Part 261; conditions under which treatment standards for all applicable listed and characteristic waste codes must be met	78	268.9(b)	5000.19(b)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
no prohibited waste which exhibits a characteristic under 40 CFR Part 261, Subpart C may be land disposed unless waste complies with Part 268, Subpart D treatment standards	78	268.9(c)	5000.19(c)	X			
wastes that exhibit a characteristic are subject to 268.7 requirements; once wastes are no longer hazardous, place one-time notification and certification in generator's/treater's files and send to EPA region or authorized State; when notification and certification must be updated; annual EPA/ State notification if such changes occur, by December 31	78,109, 151, 151.1	268.9(d)	5000.19(d)	X			
information needed with each notification	78	268.9(d)(1)	5000.19(d)(1)	X			
	78,109, 137,151, 151.1	268.9(d)(1)(i)	5000.19(d)(1) (A)	X			
	78,83, 109,137, 151, 151.1, 157	268.9(d)(1)(ii)	5000.19(d)(1) (B)	X			
removed	78,109, 137	268.9(d)(1)(iii)	NA	X			
certification signed by authorized representative stating language found in 268.7(b)(5)	78,109	268.9(d)(2)	5000.19(d)(2)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if treatment removes the characteristic but does not treat underlying hazardous constituents, then the certification found in §268.7(b)(5)(iv) applies	137	268.9(d)(2)(i)	5000.19(d)(2)	X			
reserved	137	268.9(d)(2)(ii)	N/A	X			
[subparagraphs added by Rule 151, withdrawn by Rule 151.1]	151, 151.1	268.9(d)(3)	N/A	X			
[paragraphs added by Rule 151, withdrawn by Rule 151.1]	151, 151.1	268.9(e)-(g)	N/A	X			

SUBPART B - SCHEDULE FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF TREATMENT STANDARDS

SURFACE IMPOUNDMENT EXEMPTIONS

defines additional circumstances in which prohibited waste may continue to be placed in a surface impoundment	109	268.14(a)	5001.1	X			
continued storage of "newly identified waste" in newly regulated impoundment for 48 months after the promulgation of the additional listing or characteristic provided waste is not otherwise prohibited and impoundment is in compliance with 265, subpart F within 12 months after new listing/characteristic promulgation	109	268.14(b)	5001.2	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
continue treatment of "newly identified waste" in newly regulated impoundment, provided waste is not otherwise prohibited, and surface impoundment is in compliance with 265, Subpart F within 12 months after new listing/ characteristic promulgation	109	268.14(c)	5001.3	X			

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS - WOOD PRESERVING WASTES

effective August 11, 1997, the following wastes are prohibited from land disposal: F032, F034, F035	34,157	268.30(a)	5002.1(a)	X			
removed	34,157	268.30(a)(1)	N/A	X			
removed	34,50, 157	268.30(a)(2)	N/A	X			
removed	34,50, 157	268.30(a)(3)	N/A	X			
removed	39,157	268.30(a)(4)	N/A	X			
effective May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive wastes mixed with F032, F034, F035 are prohibited from land disposal	34,50, 157	268.30(b)	5002.1(b)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
between May 12, 1997 and May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive waste mixed with F032, F034, F035 may be disposed in a landfill or surface impoundment only if 268.5(h)(2) requirements are met	50,157	268.30(c)	5002.1(c)	X			
requirements of 268.30 (a) and (b) do not apply if:	34,50, 157	268.30(d)	5002.1(d)	X			
wastes treated to meet treatment standards specified in Subpart D of Part 268	34,50, 157	268.30(d)(1)	5002.1(d)(1)	X			
disposal at facility with successful no-migration petition	34,50, 157	268.30(d)(2)	5002.1(d)(2)	X			
the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	157	268.30(d)(3)	5002.1(d)(3)	X			
wastes and units for which case-by-case extensions have been granted	34,50, 157	268.30(d)(4)	5002.1(d)(4)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
to determine whether a hazardous waste identified in 268.40 exceeds applicable treatment standards, initial generator must test a sample of waste extract or entire waste; if waste contains constituents in excess of applicable treatment levels of 268.48, waste is prohibited from land disposal and all requirements of 268 are applicable unless otherwise specified	257	268.30(e)	5002.1(e)	X			

WASTE SPECIFIC PROHIBITIONS - DIOXIN-CONTAINING WASTES

effective November 8, 1988, the dioxin-containing wastes, F020-F023 and F026-F028, are prohibited from land disposal unless a specific condition applies:	34,50	268.31(a)	5002.2(a)	X			
these wastes are contaminated soil and debris waste resulting from response action under CERCLA or from a RCRA corrective action	50	268.31(a)(1)	5002.2(a)	X			
prohibit land disposal of F020-F023 and F026-F028 dioxin-containing wastes of 268.31(a)(1) effective November 8, 1990	50	268.31(b)	5002.2(b)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
between November 8, 1988, and November 8, 1990, wastes of 268.31 (a)(1) disposed in landfill or surface impoundment must meet 268.5(h)(2) and applicable 264 and 265 requirements	34,50	268.31(c)	5002.2(c)	X			
situations where 268.31 (a) and (b) do not apply	34,50	268.31(d)	5002.2(d)	X			
wastes treated to meet Subpart D, Part 268 standards	34,50	268.31(d)(1)	5002.2(d)(1)	X			
disposal at facility with successful no-migration petition	34,50	268.31(d)(2)	5002.2(d)(2)	X			
extension to effective date of a prohibition	34,50	268.31(d)(3)	5002.2(d)(3)	X			
WASTE SPECIFIC PROHIBITIONS - CALIFORNIA LIST WASTES							
	39,157	268.32(a)-(c)	N/A	X			
	39,50, 157	268.32(d)	N/A	X			
	50,157	268.32(d)(1)&(2)	N/A	X			
	39,50, 157	268.32(e)	N/A	X			
	39,157	268.32(e)(1)	N/A	X			
	39,50, 157	268.32(e)(2)	N/A	X			
	39,50,66, 157	268.32(f)	N/A	X			
	39,50, 157	268.32(g)	N/A	X			
	39,157	268.32(g)(1)-(3)	N/A	X			
	39,50, 157	268.32(h)	N/A	X			
removed and reserved	39,157	268.32(i)&(j)	N/A	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
WASTE SPECIFIC PROHIBITIONS - FIRST THIRD WASTES							
	50,66, 157	268.33(a)	N/A	X			
	50,157	268.33(a)(1)	N/A	X			
	50,83, 157	268.33(b)	N/A	X			
	50,157	268.33(c)&(d)	N/A	X			
	50,157	268.33(e)	N/A	X			
	50,157	268.33(e)(1)-(3)	N/A	X			
removed and reserved	50,66, 157	268.33(f)&(g)	N/A	X			
WASTE SPECIFIC PROHIBITIONS - SECOND THIRD WASTES							
removed and reserved	63,157	268.34	N/A	X			
WASTE SPECIFIC PROHIBITIONS - THIRD THIRD WASTES							
	78,83, 157	268.35(a)	N/A	X			
	78,157	268.35(b)	N/A	X			
	78,83,106, 116, 157	268.35(c)	N/A	X			
	78,83,116, 157	268.35(d)	N/A	X			
	116, 157	268.35(e)	N/A	X			
	78,83,103, 116,123, 157	268.35(e)(1)	N/A	X			
	123, 157	268.35(e)(2)&(3)	N/A	X			
	116,123, 157	268.35(e)(4)	N/A	X			
	123, 157	268.35(e)(5)	N/A	X			
	123, 157	268.35(e)(5)(i)&(ii)	N/A	X			
	78,157	268.35(f)-(h)	N/A	X			
	78,157	268.35(i)-(j)	N/A	X			
removed and reserved	106, 157	268.35(k)	N/A	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

WASTE SPECIFIC PROHIBITIONS - NEWLY LISTED WASTES

removed and reserved	109, 157	268.36	N/A	X			
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WASTE SPECIFIC PROHIBITIONS - IGNITABLE AND CORROSIVE CHARACTERISTIC WASTES WHOSE TREATMENT STANDARDS WERE VACATED

effective August 9, 1993, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems other than those whose discharge is regulated under the CWA or that inject in Class I deep wells regulated under the SDWA or are zero dischargers that engage in CWA-equivalent treatment before ultimate land disposal, are prohibited from land disposal; CWA-equivalent treatment defined	124	268.37(a)	5002.5(a)	X			
effective February 10, 1994, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems defined in 40 CFR 144.6 (e) and 146.6(e) as Class V injection wells that do not engage in CWA-equivalent treatment before injection are prohibited from land disposal	124	268.37(b)	5002.5(b)	X			

WASTE SPECIFIC PROHIBITIONS - NEWLY IDENTIFIED ORGANIC TOXICITY CHARACTERISTIC WASTES AND NEWLY LISTED COKE BY-PRODUCT AND CHLOROTOLUENE PRODUCTION WASTES

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
land disposal prohibitions for specified wastes as of December 19, 1994; definition of CWA-equivalent treatment	137	268.38(a)	5002.6(a)	X			
September 19, 1996 land disposal prohibition of radioactive wastes mixed with DO18-DO43 meeting certain criteria; definition of CWA-equivalent treatment; similar prohibition for radioactive wastes mixed with K141-K145 and K147-K151 and for soil and debris contaminated with these radioactive mixed wastes	137	268.38(b)	5002.6(b)	X			
where 268.38(b) wastes may be disposed of between December 19, 1994 and September 19, 1996	137	268.38(c)	5002.6(c)	X			
when the requirements of 268.38(a), (b), and (c) do not apply:	137	268.38(d)	5002.6(d)	X			
wastes meet applicable Part 268, Subpart D treatment standards	137	268.38(d)(1)	5002.6(d)(1)	X			
exemption pursuant to a 268.6 petition	137	268.38(d)(2)	5002.6(d)(2)	X			
wastes meet alternate treatment standards pursuant to 268.44	137	268.38(d)(3)	5002.6(d)(3)	X			
granted an extension to the effective date of a prohibition pursuant to 268.5	137	268.38(d)(4)	5002.6(d)(4)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
how to and who determines whether a hazardous waste identified in 268.38 exceeds applicable treatment standards specified in 268.40	137	268.38(e)	5002.6(e)	X			

WASTE SPECIFIC PROHIBITIONS - SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES

specified wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of July 8, 1996	151, 151.1, 159	268.39(a)	5002.7(a)	X			
as of July 8, 1996, D003 wastes are prohibited from land disposal; exceptions	151, 151.1	268.39(b)	5002.7(b)	X			
K088 wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of July 8, 1997	151, 151.1, 151.2, 155	268.39(c)	5002.7(c)	X			
radioactive wastes mixed with specified wastes and soil and debris contaminated with these radioactive mixed wastes are prohibited from land disposal as of April 8, 1998	151, 151.1, 159	268.39(d)	5002.7(d)	X			
between July 8, 1996 and April 8, 1998, the wastes listed in 268.39(a),(c), and (d) may be disposed in a landfill or surface impoundment only if such unit complies with the requirements of 268.5(h)(2)	151, 151.1, 151.3	268.39(e)	5002.7(e)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the requirements of 268.39(a)-(d) do not apply if:	151, 151.1	268.39(f)	5002.7(f)	X			
the wastes meet the treatment standards specified in part 268 Subpart D	151, 151.1	268.39(f)(1)	5002.7(f)(1)	X			
persons have been granted an exemption from a prohibition pursuant to a petition under 268.6, with respect to the wastes and units covered by the petition	151, 151.1	268.39(f)(2)	5002.7(f)(2)	X			
the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	151, 151.1	268.39(f)(3)	5002.7(f)(3)	X			
persons have been granted an extension to the effective date of a prohibition pursuant to 268.5, with respect to the wastes covered by the extension	151, 151.1	268.39(f)(4)	5002.7(f)(4)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
to determine whether a hazardous waste identified in 268.39 exceeds the applicable treatment standards specified in 268.40, the initial generator must test a sample of the waste extract, test the entire waste, or use knowledge of the waste; the waste is prohibited from land disposal, and part 268 requirements apply if the waste contains constituents exceeding part 268 Subpart D levels, except as otherwise specified	151 151.1	268.39(g)	5002.7(g)	X			

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

when a prohibited waste identified in "Treatment Standards for Hazardous Wastes" may be land disposed	34,†39, 50,78,83, 126,137, 151.3	268.40(a)	5003.1	X			
all hazardous constituents in the waste or in the treatment residue must be at or below the values found in the table for that waste ("total waste standards")	137	268.40(a)(1)	5003.1(a)	X			
hazardous constituents in the extract of the waste or in the extract of the treatment residue must be at or below the values found in the table ("waste extract standards")	137	268.40(a)(2)	5003.1(b)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
waste must be treated using the technology specified in the table ("technology standard"), which are described in detail in 268.42, Table 1 - Technology Codes and Description of Technology-Based Standards	137	268.40(a)(3)	5003.1(c)	X			
how to comply for wastewaters; how to comply for nonwastewaters; compliance for wastes covered by the waste extract standards; compliance for wastes covered by a technology standard	39,109, 124,137	268.40(b)	5003.2	X			
treatment standards when wastes with differing treatment standards are combined	50,78,137	268.40(c)	5003.3	X			
how treatment and disposal facilities demonstrate (and certify pursuant to 40 CFR 268.7(b)(5)) compliance with the treatment standards for organic constituents	109,137	268.40(d)	5003.4	X			
treatment standards were established based on incineration in units operated in accordance with Part 264, Subpart O or on combustion in fuel substitution units operating in accordance with applicable technical requirements	137	268.40(d)(1)	5003.4(a)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
use of methods referenced in 268.40(d)(1) to treat organic constituents	137	268.40(d)(2)	5003.4(b)	X			
demonstrate that good-faith analytical efforts achieve detection limits for the regulated organic constituents that do not exceed the treatment standards specified in 268.40 by an order of magnitude	137	268.40(d)(3)	5003.4(c)	X			
for characteristic wastes with treatment standards in the "Treatment Standards for Hazardous Wastes" Table, all underlying hazardous constituents must meet Universal Treatment Standards	137,151,151.1,151.3	268.40(e)	5003.5	X			
[subparagraphs added by Rule 151, withdrawn by Rule 151.1]	151, 151.1	268.40(e)(1)-(4)	N/A	X			
other wastes to which the treatment standards for F001-F005 nonwastewater constituents carbon disulfide, cyclohexanone, and/or methanol apply; how compliance is measured	137	268.40(f)	5003.6	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
between Aug. 26, 1996 and Aug. 26, 1997, treatment standards for listed carbamate wastes and soil contaminated with them may be satisfied by meeting constituent concentrations in 268.40 table or treating waste using specified technologies	151.5	268.40(g)	5003.7	X			
table "Treatment Standards for Hazardous Waste"	137,151, 151.1, 151.3, 151.4, 157,159	268.40/Table	5003.9, 4016	X			

TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT

note referring to 268.40 for regulations previously found at 268.41 and in Table CCWE	34,50,63, 78,102, 109,126, 137	268.41	N/A	X			
removed	34,50,63, 70,83,95, 109,124, 136,137	268.41(a)/Table CCWE	N/A	X			
removed	34,95, 137	268.41(b)	N/A	X			
removed	109,137	268.41(c)	N/A	X			

Note: This provision, which is included in the Federal regulations for clarity, was not included because Table CCWE - Constituent Concentration in Wash Extract - did not previously exist in the District regulations.

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

note referring to 268.40 for the requirements previously found in 268.42, tables 2 and 3	137	268.42 note	N/A	X			
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CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
treatment of wastes identified in 268.42(a)(1)&(2) and in the table in 268.40, must use technology(ies) specified in 268.42(a)(1)&(2) and in Table 1 of 268.42	34,78,137	268.42(a)	5003.10(a)	X			
standard for incineration of liquid hazardous wastes containing PCBs	39	268.42(a)(1)	No longer in Code, see CL 167C	X			
standard for incineration of certain nonliquid hazardous wastes containing HOCs; where standards do not apply	39,50,78,83	268.42(a)(2)	No longer in Code, see CL 167C	X			

Note: 40 CFR 268.42(a)(1)-(3) were removed by Revision Checklist 167C. The District has adopted CL 167C. The July 1, 1998 CFR is incorrect. See 63 FR 28738.

mixture of wastewater (discharge of which is subject to Clean Water Act) and de minimis losses of materials that meet the criteria of D001 ignitable liquids with greater than 10% TOC is subject to Table 1 DEACT treatment standard; de minimis defined	63,78,83	268.42(a)(3)	No longer in Code, see CL 167C	X			
removed	63,78	268.42(a)(4)	N/A	X			
Technology Codes and Description of Technology-Based Standards	78,83,137,151,157	268.42(a)/Table 1	5003.10(b)/Table 3	X			
removed	78,83,95,102,109,124,134,137	268.42(a)/Table 2	N/A	X			
removed	78,83,137	268.42(a)/Table 3	N/A	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Guidance note: 268.42(b) is NOT DELEGABLE. States should see Note 3 at the beginning of this checklist regarding how to incorporate this section into their code.

submit application to Administrator demonstrating alternate treatment can achieve 268.42(a), (c), & (d) performance specifications for wastes or 268.45 Table 1 specifications for hazardous debris; information demonstrating compliance with Federal, State and local requirements; criteria for approval by Administrator; approval in writing containing provisions and conditions as the Administrator deems appropriate; compliance by person to whom approval is issued	34,39,78,109	268.42(b)	5003.10(c)	X			
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† Alternate Treatment Standards for Lab Packs

conditions for eligibility of lab packs for land disposal:	78	268.42(c)	5003.10(d)	X			
compliance of lab packs with applicable provisions of 264.316 and 265.316	78	268.42(c)(1)	5003.10(d)(1)	X			
lab pack does not contain any Part 268, Appendix IV wastes	78,137	268.42(c)(2)	5003.10(d)(2)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
incineration of lab packs in accordance with Part 264, Subpart O or Part 265, Subpart O requirements	78	268.42(c)(3)	5003.10(d)(3)	X			
treatment standards for incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010 and D011	78	268.42(c)(4)	5003.10(d)(4)	X			
radioactive mixed wastes are subject to the treatment standards in 268.40; when standards are specified in Table of Treatment Standards, then those govern; where there is no specific standard for radioactive mixed waste, then the treatment standard for the hazardous waste applies; hazardous debris containing radioactive waste is subject to the 268.45 treatment standards	78,109,137	268.42(d)	5003.10(e)	X			
TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS							
for requirements previously found in this section and for treatment standards in Table CCW, refer to 268.40	34,50,63,78,137	268.43	N/A				
Note: The 40 CFR 268.43 provisions are included in the Federal regulations for clarity because of the inclusion of the reorganization of the 40 CFR 268 treatment standards by the Universal Treatment Standards Rule. These provisions are not needed because the CCW - Constituent Concentrations in Waste - Table did not previously exist in the District regulations.							
removed	50,62,63,78,83,109,124,137	268.43(a)/Table CCW	N/A	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
removed	50,63,137	268.43(b)	N/A	X			
removed	78,83,137	268.43(c)	N/A	X			
removed	78,83,137	268.43(c)(1)-(3)	N/A	X			

VARIANCE FROM A TREATMENT STANDARD

conditions for variance; petition Administrator; what must be demonstrated	34,151,151.1	268.44(a)	5003.11(a)	X			
procedures in accordance with 260.20	34	268.44(b)	5003.11(b)	X			
statement signed by petitioner or authorized representative	34	268.44(c)	5003.11(c)	X			
additional information or samples may be requested by Administrator; additional copies for affected States and region	34	268.44(d)	5003.11(d)	X			
Administrator gives public notification in <u>Federal Register</u> ; final decision in <u>Federal Register</u>	34	268.44(e)	5003.11(e)	X			
268.7 waste analysis requirements must be followed for wastes covered by variance	34	268.44(f)	5003.11(f)	X			
requirements during petition review	34	268.44(g)	5003.11(g)	X			
apply to Administrator or delegated representative for site-specific variance from a treatment standard if specified conditions are appropriate; what applicant must demonstrate	50,66	268.44(h)	5003.11(h)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
260.20(b)(1)-(4) information must be included	50	268.44(i)	5003.11(i)	X			
Assistant Administrator or delegated representative may request additional information	50	268.44(j)	5003.11(j)	X			
if site-specific treatment standard variance then compliance with 268.7 waste analysis requirements	50	268.44(k)	5003.11(k)	X			
during application review process, compliance with land disposal restrictions once effective date for waste reached	50	268.44(l)	5003.11(l)	X			
the following facilities are excluded from the treatment standards under 268.40 and are subject to the following constituent concentrations:	157	268.44(o)	5003.11(n)	X			
"Table--Wastes Excluded from the Treatment Standards Under §268.40"	157	268.44(o)/ Table 1	5003.11(n)/ Table 4	X			

Corporation Counsel Statement Comment: The District has left the authority to grant site specific variances with the EPA Administrator.

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
TREATMENT STANDARDS FOR HAZARDOUS DEBRIS							
treatment of hazardous debris prior to land disposal as specified unless EPA determines under 261.3(e)(2) that debris is no longer contaminated with hazardous waste	109	268.45(a)	5003.12(a)	X			
general; treatment for each 268.45(b) contaminant subject to treatment in accordance with 268.45, Table 1	109	268.45(a)(1)	5003.12(a)(1)	X			
characteristic debris; deactivation as specified in 268.45, Table 1	109	268.45(a)(2)	5003.12(a)(2)	X			
mixtures of debris types; standards for each debris type must be achieved; if applicable, immobilization must be used last	109	268.45(a)(3)	5003.12(a)(3)	X			
mixtures of 268.45(b) contaminant types; 268.45, Table 1 treatment for each contaminant must be used; if applicable, immobilization must be used last	109	268.45(a)(4)	5003.12(a)(4)	X			
waste PCBs; hazardous debris subject to both 40 CFR 761 and 268.45 must meet more stringent requirements	109	268.45(a)(5)	5003.12(a)(5)	X			
hazardous debris treated for each "contaminant subject to treatment," determined as follows:	109	268.45(b)	5003.12(b)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
toxicity characteristic debris; those EP constituents for which debris exhibits a toxicity characteristic	109	268.45(b)(1)	5003.12(b)(1)	X			
debris contaminated with listed waste; constituents or wastes for which treatment standards are established for the waste under §268.40	109,137	268.45(b)(2)	5003.12(b)(2)	X			
cyanide reactive debris; reactive because of cyanide must be treated for cyanide	109	268.45(b)(3)	5003.12(b)(3)	X			
when hazardous debris that has been treated is not considered a hazardous waste; hazardous debris contaminated with a listed waste that is treated by a Table 1 immobilization technology must be managed in a Subtitle C facility	109	268.45(c)	5003.12(c)	X			
general requirements for treatment residues:	109	268.45(d)(1)	5003.12(d)(1)	X			
separate residue from debris by simple physical or mechanical means;	109	268.45(d)(1)(i)	5003.12(d)(1)(A)	X			
residue is subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(1)(ii)	5003.12(d)(1)(B)	X			
residue from nontoxic debris, as specified, must be deactivated; not subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(2)	5003.12(d)(2)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
residue from cyanide-reactive debris must meet 268.43, D003 standards	109	268.45(d)(3)	5003.12(d)(3)	X			
ignitable nonwastewater residue, as specified, must meet technology-based "D001 Ignitable Liquids" standard	109	268.45(d)(4)	5003.12(d)(4)	X			
layers of debris removed by spalling remain subject to 268.45 treatment standards	109	268.45(d)(5)	5003.12(d)(5)	X			
alternative treatment standards for hazardous debris	109	268.45/Table 1	5003.12/ Table 5	X			
ALTERNATIVE TREATMENT STANDARDS BASED ON HTMR							
refer to 268.40 for treatment standards previously found in this section	109,137	268.46	N/A	X			
removed	109,137	268.46/Table 1	N/A	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

UNIVERSAL TREATMENT STANDARDS

Table UTS identifies the hazardous constituents along with the nonwastewater and wastewater treatment standard levels used to regulate most prohibited hazardous wastes with numerical limits; standards cannot be exceeded for determining compliance with treatment standards for underlying hazardous constituents as defined in 268.2(i); compliance measured by analysis of grab samples unless noted in table	137	268.48(a)	5003.13	X			
Table UTS - Universal Treatment Standards	137,151, 151.3	268.48(a)/Table UTS	5003.13, 4016	X			
reserved		268.48(b)	N/A	X			

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITIONS ON STORAGE OF RESTRICTED WASTES

except as provided in 268.50, storage of wastes restricted from land disposal is prohibited unless certain conditions are met:	34,39	268.50(a)	5004.1	X			
on-site storage exemption for generator	34,109	268.50(a)(1)	5004.1(a)	X			
treatment, storage, and disposal facility exemption	34,109	268.50(a)(2)	5004.1(b)	X			
container labeling	34	268.50(a)(2)(i)	5004.1(b)(1)	X			
tank labeling	34	268.50(a)(2)(ii)	5004.1(b)(2)	X			
transporter exemption	34	268.50(a)(3)	5004.1(c)	X			

CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
storage up to one year	34	268.50(b)	5004.2	X			
storage longer than one year	34	268.50(c)	5004.3	X			
268.50(a) prohibition does not apply if waste is exempt from a prohibition on the type of land disposal utilized for the waste	34,50,66	268.50(d)	5004.4	X			
no prohibition where treatment standards are not specified or are met, or compliance with 268.32 or RCRA 3004 exists	34,†39	268.50(e)	5004.5	X			
requirements for storage of liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm	39	268.50(f)	5004.6	X			

APPENDIX I TO PART 268

TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

removed and reserved	34,74,126,157	Appendix I	5005.1(a), 4016	X			
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APPENDIX II TO PART 268

TREATMENT STANDARDS (AS CONCENTRATIONS IN THE TREATMENT RESIDUAL EXTRACT)

removed and reserved	34,109,157	Appendix II	5005.1(b), 4016	X			
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APPENDIX III TO PART 268

LIST OF HALOGENATED ORGANIC COMPOUNDS REGULATED UNDER 268.32

removed and reserved	39,157	Appendix III	5005.1(c), 4016	X			
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CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX IV TO PART 268

† WASTES EXCLUDED FROM LAB PACKS UNDER THE ALTERNATIVE TREATMENT STANDARDS OF § 268.42(c)

list of EPA hazardous waste codes for hazardous wastes that may not be placed in lab packs under the alternative lab pack treatment standards at 268.42(c)	78,83, 137	Appendix IV	5005.1(d), 4016	X			
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APPENDIX V TO PART 268

removed and reserved	78,83, 137	Appendix V	5005.1(e), 4016	X			
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APPENDIX VI TO PART 268

RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN SECTION 268.42

list of technologies which achieve the standard of "deactivation to remove characteristics of ignitability, corrosivity, and reactivity"; use of specified technologies not mandatory; alternative methods not performed in land disposal units	78,157	Appendix VI	5005.1(f), 4016	X			
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APPENDIX VII TO PART 268

EFFECTIVE DATES OF SURFACE DISPOSED WASTES REGULATED IN THE LDRs

comprehensive list of wastes and effective dates	78,83, 157	Appendix VII	5005.1(g), 4016	X			
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CONSOLIDATED CHECKLIST C8
40 CFR Part 268 as of July 10, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX VIII TO PART 268

NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

comprehensive list of national capacity LDR variances for UIC wastes	78,83, 157	Appendix VIII	5005.1(h), 4016	X			
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APPENDIX IX TO PART 268

EXTRACTION PROCEDURE (EP) TOXICITY TEST METHOD AND STRUCTURAL INTEGRITY TEST (METHOD 1310)

note regarding EP (Method 1310) is published in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" as incorporated by reference in 260.11	83,126	Appendix IX	5005.1(i), 4016	X			
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APPENDIX X TO PART 268

RECORDKEEPING, NOTIFICATION, AND/OR CERTIFICATION REQUIREMENTS

removed and reserved	137, 157	Appendix X	N/A	X			
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APPENDIX XI TO PART 268

METAL BEARING WASTES PROHIBITED FROM DILUTION IN A COMBUSTION UNIT ACCORDING TO 40 CFR 268.3(c)

table listing wastes prohibited from dilution in a combustion unit	151	Appendix XI	5005.1(j), 4016	X			
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US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C9
 EPA Administered Permit Programs: The Hazardous Waste
 Permit Program; Procedures for Decision Making
 40 CFR Parts 270 and 124 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:
 THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

o/o permit and post-closure permit requirements	V, 44 G, †61	270.1(c)	4600.5 & 4600.6				X
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Corporation Counsel Statement Comment: At 20 DCMR §4600.6, the analog to 40 CFR 270.1(c) introduction, the District requires a post-closure permit for all units, including tanks and containers, even when the units can meet the requirements for closure by removal under 40 CFR 270.1(c)(5)&(6). Under the Federal program, post-closure permits are not required if these requirements can be met. The District's program is more stringent than the Federal program.

facilities for which RCRA permits are required	V	270.1(c)(1)	4600.7	X			
		270.1(c)(1)(i)	No direct analog; 4400.3, 4018				X
		270.1(c)(1)(ii)	4600.7(a)	X			
		270.1(c)(1)(iii)	4600.7(b)	X			

Corporation Counsel Statement Comment: The District is more stringent because it does not allow underground injection in the District under the prohibitions at 20 DCMR §§4400.3 and 4018.

persons not required to obtain a RCRA permit	V	270.1(c)(2)	4600.8	X			
	V,23	270.1(c)(2)(i)	4600.8(a)	X			
	V,48	270.1(c)(2)(ii)	4600.8(b)	X			
	V	270.1(c)(2)(iii)	4600.8(c)				X
		270.1(c)(2)(iv)	4600.8(d)	X			
		270.1(c)(2)(v)	4600.8(e)	X			
		270.1(c)(2)(vi)	4600.8(f)	X			
	V	270.1(c)(2)(vii)	4600.8(g)	X			
	142 A	270.1(c)(2)(viii)	4600.8(h)				X
142 B	270.1(c)(2)(viii)(A)	4600.8(h)(1)	X				

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
	142 C	270.1(c)(2)(viii)(B)	4600.8(h)(2)	X			
	142 D	270.1(c)(2)(viii)(C)	4600.8(h)(3)	X			

Corporation Counsel Statement Comments: (1) At 20 DCMR §4600.8(c), the analog to 40 CFR 270.1(c)(2)(iii), the District does not exempt from its permit requirements persons who own or operate facilities solely for the treatment, storage or disposal of hazardous waste subject to regulation under the District's analog to 40 CFR 261.5. This difference makes the District's program more stringent than the Federal program. (2) Relative to 40 CFR 270.1(c)(2)(viii) the District is more stringent because to be regulated as a universal waste, the waste must be recycled. Once the waste is destined for disposal, the handlers are subject to full regulation under Chapters 42 through 46 and Chapter 50. Pesticides which are universal wastes are exempted from the recycling requirement. (3) At 20 DCMR §§4600.8(h)(4) The District also regulates mercury-containing lamps as a universal waste.

† further exclusions from RCRA permit requirements	V	270.1(c)(3)(i)	4600.8(i)	X			
		270.1(c)(3)(i)(A)	4600.8(i)(1)	X			
		270.1(c)(3)(i)(B)	4600.8(i)(2)	X			
		270.1(c)(3)(i)(C)	4600.8(i)(3)	X			
	156	270.1(c)(3)(i)(D)	4600.8(i)(4)	X			
	V	270.1(c)(3)(ii)	4600.9	X			
	156	270.1(c)(3)(iii)	4600.10	X			
† permits for less than an entire facility	V	270.1(c)(4)	4600.11	X			
post-closure permit unless closure by removal or decontamination; how demonstration may be made:	44 G	270.1(c)(5)	4600.12, 4400.3, 4018			X	
		270.1(c)(5)(i)	4600.12			X	
	†44 G	270.1(c)(5)(ii)	4600.12			X	
		270.1(c)(5)(ii)(A)	4600.12			X	
		270.1(c)(5)(ii)(B)	4600.12			X	

Corporation Counsel Statement Comment: At 20 DCMR §4600.12, the analog to 40 CFR 270.1(c)(5)&(6), the District requires that all waste piles closing by removal or decontamination under 40 CFR Part 265, as restricted by 20 DCMR §4401.2, must obtain a post-closure permit. A post-closure permit is required under the Federal program only if the specified requirements for closure by removal have not been met. Additionally, 20 DCMR §4600.12 only addresses waste piles because the other units addressed by 40 CFR 270.1(c)(5)&(6) are prohibited in the District. See the comment for 40 CFR 270.1(c)(6).

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
procedures for closure equivalency determination; public hearing; written statement if closure fails standards; subject to post-closure permitting requirements	44 G	270.1(c)(6)(i)	4600.12			X	
		270.1(c)(6)(ii)	4600.12			X	
		270.1(c)(6)(iii)	4600.12			X	

Corporation Counsel Statement Comment: Owners/operators of all units must obtain a post-closure permit, including waste piles closed using removal or decontamination. Thus, the procedure for equivalency determination at 40 CFR 270.1(c)(6) is not needed. The District's program is more stringent than the Federal program.

DEFINITIONS

applicability to Parts 270, 271 and 124	*	270.2(intro)	No direct analog	D			
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Corporation Counsel Statement Comment: The analogs to the 40 CFR 270.2 definitions are included at 20 DCMR §5400.1. As such there isn't a direct analog to 40 CFR 270.2 introduction. Additionally, where there is a difference between the 40 CFR 260.10 and the 40 CFR 270.2 definitions of the same term, the difference is included in the definition of the term.

Note that the District has adopted the Revision Checklist 121 definition for "corrective action management unit" and the checklist's changes to the definition of "disposal facility"; however, the District is not seeking authorization for corrective action at this time.

"Administrator"	*	270.2	5400.1	X			
"application"	*	270.2	5400.1	X			
"aquifer"	*	270.2	5400.1	X			
"closure"	*	270.2	5400.1	X			
† "component"	54	270.2	5400.1	X			
† "corrective action management unit"	121	270.2	5400.1	X			
"CWA"	*	270.2	5400.1	X			
"Director"	*	270.2	N/A	X			
"disposal"	*	270.2	5400.1	X			
"disposal facility"	*, †121	270.2	5400.1	X			
"draft permit"	*	270.2	5400.1	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.2	5400.1	X			
"elementary neutralization unit"	*,52	270.2(a)	5400.1(a)	X			
		270.2(b)	5400.1(b)	X			
"emergency permit"	*	270.2	5400.1	X			
"Environmental Protection Agency (EPA)"	*	270.2	5400.1	X			
"EPA"	*	270.2	5400.1	X			
"existing hazardous waste management (HWM) facility or existing facility"	*	270.2	5400.1	X			
		270.2(a)	5400.1(a)	X			
		270.2(b)(1)	5400.1(a)(1)	X			
		270.2(b)(2)	5400.1(b)	X			
† "facility mailing list"	54,148	270.2	5400.1	X			
"facility or activity"	*	270.2	5400.1	X			
"Federal, State and local approvals or permits necessary to begin physical construction"	*	270.2	5400.1	X			

Note: The District's equivalent term is "Federal and District approvals or permits necessary to begin construction".

† "functionally equivalent component"	54	270.2	5400.1	X			
"generator"	*	270.2	5400.1	X			
"ground water"	*	270.2	5400.1	X			
"hazardous waste"	*	270.2	5400.1	X			
"Hazardous Waste Management facility"	*	270.2	5400.1	X			
"HWM facility"	*	270.2	5400.1	X			
"injection well"	*	270.2	5400.1	X			
"in operation"	*	270.2	5400.1	X			
"interim authorization"	*,144	270.2	N/A	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"major facility"	*	270.2	5400.1	X			
"manifest"	*	270.2	5400.1	X			
"National Pollutant Discharge Elimination System"	*	270.2	5400.1	X			
"NPDES"	*	270.2	5400.1	X			
"new HWM facility"	*	270.2	5400.1	X			
"off-site"	*	270.2	5400.1	X			
"on-site"	*	270.2	5400.1	X			
"owner or operator"	*	270.2	5400.1	X			
"permit"	*	270.2	5400.1	X			
"permit-by-rule"	*	270.2	5400.1	X			
"person"	*	270.2	5400.1	X			
"physical construction"	*	270.2	5400.1	X			
"POTW"	*	270.2	5400.1	X			
"publicly owned treatment works"	*	270.2	5400.1	X			
"RCRA "	*	270.2	5400.1	X			
"Regional Administrator"	*	270.2	5400.1	X			
"schedule of compliance"	*	270.2	5400.1	X			
"SDWA"	*	270.2	5400.1	X			
"site"	*	270.2	5400.1	X			
"State"	*	270.2	5400.1	X			
"State Director"	*	270.2	N/A	X			
"State/EPA Agreement"	*	270.2	5400.1	X			
Note: The District's equivalent term is "District/EPA Agreement".							
"storage"	*	270.2	5400.1	X			
"transfer facility"	*	270.2	5400.1	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
"transporter"	*	270.2	5400.1	X			
"treatment"	*	270.2	5400.1	X			
"UIC"	*	270.2	5400.1	X			
"underground injection"	*	270.2	5400.1	X			
"underground source of drinking water (USDW)"	*	270.2	5400.1	X			
		270.2(a)(1)	5400.1(a)	X			
		270.2(a)(2)	5400.1(b)	X			
		270.2(a)(2)(i)	5400.1(b)(1)	X			
		270.2(a)(2)(ii)	5400.1(b)(2)	X			
		270.2(b)	5400.1(c)	X			
"USDW"	*	270.2	5400.1	X			
"wastewater treatment unit"	*,52	270.2	5400.1	X			
		270.2(a)	5400.1(a)	X			
		270.2(b)	5400.1(b)	X			
		270.2(c)	5400.1(c)	X			

EFFECT OF A PERMIT

effects of compliance with RCRA permit	V,44 E, †54,100	270.4(a)	4600.14	X			
		270.4(a)(1)	4600.14(a)	X			
	V,44 E, †54,100, 154.1	270.4(a)(2)	4600.14(b)	X			
		100, 154.1	270.4(a)(3)	4600.14(c)	X		
	154.1	270.4(a)(4)	4600.14(d)	X			
property rights or exclusive privilege not conveyed by permit	V	270.4(b)	4600.15	X			
permit does not authorize injury/infringement	*	270.4(c)	4600.16	X			

NONCOMPLIANCE AND PROGRAM REPORTING BY THE DIRECTOR

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
preparation and submittal of reports by Director	V	270.5	In MOA	X			

Corporation Counsel Statement Comment: The District does not include an analog to 40 CFR 270.5. The reporting requirements of the Director are addressed in the District's MOA.

quarterly reports for major facilities	V	270.5(a)	In MOA	X			
format of quarterly reports	V	270.5(a)(1)	In MOA	X			
		270.5(a)(1)(i)	In MOA	X			
		270.5(a)(1)(ii)	In MOA	X			
		270.5(a)(1)(iii)	In MOA	X			
		270.5(a)(1)(iii)(A)	In MOA	X			
		270.5(a)(1)(iii)(B)	In MOA	X			
		270.5(a)(1)(iii)(C)	In MOA	X			
		270.5(a)(1)(iii)(D)	In MOA	X			
		270.5(a)(1)(iii)(E)	In MOA	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
instances of noncompliance to be reported in quarterly reports	V	270.5(a)(2)	In MOA	X			
		270.5(a)(2)(i)	In MOA	X			
		270.5(a)(2)(ii)	In MOA	X			
		270.5(a)(2)(iii)	In MOA	X			
		270.5(a)(2)(iv)	In MOA	X			
		270.5(a)(2)(v)	In MOA	X			
		270.5(a)(2)(v)(A)	In MOA	X			
		270.5(a)(2)(v)(B)	In MOA	X			
		270.5(a)(2)(v)(C)	In MOA	X			
		270.5(a)(2)(vi)	In MOA	X			
annual reports	V	270.5(b)(1)	In MOA	X			
	V,†1	270.5(b)(2)	In MOA	X			
schedule	V	270.5(c)	In MOA	X			

REFERENCES

publications incorporated by reference	*,11,35,126	270.6(a)	4017.1	X			
available at Office of the Federal Register; approved by director; incorporation and changes	*	270.6(b)	4017.3	X			

SUBPART B - PERMIT APPLICATION

GENERAL APPLICATION REQUIREMENTS

permit application	V,17 P,†17 Q	270.10(a)	4601.1	X			
who applies/signs	V	270.10(b)	4601.2	X			
completeness	V,17 P,†17 S,†61	270.10(c)	4601.3			X	

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: At 20 DCMR §4601.3, the analog to 40 CFR 270.10(c), the District does not consider an application complete unless it also contains the exposure information required under 20 DCMR §§4601.16 and 4601.17 (that is, 40 CFR 270.10(j)). This information is required for all unit types not just landfills and surface impoundments. Under the Federal program, an application can be considered complete without this information. Therefore, the District's program is more stringent.

information requirements	V	270.10(d)	4601.4	X			
when existing HWM facilities must submit Part A of their permit application	V, †17 P	270.10(e)(1)	4601.5	X			
	V	270.10(e)(1)(i)	4601.5(a)	X			
		270.10(e)(1)(ii)	4601.5(b)	X			
	23	270.10(e)(1)(iii)	No analog	D			

Corporation Counsel Statement Comment: The District does not have an analog because these generators were already required to have a permit under the D.C. regulations even before the promulgation of Revision Checklist 23. The District does not include an analog to 40 CFR 270.10(e)(1)(iii) because the generators addressed by this provision were already required to obtain a TSD permit prior to the date specified. The District has always regulated these generators the same as large quantity generators even before the promulgation of the rule addressed by Revision Checklist 23.

extension of Part A due date using <u>Federal Register</u>	V	270.10(e)(2)	4601.6	X			
Part A due date extension using RCRA 3008 compliance order	V	270.10(e)(3)	4601.7	X			
submission of Part B	V, 17 P, 144	270.10(e)(4)	4601.8	X			
failure to furnish a Part B	V	270.10(e)(5)	4601.9	X			
permits for new HWM facilities	V, 17 M	270.10(f)(1)	4601.10			X	
	V, 144	270.10(f)(2)	4601.11	X			
	V, 17 M, †17 M	270.10(f)(3)	No direct analog; 4400.3, 4018				X

Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 270.10(f)(3), which addresses constructing a facility to incinerate polychlorinated biphenyls, because incineration of such materials is prohibited in the District. The introductory phrase at the District's analog to 40 CFR 270.10(f)(1) addressing 40 CFR 270.10(f)(3) has also been removed. Therefore, the District's program is more stringent than the Federal program in this regard.

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
updating permit applications	V,144	270.10(g)(1)	4601.12	X			
	V,144	270.10(g)(1)(i)	Not Needed				
	V,144	270.10(g)(1)(ii)	4601.12(a)	X			
	V,144	270.10(g)(1)(iii)	4601.12(b)	X			
	V	270.10(g)(2)	4601.13	X			
permit reapplications	V	270.10(h)	4601.14	X			
recordkeeping	V	270.10(i)	4601.15	X			
exposure information must be included in Part B application after August 8, 1985	17 S	270.10(j)(1)	4601.16			X	
		270.10(j)(1)(i)	4601.16(a)	X			
		270.10(j)(1)(ii)	4601.16(b)	X			
		270.10(j)(1)(iii)	4601.16(c)	X			
		270.10(j)(2)	4601.17	X			

Corporation Counsel Statement Comment: At 20 DCMR §4601.16, the analog to 40 CFR 270.10(j)(1), the District requires exposure information for all units. The Federal program requires this information for only surface impoundments and landfills. This makes the District program more stringent.

information for permit conditions	44 F	270.10(k)	4601.18	X			
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SIGNATORIES TO PERMIT APPLICATIONS AND REPORTS

who should sign permit applications	V	270.11(a)	4601.19	X			
	V,†2	270.11(a)(1)	4601.19(a)	X			
		270.11(a)(1)(i)	4601.19(a)(1)	X			
		270.11(a)(1)(ii)	4601.19(a)(2)	X			
	V	270.11(a)(2)	4601.19(b)	X			
	V,†2	270.11(a)(3)	4601.19(c)	X			
		270.11(a)(3)(i)	4601.19(c)(1)	X			
		270.11(a)(3)(ii)	4601.19(c)(2)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.11(b)	4601.20	X			
		270.11(b)(1)	4601.20(a)	X			
		270.11(b)(2)	4601.20(b)	X			
who should sign reports	V	270.11(b)(3)	4601.20(c)	X			
changes to authorization	V	270.11(c)	4601.21	X			
certification by signatories	V,+2	270.11(d)	4601.22	X			
CONFIDENTIALITY OF INFORMATION							
confidential business information claims	*	270.12(a)	4601.23	X			
denial of claims	V	270.12(b)	4601.24	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
CONTENTS OF PART A OF THE PERMIT APPLICATION							
		270.13	4602.1	X			
	*	270.13(a)	4602.1(a)	X			
	V	270.13(b)	4602.1(b)	X			
		270.13(c)	4602.1(c)	X			
	*	270.13(d)	4602.1(d)	X			
	V	270.13(e)	4602.1(e)	X			
	*	270.13(f)	4602.1(f)	X			
		270.13(g)	4602.1(g)	X			
		270.13(h)	4602.1(h)	X			
		270.13(h)(1)&(2)	4602.1(h)(1)&(2)	X			
		270.13(i)	4602.1(i)	X			
		270.13(j)	4602.1(j)	X			
		270.13(k)	4602.1(k)	X			
	V	270.13(k)(1)-(9)	4602.1(k)(1)-(9)	D			
information which must be included in Part A of the permit application		270.13(l)	4602.1(l)	D			
	*	270.13(m)	4602.1(m)	X			

Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 270.13(k)(2), because the District does not allow underground injection. Similarly, at §4602.1(l) the phrase addressing underground injection has been removed.

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
for hazardous debris; description of debris category(ies) and contaminant category(ies) to be treated, stored or disposed of at facility	109	270.13(n)	4602.1(n)	X			
CONTENTS OF PART B: GENERAL REQUIREMENTS							
general information requirements; specific requirements as in 270.14-270.29; compliance with Part 264 standards; case-by-case allowances; 270.11 requirements; registered professional engineer certification	*	270.14(a)	4603.1 & 4603.2	X			
general information required for all HWM facilities:	V	270.14(b)	4603.3	X			
general facility description	V	270.14(b)(1)	4603.3(a)	X			
chemical and physical analyses	V,109	270.14(b)(2)	4603.3(b)	X			
copy of waste analysis plan	V	270.14(b)(3)	4603.3(c)	X			
description of security procedures and equipment	V	270.14(b)(4)	4603.3(d)	X			
copy of general inspection schedule	V,28, 45,59, 79,154.1	270.14(b)(5)	4603.3(e)	X			
justification of waiver(s) request for preparedness and prevention	V	270.14(b)(6)	4603.3(f)	X			
copy of contingency plan	V,14	270.14(b)(7)	4603.3(g)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
description of various procedures, structures or equipment used at the facility to prevent emergencies/hazardous waste releases	V	270.14(b)(8)	4603.3(h)	X			
		270.14(b)(8)(i)	4603.3(h)(1)	X			
		270.14(b)(8)(ii)	4603.3(h)(2)	X			
		270.14(b)(8)(iii)	4603.3(h)(3)	X			
	V,79	270.14(b)(8)(iv)	4603.3(h)(4)	X			
		270.14(b)(8)(v)	4603.3(h)(5)	X			
79	270.14(b)(8)(vi)	4603.3(h)(6)	X				
description of precautions to prevent accidental ignition or reaction of wastes	V	270.14(b)(9)	4603.3(i)	X			
traffic pattern, volume and control	V	270.14(b)(10)	4603.3(j)	X			
facility location information; seismic standard; political jurisdiction	V	270.14(b)(11)(i)-(ii) (B)	No analog	D			

Corporation Counsel Statement Comment: The District does not have an analog to this provision because it does not require a demonstration for compliance with the seismic standard. As per 40 CFR 264 Appendix VI, it is not in a jurisdiction where compliance with 40 CFR 264.18(a) must be demonstrated.

100-year floodplain identification requirement	V	270.14(b)(11)(iii)	4603.3(k)(2)	X			
information requirements for facilities located in the 100-year floodplain	V	270.14(b)(11)(iv)	4603.3(k)(3)	X			
		270.14(b)(11)(iv) (A)	4603.3(k)(3)(A)	X			
		270.14(b)(11)(iv) (B)	4603.3(k)(3)(B)	X			
		270.14(b)(11)(iv) (C)	4603.3(k)(3)(C)	X			
		270.14(b)(11)(iv) (C)(I)	4603.3(k)(3)(C)(i)	X			
		270.14(b)(11)(iv) (C)(2)	4603.3(k)(3)(C)(ii)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.14(b)(11)(iv)(C)(3)	4603.3(k)(3)(C)(iii)	X			
		270.14(b)(11)(iv)(C)(4)	4603.3(k)(3)(C)(iv)	X			
plan and schedule for compliance with 264.18 (b)	V	270.14(b)(11)(v)	4603.3(k)(4)	X			
outline of introductory and continuing training programs	V	270.14(b)(12)	4603.3(l)	X			
specific inclusion requirements for closure and post-closure plans	V,28,45,59	270.14(b)(13)	4603.3(m)	X			
documentation that notices under 264.119 have been filed	V,24	270.14(b)(14)	4603.3(n)	X			
most recent closure cost estimate under 264.142; financial assurance documentation under 264.143	V,24	270.14(b)(15)	4603.3(o)	X			
most recent closure cost estimate under 264.144; financial assurance documentation under 264.145	V,24	270.14(b)(16)	4603.3(p)	X			
copy of insurance policy; compliance with 264.147	V	270.14(b)(17)	4603.3(q)	X			
proof of coverage by a State financial mechanism	V	270.14(b)(18)	Not Needed				
topographic map requirements and specifications	V	270.14(b)(19)	4603.3(r)	X			
what the topographic map must specifically show	V	270.14(b)(19)(i)	4603.3(r)(1)	X			
		270.14(b)(19)(ii)	4603.3(r)(2)	X			
		270.14(b)(19)(iii)	4603.3(r)(3)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.14(b)(19)(iv)	4603.3(r)(4)	X			
		270.14(b)(19)(v)	4603.3(r)(5)	X			
		270.14(b)(19)(vi)	4603.3(r)(6)	X			
		270.14(b)(19)(vii)	4603.3(r)(7)	X			
		270.14(b)(19)(viii)	4603.3(r)(8)	X			
		270.14(b)(19)(ix)	4603.3(r)(9)	X			
		270.14(b)(19)(x)	4603.3(r)(10)	X			
		270.14(b)(19)(xi)	4603.3(r)(11)	X			
		270.14(b)(19)(xii)	4603.3(r)(12)	X			
submittal of information to Regional Administrator as necessary	V	270.14(b)(20)	4603.3(s)	X			
copy of notice of approval for extension under 268.5 or petition under 268.6	34	270.14(b)(21)	No analog	X			
<u>Corporation Counsel Statement Comment:</u> The District does not include the requirement because it does not allow land disposal.							
summary of pre-application meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting, as required under 124.31 (c)	148	270.14(b)(22)	4603.3(u)	X			
additional information requirements for protection of groundwater	V,44 A	270.14(c)	4603.4	X			
summary of groundwater monitoring data	V	270.14(c)(1)	4603.4(a)	X			
identification of aquifers	V	270.14(c)(2)	4603.4(b)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
additional topographic map requirements	V	270.14(c)(3)	4603.4(c)	X			
description of contamination plume that has entered ground water	V	270.14(c)(4)	4603.4(d)	X			
plume delineated on topographic map	V	270.14(c)(4)(i)	4603.4(d)(1)	X			
identification of Part 264, Appendix IX constituents	V,40	270.14(c)(4)(ii)	4603.4(d)(2)	X			
description of proposed groundwater monitoring program	V	270.14(c)(5)	4603.4(e)	X			
		270.14(c)(6)	4603.4(f)	X			
		270.14(c)(6)(i)	4603.4(f)(1)	X			
		270.14(c)(6)(ii)	4603.4(f)(2)	X			
		270.14(c)(6)(iii)	4603.4(f)(3)	X			
establish a detection monitoring program to meet 264.98 requirements	V	270.14(c)(6)(iv)	4603.4(f)(4)	X			
establish a compliance monitoring program to meet 264.99 requirements	V,38	270.14(c)(7)	4603.4(g)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
items to be addressed to demonstrate compliance with 264.99	V	270.14(c)(7)(i)	4603.4(g)(1)	X			
		270.14(c)(7)(ii)	4603.4(g)(2)	X			
		270.14(c)(7)(iii)	4603.4(g)(3)	X			
		270.14(c)(7)(iv)	4603.4(g)(4)	X			
		270.14(c)(7)(v)	4603.4(g)(5)	X			
		270.14(c)(7)(vi)	4603.4(g)(6)	X			
if hazardous constituents in ground water exceed 264.94 limits, additional information to establish corrective action program; when information is not required	V	270.14(c)(8)	4603.4(h)	X			
		270.14(c)(8)(i)	4603.4(h)(1)	X			
		270.14(c)(8)(ii)	4603.4(h)(2)	X			
		270.14(c)(8)(iii)	4603.4(h)(3)	X			
	V,38	270.14(c)(8)(iv)	4603.4(h)(4)	X			
information required for solid waste management units	44 A	270.14(d)	4603.4(i)	X			
		270.14(d)(1)	4603.4(i)(1)	X			
		270.14(d)(1)(i)	4603.4(i)(1)(A)	X			
		270.14(d)(1)(ii)	4603.4(i)(1)(B)	X			
		270.14(d)(1)(iii)	4603.4(i)(1)(C)	X			
		270.14(d)(1)(iv)	4603.4(i)(1)(D)	X			
		270.14(d)(1)(v)	4603.4(i)(1)(E)	X			
hazardous waste release information	44 A	270.14(d)(2)	4603.4(i)(2)	X			
RCRA Facility Assessment information	44 A	270.14(d)(3)	4603.4(i)(3)	X			
SPECIFIC PART B INFORMATION REQUIREMENTS FOR CONTAINERS							
additional information requirements	V	270.15	4604.1	X			
what containment system description must show for compliance with 264.175	V	270.15(a)	4604.1(a)	X			
		270.15(a)(1)	4604.1(a)(1)	X			
		270.15(a)(2)	4604.1(a)(2)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
		270.15(a)(3)	4604.1(a)(3)	X			
		270.15(a)(4)	4604.1(a)(4)	X			
		270.15(a)(5)	4604.1(a)(5)	X			
if no free liquids, what demonstration of compliance with 264.175 (c) must include	V	270.15(b)	4604.1(b)	X			
		270.15(b)(1)	4604.1(b)(1)	X			
		270.15(b)(2)	4604.1(b)(2)	X			
compliance with 264.176 and 264.177(c)	V	270.15(c)	4604.1(c)	X			
compliance with 264.177 (a)&(b) and 264.17(b)&(c)	V	270.15(d)	4604.1(d)	X			
information on air equipment control equipment as required in 270.27	154.1	270.15(e)	4604.1(e)	X			

SPECIFIC PART B INFORMATION REQUIREMENTS FOR TANK SYSTEMS

information facility owners/operators using tanks must provide	V	270.16	4605.1	X			
written, certified assessment of each tank system	V,28	270.16(a)	4605.1(a)	X			
dimensions and capacity of each tank	V,28	270.16(b)	4605.1(b)	X			
description of feed systems, safety cutoff bypass systems, and pressure controls	V,28	270.16(c)	4605.1(c)	X			
diagram of piping, instrumentation, and process flow for each tank system	V,28	270.16(d)	4605.1(d)	X			
description of external corrosion protection	V,28	270.16(e)	4605.1(e)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
description of new tank installation	V,28	270.16(f)	4605.1(f)	X			
plans and description of secondary containment systems	14,28	270.16(g)	4605.1(g)	X			
information requirements for systems for which a variance from 264.193 will be sought	28	270.16(h)	4605.1(h)	X			
		270.16(h)(1)	4605.1(h)(1)	X			
		270.16(h)(2)	4605.1(h)(2)	X			
description of controls and practices to prevent spills and overflows	28	270.16(i)	4605.1(i)	X			
description of design and operation of tank systems handling ignitable, reactive, or incompatible wastes	28	270.16(j)	4605.1(j)	X			
information on air emission control equipment as required in 270.27	154.1	270.16(k)	4605.1(k)	X			

SPECIFIC PART B INFORMATION REQUIREMENTS FOR SURFACE IMPOUNDMENTS

surface impoundment information requirements	V,14, 100, 154.1	270.17 intro, 270.17 (a)-(j)	4018, 4400.3			X	
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Corporation Counsel Statement Comment: There are no hazardous waste surface impoundments in the District because the District prohibits the use of such units. As a result, the District's regulations do not contain information for surface impoundments. This difference makes the District's program more stringent than the Federal program. The prohibitions at 20 DCMR §§4018 and 4400.3 are cited.

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SPECIFIC PART B INFORMATION REQUIREMENTS FOR WASTE PILES							
additional information requirements for facility owners/operators using waste piles for hazardous wastes	V	270.18	4606.1	X			
list of hazardous wastes placed or to be placed in waste pile	V	270.18(a)	4606.1(a)	X			
requirements if exemption is sought	V	270.18(b)	4606.1(b)	X			
detailed plans and an engineering report; 264.19, 264.251, 264.252, and 264.253 items which must be addressed	V,100	270.18(c)	4606.1(c)	X			
		270.18(c)(1)(i)	4606.1(c)(1)	X			
	100	270.18(c)(1)(ii)	4606.1(c)(1)(A)	X			
		270.18(c)(1)(iii)	4606.1(c)(1)(B)	X			
		270.18(c)(1)(iv)	4606.1(c)(1)(C)	X			
		270.18(c)(1)(v)	4606.1(c)(1)(D)	X			
	V	270.18(c)(2)	4606.1(c)(2)	X			
		270.18(c)(3)	4606.1(c)(3)	X			
		270.18(c)(4)	4606.1(c)(4)	X			
		270.18(c)(5)	4606.1(c)(5)	X			
description of inspections	V,100	270.18(d)	4606.1(d)	X			
treatment done on or in pile, details of process and equipment used	V	270.18(e)	4606.1(e)	X			
ignitable or reactive wastes, compliance with 264.256	V	270.18(f)	4606.1(f)	X			
incompatible wastes, compliance with 264.257	V	270.18(g)	4606.1(g)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
description of removal procedures or compliance with 264.310 (a)&(b)	V	270.18(h)	4606.1(h)	X			
waste management plan for F020, F021, F022, F023, F026 and F027 wastes	14	270.18(i)	4606.1(i)	X			
		270.18(i)(1)	4606.1(i)(1)	X			
		270.18(i)(2)	4606.1(i)(2)	X			
		270.18(i)(3)	4606.1(i)(3)	X			
		270.18(i)(4)	4606.1(i)(4)	X			

SPECIFIC PART B INFORMATION REQUIREMENTS FOR INCINERATORS

incinerators information requirements	V	270.19 intro, 270.19 (a)-(d)	4018, 4400.3			X	
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Corporation Counsel Statement Comment: No information requirements are included for incinerators (40 CFR 270.19) because the use of such units for hazardous waste incineration is prohibited in the District under 20 DCMR §§4400.3 and 4018. This difference makes the District's program more stringent than the Federal program.

SPECIFIC PART B INFORMATION REQUIREMENTS FOR LAND TREATMENT FACILITIES

additional information requirements for facilities that use land treatment	V	270.20 intro, 270.20 (a)-(i)	4018, 4400.3			X	
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Corporation Counsel Statement Comment: No information requirements are included for land treatment (40 CFR 270.20) because these units are prohibited in the District under 20 DCMR §§4400.3 and 4018. This difference makes the District's program more stringent than the Federal program.

SPECIFIC PART B INFORMATION REQUIREMENTS FOR LANDFILLS

additional information requirements for facilities using landfills	V, 17F, 14	270.21	4018, 4400.3			X	
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Corporation Counsel Statement Comment: No information requirements are included for landfills (40 CFR 270.21) because these units are prohibited in the District under 20 DCMR §§4400.3 and 4018. This difference makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SPECIFIC PART B INFORMATION REQUIREMENTS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

Boilers and industrial furnaces information requirements	85,94	270.22(a)-(f)	4018, 4507.1			X	
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Corporation Counsel Statement Comment: No information requirements are included for BIFs (40 CFR 270.22) because these units are prohibited in the District under 20 DCMR §§4400.3 and 4018. This difference makes the District's program more stringent than the Federal program.

SPECIFIC PART B INFORMATION REQUIREMENTS FOR MISCELLANEOUS UNITS

additional information for facilities using miscellaneous units	45	270.23	4607.1	X			
detailed description of unit	45	270.23(a)	4607.1(a)	X			
		270.23(a)(1)	4607.1(a)(1)	X			
		270.23(a)(2)	4607.1(a)(2)	X			
		270.23(a)(3)	4607.1(a)(3)	X			
hydrologic, geologic, and meteorologic assessments and land use maps for addressing and meeting environmental performance standards	45	270.23(b)	4607.1(b)	X			
potential exposure pathways	45	270.23(c)	4607.1(c)	X			
effectiveness of treatment	45	270.23(d)	4607.1(d)	X			
additional information, as determined by Director	45	270.23(e)	4607.1(e)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SPECIFIC PART B INFORMATION REQUIREMENTS FOR PROCESS VENTS							
additional information that must be provided by owners and operators of facilities that have process vents to which Subpart AA of Part 264 applies, except as provided in 264.1	79	270.24	4608.1	X			
implementation schedule as specified in 264.1033 (a)(2) for facilities that cannot install a closed-vent system and control device to comply with Part 264 Subpart AA provisions on the effective date the facility becomes subject to Part 264 or Part 265 Subpart AA provisions	79	270.24(a)	4608.1(a)	X			
documentation of compliance with process vent standards in 264.1032 including:	79	270.24(b)	4608.1(b)	X			
information and data identifying all affected process vents and specific information for each vent	79	270.24(b)(1)	4608.1(b)(1)	X			
information and data supporting estimates of vent emissions and emission reductions; estimates made using parameter values representing highest load or capacity level conditions	79	270.24(b)(2)	4608.1(b)(2)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
information and data for determining if a process vent is subject to 264.1032 requirements	79	270.24(b)(3)	4608.1(b)(3)	X			
a performance test plan as specified in 264.1035 (b)(3) if applying to use certain control devices and using test data to determine efficiency or concentration	79	270.24(c)	4608.1(c)	X			
documentation of compliance with 264.1033 including:	79	270.24(d)	4608.1(d)	X			
references and sources used in preparing documentation	79	270.24(d)(1)	4608.1(d)(1)	X			
records including dates of each compliance test required by 264.1033(k)	79,87	270.24(d)(2)	4608.1(d)(2)	X			
design analysis and other documents that present basic control device design information; design analysis addresses vent stream characteristics and control device operation parameters as specified in 264.1035(b)(4)(iii)	79	270.24(d)(3)	4608.1(d)(3)	X			
certification statement signed and dated by owner or operator regarding operating parameters used in design analysis	79	270.24(d)(4)	4608.1(d)(4)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certification statement signed and dated by owner or operator regarding control device meeting efficiency design specifications	79	270.24(d)(5)	4608.1(d)(5)	X			

SPECIFIC PART B INFORMATION REQUIREMENTS FOR EQUIPMENT

additional information that must be provided by owners and operators of facilities that have equipment to which Subpart BB of Part 264 applies, except as provided in 264.1	79	270.25	4609.1	X			
for each piece of equipment to which Subpart BB of Part 264 applies:	79	270.25(a)	4609.1(a)	X			
equipment identification number and hazardous waste management unit identification	79	270.25(a)(1)	4609.1(a)(1)	X			
approximate locations within the facility	79	270.25(a)(2)	4609.1(a)(2)	X			
type of equipment	79	270.25(a)(3)	4609.1(a)(3)	X			
percent by weight total organics in the hazardous waste stream at the equipment	79	270.25(a)(4)	4609.1(a)(4)	X			
hazardous waste state at the equipment	79	270.25(a)(5)	4609.1(a)(5)	X			
method of compliance with the standard	79	270.25(a)(6)	4609.1(a)(6)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
implementation schedule as specified in 264.1033 (a)(2) for facilities that cannot install a closed-vent system and control device to comply with Part 264 Subpart BB provisions on the effective date the facility becomes subject to Part 264 or Part 265 Subpart BB provisions	79	270.25(b)	4609.1(b)	X			
a performance test plan as specified in 264.1035 (b)(3) if applying to use certain control devices and using test data to determine or efficiency or concentration	79	270.25(c)	4609.1(c)	X			
documentation demonstrating compliance with 264.1052 to 264.1059 equipment standards and containing records required under 264.1064; Regional Administrator may request further documentation	79	270.25(d)	4609.1(d)	X			
documentation to demonstrate compliance with 264.1060 shall include:	79	270.25(e)	4609.1(e)	X			
references and sources used in preparing documentation	79	270.25(e)(1)	4609.1(e)(1)	X			
records, including dates, of each compliance test required by 264.1033(j)	79,87	270.25(e)(2)	4609.1(e)(2)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
design analysis and other documents that present basic control device design information; design analysis addresses vent stream characteristics and control device operation parameters as specified in 264.1035(b)(4)(iii)	79	270.25(e)(3)	4609.1(e)(3)	X			
certification statement signed and dated by owner or operator regarding operating parameters used in design analysis	79	270.25(e)(4)	4609.1(e)(4)	X			
certification statement signed and dated by owner or operator regarding control device meeting efficiency design specifications	79	270.25(e)(5)	4609.1(e)(5)	X			
SPECIAL PART B INFORMATION REQUIREMENTS FOR DRIP PADS							
additional information to be provided by owners and operators of hazardous waste treatment, storage, or disposal facilities that collect, store, or treat hazardous waste on drip pads, except as otherwise provided by 264.1	82,92	270.26	4610.1	X			
list of hazardous wastes placed or to be placed on each drip pad	82,92	270.26(a)	4610.1(a)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
detailed plans and an engineering report describing how 264.90 (b)(2) will be met, if an exemption is sought to Subpart F of Part 264	82,85,92	270.26(b)	4610.1(b)	X			
detailed plans and an engineering report describing the design, construction, operation and maintenance of drip pad to meet 264.573 requirements; submission must address 264.571 items	82,92	270.26(c)	4610.1(c)	X			
design characteristics of the drip pad	82,92	270.26(c)(1)	4610.1(c)(1)	X			
liner system	82,92	270.26(c)(2)	4610.1(c)(2)	X			
leakage detection system	82,92	270.26(c)(3)	4610.1(c)(3)	X			
practices designed to maintain drip pads	82,92	270.26(c)(4)	4610.1(c)(4)	X			
associated collection system	82,92	270.26(c)(5)	4610.1(c)(5)	X			
control of run-on to the drip pad	82,92	270.26(c)(6)	4610.1(c)(6)	X			
control of run-off from the drip pad	82,92	270.26(c)(7)	4610.1(c)(7)	X			
removal intervals and demonstration of sufficiency to prevent overflow	82,92	270.26(c)(8)	4610.1(c)(8)	X			
procedures for cleaning drip pad at least once every seven days; provisions for documentation of date, time and cleaning procedure	82,92	270.26(c)(9)	4610.1(c)(9)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
operating practices and procedures to minimize tracking of hazardous waste or waste constituents off the drip pad	82,92	270.26(c)(10)	4610.1(c)(10)	X			
procedures for ensuring that treated wood from pressure and nonpressure processes is held on the drip pad until dripage has ceased; recordkeeping practices	82,92	270.26(c)(11)	4610.1(c)(11)	X			
provisions for ensuring that collection and holding units for run-on and run-off control systems are emptied or managed as soon as possible after storms to maintain design capacity	82,92	270.26(c)(12)	4610.1(c)(12)	X			
if treatment is carried out on the drip pad, details of process equipment used, and the nature and quality of residuals	82,92	270.26(c)(13)	4610.1(c)(13)	X			
description of drip pad inspections to meet 264.573 requirements; include in 270.14(b)(5) inspection plan	82,92	270.26(c)(14)	4610.1(c)(14)	X			
certification that drip pad design meets 264.573(a)-(f) requirements	82,92	270.26(c)(15)	4610.1(c)(15)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
description of removal procedures at closure under 264.575(a); for waste not removed at closure, submittal of detailed plan and engineering report to describe compliance with 264.310(a) and (b); information should be included in closure plan and, where applicable, 270.14(b)(13) post-closure plan	82.92	270.26(c)(16)	4610.1(c)(16)	X			

SPECIFIC PART B INFORMATION REQUIREMENTS FOR AIR EMISSION CONTROLS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

Corporation Counsel Statement Comment: References to surface impoundments throughout this section addressing information requirements related to the 40 CFR 264, Subpart CC, have been removed because surface impoundments are not allowed in the District.

additional information to be provided by owners and operators of tanks, surface impoundments, or containers that use air emission controls except as otherwise provided in 264.1	154.1	270.27(a)	4611.1	X			
documentation for each cover installed on a tank subject to 264.1084(b)(2) or 264.1084(b)(3) describing cover design, and certification that the cover meets design specifications as listed in 265.1091(a)	154.1, 154.6	270.27(a)(1)	4611.1(a)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
identification of each container area subject to the requirements of 264, Subpart CC and certification that the requirements of 270, Subpart B are met	154.1	270.27(a)(2)	4611.1(b)	X			
documentation for each enclosure used to control air emissions from containers in accordance with 264.1086(b)(2)(i) that includes information prepared by the owner or operator or provided by the manufacturer or vendor describing the enclosure design, and certification that the enclosure meets the specifications of 264.1086(b)(2)(ii)	154.1, 154.6	270.27(a)(3)	4611.1(c)	X			
documentation for each floating membrane cover installed on a surface impoundment in accordance with 264.1085(c), and certification that the cover meets specifications listed in 265.1086(e)	154.1	270.27(a)(4)	4400.3, 4018			X	

Corporation Counsel Statement Comment: The District does not have an analog to 270.27(a)(4) because the District does not allow the use of surface impoundments for hazardous waste treatment, storage or disposal. This difference makes the District's program more stringent. 20 DCMR § 4611.1(d), where the 40 CFR 270.27(a)(4) requirement should be, is reserved.

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
documentation for each closed-vent system and control device installed in accordance with 264.1087 that includes design and performance information as specified in 270.24(c)&(d)	154.1	270.27(a)(5)	4611.1(e)	X			
emissions monitoring plan for both Method 21 and control device monitoring methods	154.1	270.27(a)(6)	4611.1(f)	X			
when an owner or operator of a facility subject to 265, Subpart CC cannot comply with 264, Subpart CC by the date of permit issuance, the schedule of implementation required under 265.1082	154.1	270.27(a)(7)	4611.1(g)	X			
reserved	*	270.28	4611.2	X			

† PERMIT DENIAL

director denial of entire permit application or as to active life of hazardous waste facility or unit	61	270.29	4612.1	X			
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SUBPART C - PERMIT CONDITIONS

CONDITIONS APPLICABLE TO ALL PERMITS

conditions that will be incorporated into all permits	V	270.30	4613.1	X			
duty to comply	V	270.30(a)	4613.2	X			
duty to reapply	V	270.30(b)	4613.3	X			
need to halt or reduce activity not a defense	V	270.30(c)	4613.4	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
event of noncompliance with permit; permittee's responsibilities	V,2	270.30(d)	4613.5	X			
proper operation and maintenance	V	270.30(e)	4613.6	X			
permit actions	V	270.30(f)	4613.7	X			
property rights	V	270.30(g)	4613.8	X			
duty to provide information	V	270.30(h)	4613.9	X			
inspection and entry	V	270.30(i)	4613.10	X			
		270.30(i)(1)	4613.10(a)	X			
		270.30(i)(2)	4613.10(b)	X			
		270.30(i)(3)	4613.10(c)	X			
		270.30(i)(4)	4613.10(d)	X			
monitoring and records	V,17 D, 17 P	270.30(j)(1)	4613.11 & 4613.11(a)	X			
		270.30(j)(2)	4613.11(b)	X			
		270.30(j)(3)	4613.11(c)	X			
		270.30(j)(3)(i)	4613.11(c)(1)	X			
		270.30(j)(3)(ii)	4613.11(c)(2)	X			
		270.30(j)(3)(iii)	4613.11(c)(3)	X			
		270.30(j)(3)(iv)	4613.11(c)(4)	X			
		270.30(j)(3)(v)	4613.11(c)(5)	X			
270.30(j)(3)(vi)	4613.11(c)(6)	X					
signatory requirements	V	270.30(k)	4613.12	X			
reporting requirements; planned changes to facility	V	270.30(l)(1)	4613.13 & 4613.13(a)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
planned changes resulting in non-compliance with permit; permittee may not treat, store or dispose of hazardous waste until certain specified conditions are met	V,†54	270.30(l)(2)	4613.13(b)	X			
	V	270.30(l)(2)(i)	4613.13(b)(1)	X			
		270.30(l)(2)(ii)(A)	4613.13(b)(1)(A)	X			
		270.30(l)(2)(ii)(B)	4613.13(b)(1)(B)	X			
permit not transferable except after notice to Director; what Director may require	V	270.30(l)(3)	4613.13(c)	X			
monitoring reports	V	270.30(l)(4)	4613.13(d)	X			
submittal of reports no later than 14 days following compliance schedule date	V	270.30(l)(5)	4613.13(e)	X			
what permittee must report within 24 hours if noncompliance endangers health or the environment	V	270.30(l)(6)(i)	4613.13(f)	X			
		270.30(l)(6)(i)(A)	4613.13(f)(1)	X			
		270.30(l)(6)(i)(B)	4613.13(f)(2)	X			
		270.30(l)(6)(ii)	4613.13(f)(3)	X			
		270.30(l)(6)(ii)(A)-(G)	4613.13(f)(3)(A)-(G)	X			
		270.30(l)(6)(iii)	4613.13(f)(4)	X			
submittal of manifest discrepancy report	V	270.30(l)(7)	4613.13(g)	X			
submittal of unmanifested waste report	V	270.30(l)(8)	4613.13(h)	X			
submittal of biennial report	V,†1	270.30(l)(9)	4613.13(i)	X			
submittal of other non-compliance reports	V	270.30(l)(10)	4613.13(j)	X			
submittal of other information	V	270.30(l)(11)	4613.13(k)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the Director may require the permittee to establish and maintain an information repository at any time, as set forth in 124.33(b); information repository shall be governed by provisions in 124.33(c)-(f)	148	270.30(m)	4613.14	X			
REQUIREMENTS FOR RECORDING AND REPORTING OF MONITORING RESULTS							
all permits shall specify:	V	270.31	4614.1	X			
requirements for monitoring equipment or methods	V	270.31(a)	4614.1(a)	X			
required monitoring	V	270.31(b)	4614.1(b)	X			
applicable reporting requirements	V	270.31(c)	4614.1(c)	X			
ESTABLISHING PERMIT CONDITIONS							
conditions established on a case-by-case basis	V	270.32(a)	4615.1	X			
incorporation of applicable requirements of Parts 264 and 266 through 268	V,17 O,34	270.32(b)(1)	4615.2	X			
terms and conditions considered necessary by Director to protect human health and environment	17 O	270.32(b)(2)	4615.3	X			
what an applicable requirement is	*	270.32(c)	4615.4	X			
incorporation of applicable requirements into new, reissued, modified or revoked and reissued permits	*	270.32(d)	4615.5	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
incorporation either expressly or by reference	V	270.32(e)	4615.6	X			

† SCHEDULES OF COMPLIANCE

permit may specify a schedule of compliance	V	270.33(a)	4616.1	X			
time for compliance	V	270.33(a)(1)	4616.2	X			
interim requirements and dates for achievement	V	270.33(a)(2)	4616.3	X			
		270.33(a)(2)(i)	4616.3(a)	X			
		270.33(a)(2)(ii)	4616.3(b)	X			
reporting within 14 days of scheduled dates	V	270.33(a)(3)	4616.4	X			
permit applicant or permittee may cease activities rather than continue to operate	*	270.33(b)	4616.5	X			
decision to cease activities; permit modified or cease before noncompliance with schedule	*	270.33(b)(1)	4616.5(a)	X			
		270.33(b)(1)(i)	4616.5(a)(1)	X			
		270.33(b)(1)(ii)	4616.5(a)(2)	X			
cease activities before issuance of a permit; permit shall contain schedule leading to termination	*	270.33(b)(2)	4616.5(b)	X			
two schedules in permit if permittee undecided whether to cease regulated activities	*	270.33(b)(3)	4616.5(c)	X			
		270.33(b)(3)(i)	4616.5(c)(1)	X			
		270.33(b)(3)(ii)	4616.5(c)(2)	X			
		270.33(b)(3)(iii)	4616.5(c)(3)	X			
		270.33(b)(3)(iv)	4616.5(c)(4)	X			
evidence of firm public commitment	*	270.33(b)(4)	4616.5(d)	X			

SUBPART D - CHANGES TO PERMIT

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

TRANSFER OF PERMITS

transfers if modification	V,†54	270.40(a)	4617.1	X			
† Class 1 modifications; requirements of Part 264, Subpart H	54	270.40(b)	4617.2	X			

MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS

cause for modification or revocation and reissuance	*,†54	270.41	4617.3	X			
causes for modification but not for revocation and reissuance unless permittee requests or agrees	*	270.41(a)	4617.4	X			
alterations or additions	V	270.41(a)(1)	4617.4(a)	X			
information received by Director	V	270.41(a)(2)	4617.4(b)	X			
new statutory requirements or regulations	V,44 D, †54	270.41(a)(3)	4617.4(c)	X			
modification of compliance schedules	V	270.41(a)(4)	4617.4(d)	X			
when permit reviewed under 270.50(d); Director may modify permit as necessary for compliance	V,17 N, †54	270.41(a)(5)	No analog			X	

Corporation Counsel Statement Comment: The District does not have an analog to this provision because it addresses land disposal permits. These are prohibited in the District.

causes for modification or revocation and reissuance	V	270.41(b)	4617.5	X			
		270.41(b)(1)	4617.5(a)	X			
		270.41(b)(2)	4617.5(b)	X			
facility siting	V	270.41(c)	4617.6	X			

† **PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE**

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
putting into effect Class 1 modifications as listed in 270.42 Appendix I; conditions:	54	270.42(a)(1)	4617.7	X			
notification of Director by permittee	54	270.42(a)(1)(i)	4617.7(a)	X			
to whom notice of modification must be sent and when	54	270.42(a)(1)(ii)	4617.7(b)	X			
rejection of modification by Director	54	270.42(a)(1)(iii)	4617.7(c)	X			
modifications requiring prior written approval	54	270.42(a)(2)	4617.7(d)	X			
Class 2 procedures instead of Class 1 procedures	54	270.42(a)(3)	4617.7(e)	X			
Class 2 modifications as listed in 270.42 Appendix I; what request must include:	54	270.42(b)(1)	4617.8 & 4617.8(a)	X			
description of exact changes	54	270.42(b)(1)(i)	4617.8(a)(1)	X			
identification of Class 2 modification	54	270.42(b)(1)(ii)	4617.8(a)(2)	X			
why modification is needed	54	270.42(b)(1)(iii)	4617.8(a)(3)	X			
provision of applicable information	54	270.42(b)(1)(iv)	4617.8(a)(4)	X			
to whom notice must be sent and when; what notice must include:	54	270.42(b)(2)	4617.8(b)	X			
announcement of a 60-day comment period	54	270.42(b)(2)(i)	4617.8(b)(1)	X			
announcement of where and when public meeting will be held	54	270.42(b)(2)(ii)	4617.8(b)(2)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
name and phone number of permittee's contact person	54	270.42(b)(2)(iii)	4617.8(b)(3)	X			
name and phone number of Agency contact person	54	270.42(b)(2)(iv)	4617.8(b)(4)	X			
location for viewing modification request	54	270.42(b)(2)(v)	4617.8(b)(5)	X			
availability of permittee's compliance history	54	270.42(b)(2)(vi)	4617.8(b)(6)	X			
placement of modification request copy in vicinity of facility for public access	54	270.42(b)(3)	4617.8(c)	X			
when and where permittee must hold a public meeting	54	270.42(b)(4)	4617.8(d)	X			
public comment period	54	270.42(b)(5)	4617.8(e)	X			
requirements after receipt of modification request:	54	270.42(b)(6)(i)	4617.8(f)	X			
approve request, with or without changes	54	270.42(b)(6)(i)(A)	4617.8(f)(1)	X			
deny request	54	270.42(b)(6)(i)(B)	4617.8(f)(2)	X			
determine if Class 3 modification procedures are needed:	54	270.42(b)(6)(i)(C)	4617.8(f)(3)	X			
significant public concern	54	270.42(b)(6)(i)(C)(1)	4617.8(f)(3)(A)	X			
complex nature of changes	54	270.42(b)(6)(i)(C)(2)	4617.8(f)(3)(B)	X			
approve as temporary authorization	54	270.42(b)(6)(i)(D)	4617.8(f)(4)	X			
notify permittee that decision will be made in 30 days	54	270.42(b)(6)(i)(E)	4617.8(f)(5)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
requirements if decision is extended for 30 days:	54	270.42(b)(6)(ii)	4617.8(g)	X			
approve request, with or without changes	54	270.42(b)(6)(ii)(A)	4617.8(g)(1)	X			
deny request	54	270.42(b)(6)(ii)(B)	4617.8(g)(2)	X			
determine if Class 3 modification procedures are needed	54	270.42(b)(6)(ii)(C)	4617.8(g)(3)	X			
significant public concern	54	270.42(b)(6)(ii)(C) (J)	4617.8(g)(3)(A)	X			
complex nature of changes	54	270.42(b)(6)(ii)(C) (2)	4617.8(g)(3)(B)	X			
approve as temporary authorization	54	270.42(b)(6)(ii)(D)	4617.8(g)(4)	X			
temporary or automatic authorization following failure to make decision	54	270.42(b)(6)(iii)	4617.8(h)	X			
requirements of permittee under temporary or automatic authorization:	54	270.42(b)(6)(iv)(A)	4617.8(i)	X			
temporary authorization to conduct activities as in modification request	54	270.42(b)(6)(iv)(A) (J)	4617.8(i)(1)	X			
unless final approval or denial, authorization for life of permit	54	270.42(b)(6)(iv)(A) (2)	4617.8(i)(2)	X			
deferment of permanent authorization if failure to notify public	54	270.42(b)(6)(iv)(B)	4617.8(j)	X			
if no final approval or denial or reclassification, authority to conduct activities as described in modification request for life of permit unless later modification	54	270.42(b)(6)(v)	4617.8(k)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
consideration and response to all significant comments	54	270.42(b)(6)(vi)	4617.8(l)	X			
extension of time periods for final approval, denial or reclassification as Class 3	54	270.42(b)(6)(vii)	4617.8(m)	X			
reasons to deny or change Class 2 permit modification terms:	54	270.42(b)(7)	4617.8(n)	X			
request is incomplete	54	270.42(b)(7)(i)	4617.8(n)(1)	X			
noncompliance with appropriate requirements	54	270.42(b)(7)(ii)	4617.8(n)(2)	X			
failure to protect human health and environment	54	270.42(b)(7)(iii)	4617.8(n)(3)	X			
commencement of construction under Class 2	54	270.42(b)(8)	4617.8(o)	X			
requirements for Class 3 modifications listed in 270.42 Appendix I:	54	270.42(c)(1)	4617.9 & 4617.9(a)	X			
description of exact changes	54	270.42(c)(1)(i)	4617.9(a)(1)	X			
identification of Class 3 modification	54	270.42(c)(1)(ii)	4617.9(a)(2)	X			
why modification is needed	54	270.42(c)(1)(iii)	4617.9(a)(3)	X			
provision of applicable information	54,94	270.42(c)(1)(iv)	4617.9(a)(4)	X			
to whom and when notice must be sent; what notice must include:	54	270.42(c)(2)	4617.9(b)	X			
announcement of a 60-day comment period	54	270.42(c)(2)(i)	4617.9(b)(1)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
announcement of when and where public meeting will be held	54	270.42(c)(2)(ii)	4617.9(b)(2)	X			
name and phone number of permittee's contact person	54	270.42(c)(2)(iii)	4617.9(b)(3)	X			
name and phone number of Agency contact person	54	270.42(c)(2)(iv)	4617.9(b)(4)	X			
location for viewing modification request	54	270.42(c)(2)(v)	4617.9(b)(5)	X			
availability of permittee's compliance history	54	270.42(c)(2)(vi)	4617.9(b)(6)	X			
placement of modification request copy in vicinity of facility for public access	54	270.42(c)(3)	4617.9(c)	X			
when and where permittee must hold a public meeting	54	270.42(c)(4)	4617.9(d)	X			
public comment period	54	270.42(c)(5)	4617.9(e)	X			
grant or deny modification request after public comment period; consider and respond to all significant written comments	54	270.42(c)(6)	4617.9(f)	X			
other modifications not explicitly listed in Appendix I	54	270.42(d)(1)	4617.10	X			
determination of appropriate class:	54	270.42(d)(2)	4617.10(a)	X			
changes that necessitate Class 1 modifications	54	270.42(d)(2)(i)	4617.10(a)(1)	X			
changes that necessitate Class 2 modifications	54	270.42(d)(2)(ii)	4617.10(a)(2)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
variations in types and quantities of wastes managed	54	270.42(d)(2)(ii)(A)	4617.10(a)(2)(A)	X			
technological advancements	54	270.42(d)(2)(ii)(B)	4617.10(a)(2)(B)	X			
changes necessary to comply with new regulations	54	270.42(d)(2)(ii)(C)	4617.10(a)(2)(C)	X			
Class 3 modifications substantially alter operation	54	270.42(d)(2)(iii)	4617.10(a)(3)	X			
granting of temporary authorizations	54	270.42(e)(1)	4617.11	X			
temporary authorization may be requested for:	54	270.42(e)(2)(i)	4617.11(a)	X			
Class 2 modification meeting criteria	54	270.42(e)(2)(i)(A)	4617.11(a)(1)	X			
Class 3 modification meeting criteria and providing improved management or treatment	54	270.42(e)(2)(i)(B)	4617.11(a)(2)	X			
what temporary authorization request must include:	54	270.42(e)(2)(ii)	4617.11(b)	X			
description of activities	54	270.42(e)(2)(ii)(A)	4617.11(b)(1)	X			
why temporary authorization is necessary	54	270.42(e)(2)(ii)(B)	4617.11(b)(2)	X			
sufficient information to ensure compliance	54	270.42(e)(2)(ii)(C)	4617.11(b)(3)	X			
to whom notice must be sent	54	270.42(e)(2)(iii)	4617.11(c)	X			
approve or deny temporary authorization quickly; basis for decision:	54	270.42(e)(3)	4617.11(d)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
authorized activities in compliance with Part 264	54	270.42(e)(3)(i)	4617.11(d)(1)	X			
necessity of temporary authorization to achieve an objective:	54	270.42(e)(3)(ii)	4617.11(d)(2)	X			
facilitate closure or corrective action activities	54	270.42(e)(3)(ii)(A)	4617.11(d)(2)(A)	X			
allow treatment or storage in tanks or containers, or in containment buildings	54,109	270.42(e)(3)(ii)(B)	4617.11(d)(2)(B)	X			
prevent disruption of ongoing activities	54	270.42(e)(3)(ii)(C)	4617.11(d)(2)(C)	X			
respond to sudden changes in types or quantities of wastes managed	54	270.42(e)(3)(ii)(D)	4617.11(d)(2)(D)	X			
facilitate protection of human health and environment	54	270.42(e)(3)(ii)(E)	4617.11(d)(2)(E)	X			
reissuance of temporary authorization for Class 2 or 3	54	270.42(e)(4)	4617.11(e)	X			
reissuance of Class 2 in accordance with specific paragraphs	54	270.42(e)(4)(i)	4617.11(e)(1)	X			
reissuance of Class 3 in accordance with specific paragraph	54	270.42(e)(4)(ii)	4617.11(e)(2)	X			
when and to whom notification of grant, denial or automatic authorization decisions must be sent	54	270.42(f)(1)	4617.12	X			
appeal of grant or denial decision	54	270.42(f)(2)	4617.12(a)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
appeal of automatic authorization	54	270.42(f)(3)	4617.12(b)	X			
newly regulated wastes and units	54,85	270.42(g)(1)	4617.13	X			
continued authority to manage wastes listed in Part 261 or continue to manage hazardous wastes in units newly regulated as hazardous waste management units if:	54,85,94	270.42(g)(1)	4617.13	X			
unit in existence as a hazardous waste facility on effective date of final rule listing or identifying waste or regulating the unit	54,85,94	270.42(g)(1)(i)	4617.13(a)	X			
submit Class 1 modification request	54,85	270.42(g)(1)(ii)	4617.13(b)	X			
in compliance with 265 and 266 standards	54,85	270.42(g)(1)(iii)	4617.13(c)	X			
for Class 2 or 3 modifications, submit complete modification request within 180 days of effective date of rule listing or identifying waste or subjecting unit to Subtitle C management requirements	54,85,94	270.42(g)(1)(iv)	4617.13(d)	X			
certification that land disposal units are in compliance within 12 months	54,85	270.42(g)(1)(v)	4617.13(e)			X	

Corporation Counsel Statement Comment: At 20 DCMR §4617.13(e), the analog to 40 CFR 270.42(g)(1)(v), the District broadens the requirement for certification of compliance to all units, not just land disposal units as is the case under the Federal program. Therefore, the District's program is more stringent than the Federal program.

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
expansions are not under 25 percent capacity limit for Class 2 modifications	54	270.42(g)(2)	4617.13(f)	X			
if listed conditions met, permittee may accept military munitions even when permit conditions bar acceptance of off-site wastes	156	270.42(h)	4617.14	X			
		270.42(h)(1)	4617.14(a)	X			
		270.42(h)(2)	4617.14(b)	X			
		270.42(h)(3)	4617.14(c)	X			
maintenance and notice of updated list of permit modifications	54, 156	270.42(i)	4617.15	X			
270.42(i) through 270.42(p) removed	34, †39, 54	270.42(i)-(p)	No analog	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† Appendix I; classification of modifications	54,61,64, 78,83,85, 94,100, 109,†121, 124	270.42, Appendix I	Chapter 46 Appendix I	D			

Corporation Counsel Statement Comment: This appendix has been modified to indicate those practices which are not allowed in the District.

Note that the District has adopted the Revision Checklist 121 changes to 40 CFR 270.42 Appendix I; the District is not seeking authorization for corrective action at this time.

TERMINATION OF PERMITS

causes for terminating a permit	V	270.43(a)	4617.17	X			
		270.43(a)(1)	4617.17(a)	X			
		270.43(a)(2)	4617.17(b)	X			
		270.43(a)(3)	4617.17(c)	X			
Director shall follow applicable Part 124 or State procedures	V	270.43(b)	4617.18	X			

SUBPART E - EXPIRATION AND CONTINUATION OF PERMITS

DURATION OF PERMITS

maximum ten-year term	V	270.50(a)	4618.1	X			
no extension of maximum term by modification except as 270.51 provides	V	270.50(b)	4618.2	X			
† permit for less than full term	V	270.50(c)	4618.3	X			
five-year review for land disposal facility permits	17 N	270.50(d)	4618.4			X	

Corporation Counsel Statement Comment: The District does not limit this requirement to land disposal facilities. The District applies the five-year review to all facilities, thus making the District more stringent.

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART F - SPECIAL FORMS OF PERMITS

† PERMITS BY RULE

RCRA permit by rule if listed conditions are met	*	270.60	4619.1	X			
ocean disposal barges or vessels; specific conditions:	V	270.60(a)	4619.1(a)	X			
permit under Part 220	V	270.60(a)(1)	4619.1(a)(1)	X			
compliance with conditions of that permit	V	270.60(a)(2)	4619.1(a)(2)	X			
compliance with specified hazardous waste regulations	V	270.60(a)(3)	4619.1(a)(3)	X			
		270.60(a)(3)(i)	4619.1(a)(3)(A)	X			
		270.60(a)(3)(ii)	4619.1(a)(3)(B)	X			
		270.60(a)(3)(iii)	4619.1(a)(3)(C)	X			
		270.60(a)(3)(iv)	4619.1(a)(3)(D)	X			
		270.60(a)(3)(v)	4619.1(a)(3)(E)	X			
injection wells; specific conditions:	V	270.60(b), 270.60(b)(1)-(3)	No direct analog; 4018, 4400.3			X	

Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 270.60(b), addressing permits by rule for hazardous waste disposal in injection wells, because this practice is prohibited in the District under 20 DCMR §§4400.3 and 4018. This difference makes the District's program more stringent.

publicly owned treatment works; specific conditions:	V	270.60(c)	4619.1(c)	X			
NPDES permit	V	270.60(c)(1)	4619.1(c)(1)	X			
compliance with conditions of permit	V	270.60(c)(2)	4619.1(c)(2)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
compliance with specified regulations	V	270.60(c)(3)	4619.1(c)(3)	X			
		270.60(c)(3)(i)	4619.1(c)(3)(A)	X			
		270.60(c)(3)(ii)	4619.1(c)(3)(B)	X			
		270.60(c)(3)(iii)	4619.1(c)(3)(C)	X			
		270.60(c)(3)(iv)	4619.1(c)(3)(D)	X			
		270.60(c)(3)(v)	4619.1(c)(3)(E)	X			
	270.60(c)(3)(vi)	4619.1(c)(3)(F)	X				
	17 L	270.60(c)(3)(vii)	4619.1(c)(3)(G)	X			
waste meets all pretreatment requirements	V	270.60(c)(4)	4619.1(c)(4)	X			

† EMERGENCY PERMITS

temporary emergency permit	V	270.61(a)	4619.2	X			
nonpermitted facility	V	270.61(a)(1)	4619.2(a)	X			
permitted facility	V	270.61(a)(2)	4619.2(b)	X			
conditions of emergency permit	V	270.61(b)(1)	4619.3(a)	X			
		270.61(b)(2)	4619.3(b)	X			
		270.61(b)(3)	4619.3(c)	X			
		270.61(b)(4)	4619.3(d)	X			
	V,148	270.61(b)(5)	4619.3(e)	X			
	V	270.61(b)(5)(i)	4619.3(e)(1)	X			
		270.61(b)(5)(ii)	4619.3(e)(2)	X			
		270.61(b)(5)(iii)	4619.3(e)(3)	X			
		270.61(b)(5)(iv)	4619.3(e)(4)	X			
270.61(b)(5)(v)		4619.3(e)(5)	X				
		270.61(b)(6)	4619.3(f)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

† HAZARDOUS WASTE INCINERATOR PERMITS

permit conditions to determine operational readiness; trial burn; permit modification	V, †54	270.62(a)-(d)	No direct analog; 4018, 4400.3			X	
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Corporation Counsel Statement Comment: The District prohibits the incineration of hazardous waste; therefore, there is no need for this provision addressing hazardous waste incinerator permits. The District's prohibition of this practice makes the District's program more stringent than the Federal program.

† PERMITS FOR LAND TREATMENT DEMONSTRATIONS USING FIELD TEST OR LABORATORY ANALYSES

treatment demonstration permit	V	270.63(a)-(d)	4018, 4400.3			X	
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Corporation Counsel Statement Comment: The District prohibits the use of land treatment; therefore, there is no need for this provision addressing land treatment demonstration permits. The District's prohibition of this practice makes the District's program more stringent than the Federal program.

INTERIM PERMITS FOR UIC WELLS

issuance of UIC permit; compliance with Part 264, Subpart R; maximum of two years	*	270.64	4018, 4400.3			X	
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Corporation Counsel Statement Comment: The District does not allow underground injection of hazardous waste; therefore, there is no need for this provision addressing the injection permits. The District's prohibition of this practice makes the District's program more stringent than the Federal program.

† RESEARCH, DEVELOPMENT AND DEMONSTRATION PERMITS

permit for experimental activity not promulgated under Part 264 or 266; permit provisions:	17 Q	270.65(a)	4619.4	X			
construction of facilities; operation for maximum of one year unless renewed	17 Q	270.65(a)(1)	4619.4(a)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
receipt and treatment of necessary wastes to determine efficacy and performance capabilities	17 Q	270.65(a)(2)	4619.4(b)	X			
inclusion of necessary requirements by Administrator to protect health and environment	17 Q	270.65(a)(3)	4619.4(c)	X			
modify or waive Parts 124 and 270 requirements except financial responsibility	17 Q	270.65(b)	4619.5	X			
immediate termination as necessary	17 Q	270.65(c)	4619.6	X			
maximum of three renewals; each renewal maximum of one year	17 Q	270.65(d)	4619.7	X			

PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

new boilers and industrial furnaces permits	85	270.66(a)-(g)	4018, 4507.1			X	
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Corporation Counsel Statement Comment: The District does not allow the burning of hazardous waste by boilers and industrial furnaces; therefore, there is no need for this provision addressing BIF permits. The District's prohibition of this practice makes the District's program more stringent than the Federal program.

SUBPART G - INTERIM STATUS

† **QUALIFYING FOR INTERIM STATUS**

existing HWM facility; treated as having been issued permit provided:	V, †17 D, †17 P	270.70(a)	4620.1	X			
compliance with section 3010(a) of RCRA	V	270.70(a)(1)	4620.1(a)	X			
compliance with 270.10	V	270.70(a)(2)	4620.1(b)	X			
failure to qualify	V, †6	270.70(b)	4620.2	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
previous denial of RCRA permit or authority to operate terminated	17 D,17 P	270.70(c)	4620.3	X			

† OPERATION DURING INTERIM STATUS

restrictions during interim status period	V	270.71(a)	4620.4	X			
		270.71(a)(1)	4620.4(a)	X			
		270.71(a)(2)	4620.4(b)	X			
		270.71(a)(3)	4620.4(c)	X			
compliance with Part 265	V	270.71(b)	4620.5	X			

† CHANGES DURING INTERIM STATUS

allowed changes at interim status facility	†61	270.72(a)	4620.6	X			
new hazardous wastes not identified in Part A application; addition of TSD units; submittal of revised Part A	V,†61	270.72(a)(1)	4620.6(a)	X			
increases in design capacity	V,†61	270.72(a)(2)	4620.6(b)	X			
lack of available capacity	V,†61	270.72(a)(2)(i)	4620.6(b)(1)	X			
compliance with Federal, State or local requirement	†61	270.72(a)(2)(ii)	4620.6(b)(2)	X			
changes or addition of processes; revised Part A permit application	V,†61	270.72(a)(3)	4620.6(c)	X			
emergency situation	V,†61	270.72(a)(3)(i)	4620.6(c)(1)	X			
compliance with Federal, State or local requirement	V,†61	270.72(a)(3)(ii)	4620.6(c)(2)	X			
changes in ownership or operational control; compliance demonstrations; transfer of duties	V,24,†61	270.72(a)(4)	4620.6(d)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
changes made in accordance with corrective action or court order; changes limited to releases that originate within facility boundary	†61	270.72(a)(5)	4620.6(e)	X			
newly regulated units if a revised Part A permit application is submitted on or before the date the unit becomes subject to the new requirements	85	270.72(a)(6)	4620.6(f)	X			
changes not allowed if amount to reconstruction of facility; exceptions:	V,†61	270.72(b)	4620.7	X			
changes solely to comply with 265.193	28,†61	270.72(b)(1)	4620.7(a)	X			
changes necessary to satisfy standards of 3004 (o) because of Federal, State or local requirements	†61	270.72(b)(2)	4620.7(b)	X			
changes necessary to allow continuing treatment of newly listed or identified wastes treated, stored or disposed of prior to rule's effective date	†61	270.72(b)(3)	4620.7(c)	X			
changes during closure in accordance with approved closure plan	†61	270.72(b)(4)	4620.7(d)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
changes necessary to comply with interim status corrective action order or court order; changes limited to treatment, storage, or disposal of waste that originated within boundary of facility	†61	270.72(b)(5)	4620.7(e)	X			
changes to treat or store, in tanks, containers or containment buildings wastes subject to 268 or RCRA Section 3004 land disposal restrictions, if solely made for compliance with these requirements	39,†61, 109	270.72(b)(6)	4620.7(f)	X			
addition of newly regulated units under 270.72(a)(6)	85	270.72(b)(7)	4620.7(g)	X			
redesignated	V,†61	270.72(c)-(e)	No analog	X			

† TERMINATION OF INTERIM STATUS

when interim status terminates	V	270.73	4620.8	X			
final administrative disposition of a permit application	V	270.73(a)	4620.8(a)	X			
terminated as provided in 270.10(e)(5)	V	270.73(b)	4620.8(b)	X			
termination of interim status for land disposal facility granted interim status prior to November 8, 1984 on November 8, 1985, unless:	17 P	270.73(c)	No direct analog; 4400.3, 4018			X	
Part B submittal	17 P	270.73(c)(1)	No direct analog; 4400.3, 4018			X	

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
certification of compliance with groundwater monitoring and financial responsibility requirements	17 P	270.73(c)(2)	No direct analog; 4400.3, 4018			X	

Corporation Counsel Statement Comment: Relative to the termination of interim status under 40 CFR 270.73, the District does not have an analog to 40 CFR 270.73(c) because, under 20 DCMR §§4400.3 and 4018, the District prohibits the units addressed by this provision.

for land disposal facility in existence on the effective date of statutory or regulatory amendment, twelve months after RCRA permit requirement; exceptions:	17 P	270.73(d)	4620.8(c)	X			
submittal of Part B application	17 P	270.73(d)(1)	4620.8(c)(1)	X			
certification of compliance with groundwater monitoring and financial responsibility requirements	17 P	270.73(d)(2)	4620.8(c)(2)	X			
for land disposal units operating under 270.72 (a)(1), (2), or (3); 12 months after effective date unless certification of compliance	†61	270.73(e)	4620.8(d)	X			
for incinerators, which have achieved interim status prior to November 8, 1984, interim status terminates on November 8, 1989 unless Part B applications by November 8, 1986	17 P,†61, 85,94	270.73(f)	No direct analog; 4400.3, 4018			X	

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Corporation Counsel Statement Comment: Relative to the termination of interim status under 40 CFR 270.73, the District does not have analogs to 40 CFR 270.73(f) because, under 20 DCMR §§4400.3 and 4018, the District prohibits the units addressed by this provision.							
any facility (other than land disposal or incinerator facility) which has achieved interim status prior to November 8, 1984, interim status terminates on November 8, 1992 unless Part B applications by November 8, 1988	17 P,+61, 94	270.73(g)	4620.12(e)	X			
PART 124 - PROCEDURES FOR DECISION MAKING							
SUBPART A - GENERAL PROGRAM REQUIREMENTS							
APPLICATION FOR A PERMIT							
if permit required, then must submit application; exceptions; when processing shall begin; signature and certification requirements	V,70	124.3(a)(1)	4701.1	X			
		124.3(a)(2)	4701.2	X			
		124.3(a)(3)	4701.3	X			
MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF PERMITS							
who initiates a modification, revocation and reissuance or termination of permit; reasons these actions can be taken	V,70	124.5(a)	4702.1(a)	X			
modify or revoke and reissue procedures:	V,+54,70	124.5(c)(1)	4702.1(c), 4702.1(c)(1)	X			
only those conditions to be modified shall be reopened; entire permit is reopened if permit revoked and reissued	V	124.5(c)(2)	4702.1(c)(2)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
minor modifications are not subject to 124.5	V,+54,70	124.5(c)(3)	4702.1(c)(3)	X			
termination procedures; notice of intent to terminate	V,70	124.5(d)	4702.1(d)	X			
DRAFT PERMITS							
decision to prepare draft or deny application	V	124.6(a)	4702.2(a)	X			
	V	124.6(d)	4702.2(d)	X			
		124.6(d)(1)	4702.2(d)(1)	X			
		124.6(d)(2)	4702.2(d)(2)	X			
		124.6(d)(3)	4702.2(d)(3)	X			
contents of a draft permit	V,70	124.6(d)(4)(i)	4702.2(d)(4)	X			
statement of basis or fact sheet accompanies draft permit; available to public; public hearing; issue final decision; respond to comments; appeals	V	124.6(e)	4702.2(e)-(f)	X			
FACT SHEET							
what the fact sheet must be prepared for; what the sheet will set forth; who receives fact sheet	V	124.8(a)	4702.3	X			

**CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what the fact sheet shall include	V	124.8(b)	4702.4	X			
		124.8(b)(1)	4702.4(a)	X			
		124.8(b)(2)	4702.4(b)	X			
		124.8(b)(4)	4702.4(c)	X			
		124.8(b)(5)	4702.4(d)	X			
		124.8(b)(6)	4702.4(e)	X			
		124.8(b)(6)(i)-(iii)	4702.4(e)(1)-(3)	X			
		124.8(b)(7)	4702.4(f)	X			
PUBLIC NOTICE OF PERMIT ACTIONS AND PUBLIC COMMENT PERIOD							
what the Director must give public notice of	V	124.10(a)(1)	4703.1(a)	X			
		124.10(a)(1)(ii)	4703.1(a)(2)	X			
		124.10(a)(1)(iii)	4703.1(a)(3)	X			
timing of public notice	V	124.10(b)(1)	4703.2(a)	X			
		124.10(b)(2)	4703.2(b)	X			
how public notice shall be given	V	124.10(c)	4703.3	X			
by mail; persons to whom notice must be mailed	V	124.10(c)(1)	4703.3(a)	X			
		124.10(c)(1)(i)	4703.3(a)(1)	X			
		124.10(c)(1)(ii)	4703.3(a)(2)	X			
	V,70	124.10(c)(1)(iii)	4703.3(a)(3)	D			
		124.10(c)(1)(ix)	4703.3(a)(4)	X			
		124.10(c)(1)(ix)(A)	4703.3(a)(4)(A)	X			
		124.10(c)(1)(ix)(B)	4703.3(a)(4)(B)	X			
		124.10(c)(1)(ix)(C)	4703.3(a)(4)(C)	X			
		124.10(c)(1)(x)(A)&(B)	4703.3(a)(5)&(6)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Corporation Counsel Statement Comment: References to Indian Tribes at 40 CFR 124.10(c)(1)(iii) has been removed because there are no Indian Tribes in the District.							
publication in a newspaper	V	124.10(c)(2)(i)	4703.3(b)	X			
		124.10(c)(2)(ii)	4703.3(b)	X			
legal notice to public under State law	V	124.10(c)(3)	4703.3(c)	X			
any other method to give notice to persons potentially affected	V	124.10(c)(4)	4703.3(d)	X			
minimum information which must be contained in a public notice	V	124.10(d)(1)	4703.4	X			
		124.10(d)(1)(i)	4703.4(a)	X			
		124.10(d)(1)(ii)	4703.4(b)	X			
		124.10(d)(1)(iii)	4703.4(c)	X			
		124.10(d)(1)(iv)	4703.4(d)	X			
		124.10(d)(1)(v)	4703.4(e)	X			
		124.10(d)(1)(vi)	*NA - the Administrative Record is not required for authorization	X			
124.10(d)(1)(ix)	4703.4(f)	X					
public notices for hearings; contents	V	124.10(d)(2)	4703.5	X			
		124.10(d)(2)(i)	4703.5(a)	X			
		124.10(d)(2)(ii)	4703.5(b)	X			
		124.10(d)(2)(iii)	4703.5(c)	X			
all persons identified in 124.10(c)(1)(i)-(iv) must be mailed fact sheet, the permit application and the draft permit	V	124.10(e)	4703.6	X			
PUBLIC COMMENTS AND REQUESTS FOR PUBLIC HEARINGS							
procedures	V	124.11	4704.1	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PUBLIC HEARINGS							
when director must or may hold a public hearing; how public notice shall be given	V	124.12(a)(1)	4704.2(a)	X			
	V,70	124.12(a)(2)	4704.2(b)	X			
		124.12(a)(3)	4704.2(c)-(d)	X			
	V	124.12(a)(4)(i)&(ii)	4704.2(e)	X			
RESPONSE TO COMMENTS							
Director's response to comments and what it must contain		124.17(a)	4704.7	X			
		124.17(a)(1)	4704.7(a)	X			
	V	124.17(a)(2)	4704.7(b)	X			
response to comments available to the public	V	124.17(c)	4704.7(c)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART B - SPECIFIC PROCEDURES APPLICABLE TO RCRA PERMITS							
PRE-APPLICATION PUBLIC MEETING AND NOTICE							
requirements of this section apply to part B applications seeking initial permits for hazardous waste management units; these requirements also apply to part B permit applications seeking permit renewal which proposes a significant change in the facility operations; definition of "significant change"; definition of "hazardous waste management units over which EPA has permit issuance authority"; the requirements of 124.31 do not apply to 270.42 permit modifications or applications submitted solely for post-closure activities or post-closure activities and corrective action at a facility	148	124.31(a)	4706.1	X			
prior to submission of part B permit application, the applicant must hold at least one public meeting; the applicant shall post a sign-in sheet for attendees	148	124.31(b)	4706.2	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the applicant shall submit a summary of the meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting as part of the part B application, in accordance with 270.14 (b)	148	124.31(c)	4706.3	X			
the applicant must provide public notice of the pre-application meeting at least 30 days prior to the meeting; must maintain and provide documentation of public notice to the permitting agency upon request	148	124.31(d)	4706.4	X			
the applicant shall provide public notice in all of the following forms:	148	124.31(d)(1)	4706.5	X			
newspaper advertisement, as specified	148	124.31(d)(1)(i)	4706.5(a)	X			
visible and accessible sign, as specified	148	124.31(d)(1)(ii)	4706.5(b)	X			
broadcast media announcement, as specified	148	124.31(d)(1)(iii)	4706.5(c)	X			
notice to the permitting agency and units of state and local government, as specified	148	124.31(d)(1)(iv)	4706.5(d)	X			
the notices required under 124.31(d)(1) must include:	148	124.31(d)(2)	4706.6	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
date, time, and location of the meeting	148	124.31(d)(2)(i)	4706.6(a)	X			
brief description of the purpose of the meeting	148	124.31(d)(2)(ii)	4706.6(b)	X			
brief description of the facility and proposed operations, including address or map	148	124.31(d)(2)(iii)	4706.6(c)	X			
statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access	148	124.31(d)(2)(iv)	4706.6(d)	X			
name, address, and telephone number of a contact person for the applicant	148	124.31(d)(2)(v)	4706.6(e)	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PUBLIC NOTICE REQUIREMENTS AT THE APPLICATION STAGE							
requirements of this section apply to part B applications seeking initial permits for hazardous waste management units; these requirements also apply to part B permit applications seeking permit renewal for such units under 270.51; definition of "hazardous waste management units"; the requirements of 124.32 do not apply to 270.42 permit modifications or applications submitted solely for post-closure activities or post-closure activities and corrective action at a facility	148	124.32(a)	4707.1	X			
notification at application submittal	148	124.32(b)	4707.2	X			
the Director shall provide public notice as set forth in 124.10(c)(1)(ix) and notice to appropriate units of State and local government as set forth in 124.10(c)(1)(x), that a part B application has been submitted	148	124.32(b)(1)	4707.2	X			
notice shall be published within a reasonable period of time after the application is received by the Director; the notice must include:	148	124.32(b)(2)	4707.3	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
name and telephone number of the applicant's contact person	148	124.32(b)(2)(i)	4707.3(a)	X			
name, telephone number, and mailing address of the permitting agency's contact office	148	124.32(b)(2)(ii)	4707.3(b)	X			
address to which people can write in order to be put on the facility mailing list	148	124.32(b)(2)(iii)	4707.3(c)	X			
location where copies of the permit application and any supporting documents can be viewed and copied	148	124.32(b)(2)(iv)	4707.3(d)	X			
brief description of the facility and proposed operations, including address or map, on the front page of the notice	148	124.32(b)(2)(v)	4707.3(e)	X			
date the application was submitted	148	124.32(b)(2)(vi)	4707.3(f)	X			
concurrent with the notice required under 124.32(b), the Director must place the permit application and any support documents in a location accessible to the public in the vicinity of the facility or at the permitting agency's office	148	124.32(c)	4707.4	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
INFORMATION REPOSITORY							
requirements of this section apply to all applications seeking permits for hazardous waste management units; definition of "hazardous waste management units"	148	124.33(a)	4708.1	X			
the Director may assess the need, on a case-by-case basis, for an information repository; he shall consider a variety of factors, including level of public interest, type of facility, presence of existing repository, and proximity to nearest copy of administrative record; if a need is determined, the Director shall notify the facility to establish and maintain a repository	148	124.33(b)	4708.2	X			
the repository shall contain all documents, reports, data, and information deemed necessary by the Director	148	124.33(c)	4708.3	X			
the repository shall be located and maintained at a site chosen by the facility; if the site is unsuitable, the Director shall specify a more appropriate site	148	124.33(d)	4708.4	X			

CONSOLIDATED CHECKLIST C9:
40 CFR Parts 270 and 124 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the Director shall specify requirements for informing the public about the repository; at a minimum, the Director shall require the facility to provide a written notice about the repository to all persons on the facility mailing list	148	124.33(e)	4708.5	X			
the facility owner or operator shall be responsible for maintaining and updating the repository; the Director may close the repository at his discretion based on factors in 124.33(b)	148	124.33(f)	4708.6	X			

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C10
 Standards for the Management of Used Oil
 40 CFR Part 279 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 279 - STANDARDS FOR THE MANAGEMENT OF USED OIL							
SUBPART A - DEFINITIONS							
DEFINITIONS							
terms defined in sections 260.10, 261.1 and 280.12 have same meanings in Part 279	112	279.1	5400.1	X			
"aboveground tank"	112	279.1	5400.1	X			
"container"	112	279.1	5400.1	X			
"do-it-yourselfer used oil collection center"	112	279.1	5400.1	X			
"existing tank"	112	279.1	5400.1	X			
"household `do-it-yourselfer' used oil"	112	279.1	5400.1	X			
"household `do-it-yourselfer' used oil generator"	112	279.1	5400.1	X			
"new tank"	112	279.1	5400.1	X			
"petroleum refining facility"	130	279.1	5400.1	X			
"processing"	112	279.1	5400.1	X			
"re-refining distillation bottoms"	112	279.1	5400.1	X			
"tank"	112	279.1	5400.1	X			
◆ "used oil"	112,122	279.1	5400.1	X			
"used oil aggregation point"	112	279.1	5400.1	X			
◆ "used oil burner"	112	279.1	5400.1	X			
"used oil collection center"	112	279.1	5400.1	X			
◆ "used oil fuel marketer"	112	279.1	5400.1	X			
"used oil generator"	112	279.1	5400.1	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"used oil processor/ re-refiner"	112	279.1	5400.1	X			
"used oil transfer facility"	112,†130	279.1	5400.1	X			
"used oil transporter"	112	279.1	5400.1	X			

SUBPART B - APPLICABILITY

APPLICABILITY

section identifies materials subject to regulation as used oil under Part 279; also identifies some materials which are not so regulated and indicates if subject to Parts 260-266, 268, 270 and 124	112	279.10	4900.1	X			
EPA presumes used oil is to be recycled unless used oil handler disposes of it or sends it for disposal; except as provided in 279.11, used oil is subject to regulation under Part 279, regardless of whether it exhibits a 261 Subpart C characteristic	112	279.10(a)	4900.2	X			
mixtures of used oil and hazardous waste	112	279.10(b)	4900.3	X			
listed hazardous waste	112	279.10(b)(1)	4900.3	X			
mixtures of used oil and hazardous waste listed in 261 Subpart D subject to regulation as hazardous waste under Parts 260-266, 268, 270 and 124 rather than as used oil under Part 279	112	279.10(b)(1)(i)	4900.3	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
used oil containing >1000 ppm total halogens presumed to be hazardous waste; presumption may be rebutted by demonstrating that the used oil does not contain hazardous waste; example from SW-846; where to obtain SW-846	112,130	279.10(b)(1)(ii)	4900.4	X			
rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins if processed to reclaim metalworking oils/fluids; presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner or disposed	112	279.10(b)(1)(ii)(A)	4900.5			X	
<p>Corporation Counsel Statement Comment: The District subjects all metalworking oils/fluids to the rebuttable presumption that they are a hazardous waste no matter how they are disposed of or recycled. The Federal program exempts those metalworking oils/fluids processed through a 40 CFR 279.24(c) tolling arrangement. Thus, the District's program is more stringent than the Federal program.</p>							
rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation; presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units	112	279.10(b)(1)(ii)(B)	4900.5	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
♦, mixtures of used oil and hazardous waste that solely exhibit one or more of the 261, Subpart C hazardous waste characteristics and mixtures of used oil and hazardous waste that are listed in Subpart D solely because they exhibit one or more of the characteristics of hazardous waste identified in Subpart C, are subject to:	112,122	279.10(b)(2)	4900.6			X	
♦ except as 279.10(b)(2)(iii) provides, regulation under Parts 260-266, 268, 270 and 124 if mixture exhibits any 261, Subpart C hazardous waste characteristics	112	279.10(b)(2)(i)	4900.6			X	
♦ if the mixture does not exhibit any 261, Subpart C hazardous waste characteristics, it is regulated under Part 279; exception	112,122	279.10(b)(2)(ii)	4900.6			X	
♦ mixture is regulated under Part 279 if waste mixed with oil is hazardous solely because it exhibits the characteristic of ignitability, provided resultant mixture does not exhibit the 261.21 characteristic of ignitability	112,122, 130	279.10(b)(2)(iii)	4900.6			X	

Corporation Counsel Statement Comment: At 20 DCMR §4900.6, the analog to 40 CFR 279.10(b)(2)-(b)(2)(iii), the District subjects all mixtures of used oil and hazardous waste to full regulation. Under the Federal program, if the resulting mixture of used oil and a hazardous waste does not exhibit a characteristic, the mixture is regulated as used oil rather than as a hazardous waste. This difference makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
◆ mixtures of used oil and conditionally exempt small quantity generator hazardous waste regulated under 261.5 are subject to regulation as used oil under Part 279	112	279.10(b)(3)	4900.7			X	

Corporation Counsel Statement Comment: At 20 DCMR §4900.7, the analog to 40 CFR 279.10(b)(3), the District requires that mixtures of used oil and small quantity generator wastes be regulated as hazardous waste. This mixture is subject to the reduced requirements of the District's analog to 40 CFR 261.5 provided that the generator still meets the quantity limitations of that section. This difference makes the District's program more stringent than the Federal program.

materials containing or otherwise contaminated with used oil	112,122	279.10(c)	4900.8	X			
except as provided in 279.10(c)(2), materials containing or otherwise contaminated with used oil from which used oil has been properly drained or removed such that no visible signs of free-flowing oil remain in or on material:	122	279.10(c)(1)	4900.8(a)	X			
are not used oil; not subject to Part 279	122	279.10(c)(1)(i)	4900.8(a)(1)	X			
subject to Parts 124, 260-266, 268, and 270 if applicable	122	279.10(c)(1)(ii)	4900.8(a)(2)	X			
materials containing or otherwise contaminated with used oil that are burned for energy recovery subject to Part 279	122	279.10(c)(2)	4900.8(b)	X			
used oil drained or removed from materials containing or otherwise contaminated with used oil subject to Part 279	122	279.10(c)(3)	4900.8(c)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
mixtures of used oil with products	112	279.10(d)	4900.9	X			
except as provided in 279.10(d)(2), mixtures of used oil and fuels or other fuel products are subject to Part 279	112,122	279.10(d)(1)	4900.9	X			
used oil and diesel fuel mixed on-site by the generator for use in the generator's own vehicles not subject to Part 279 after mixing; prior to mixing used oil is subject to 279, Subpart C	112	279.10(d)(2)	4900.9			X	

Corporation Counsel Statement Comment: At 20 DCMR §4900.9, the analog to 40 CFR 279.10(d)(2), the District regulates all mixtures of used oil and diesel fuel as used oil. Under the Federal program, certain of such mixtures are not subject to regulation once the used oil and diesel fuel are mixed. This difference makes the District more stringent.

materials derived from used oil	112	279.10(e)	4900.10	X			
materials reclaimed from used oil that are used beneficially and not burned for energy recovery or used in a manner constituting disposal are:	112	279.10(e)(1)	4900.10(a)	X			
not used oil and not subject to Part 279	112	279.10(e)(1)(i)	4900.10(a)(1)	X			
not solid wastes, and not subject to Parts 260-266, 268, 270 and 124	112	279.10(e)(1)(ii)	4900.10(a)(2)	X			
materials produced from used oil burned for energy recovery are subject to Part 279	112	279.10(e)(2)	4900.10(b)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
except as provided in 279.10(e)(4), materials derived from used oil that are disposed of or used in a manner constituting disposal are:	112	279.10(e)(3)	4900.10(c)	X			
not used oil and not subject to Part 279	112	279.10(e)(3)(i)	4900.10(c)(1)	X			
are solid waste and are subject to Parts 260-266, 268, 270 and 124 if the materials are listed or identified as hazardous waste	112,122	279.10(e)(3)(ii)	4900.10(c)(2)	X			
used oil re-refining distillation bottoms used as feedstock to manufacture asphalt products are not subject to this part	112,122	279.10(e)(4)	4900.10(d)	X			
removed	112,122	279.10(e)(4)(i)&(ii)	No analog	X			
CWA, Section 402 or 307, wastewater contaminated with <i>de minimis</i> quantities of used oil not subject to Part 279; definition of <i>de minimis</i> ; exception does not apply if used oil is discarded as result of abnormal manufacturing operations resulting in substantial releases or to used oil recovered from wastewaters	112	279.10(f)	4900.11	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
used oil mixed with crude oil or natural gas liquids for insertion into a crude oil pipeline is exempt from the Part 279 requirements; this used oil is subject to Part 279 requirements prior to mixing of used oil with crude oil or natural gas liquids	112,†130	279.10(g)(1)	4900.12, 4900.12(a)	X			
† mixtures of used oil and crude oil or natural gas liquids containing less than 1% used oil that are being stored or transported to crude oil pipeline or petroleum refining facility for insertion into refining process at a point prior to crude distillation or catalytic cracking are exempt from the Part 279 requirements	130	279.10(g)(2)	4900.12(b)	X			
† used oil inserted into petroleum refining facility process before crude distillation or catalytic cracking without prior mixing with crude oil is exempt from the Part 279 requirements provided used oil constitutes less than 1% of crude oil feed to any petroleum facility process unit at any time; this used oil is subject to Part 279 requirements prior to insertion into the petroleum refining facility process	130	279.10(g)(3)	4900.12(c)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† except as provided in 279.10(g)(5), used oil introduced into petroleum refining facility process after crude distillation or catalytic cracking is exempt from the Part 279 requirements only if used oil meets 279.11 specifications; this used oil is subject to Part 279 requirements prior to insertion into petroleum refining facility process	130	279.10(g)(4)	4900.12(d)	X			
† used oil incidentally captured by hydrocarbon recovery system or wastewater treatment system as part of routine process operations at petroleum refining facility and inserted into the petroleum refining facility process is exempt from the Part 279 requirements; exemption does not extend to used oil intentionally introduced into a hydrocarbon recovery system	130	279.10(g)(5)	4900.12(e)	X			
† tank bottoms from stock tanks containing exempt mixtures of used oil and crude oil or natural gas liquids are exempt from the Part 279 requirements	130	279.10(g)(6)	4900.12(f)	X			
used oil produced on vessels from normal shipboard operations is not subject to Part 279 until it is transported ashore	112	279.10(h)	4900.13	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
used oil containing PCBs; marketers and burners of used oil containing quantifiable level of PCBs subject to 40 CFR 761.20 (e) in addition to Part 279	112,122	279.10(i)	4900.14	X			

USED OIL SPECIFICATIONS

- ◆ used oil burned for energy recovery and fuel produced from treatment of used oil is subject to Part 279 unless it is shown not to exceed allowable levels of specific constituents and properties in Table 1; once used oil no longer exceeds specifications and there is compliance with 279.72, 279.73 & 279.74(b), then not subject to Part 279

	112	279.11	4900.15	D			
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Corporation Counsel Statement Comment: 20 DCMR §4900.15, which addresses meeting the used oil specification, is worded differently than its analog 40 CFR 279.11. This reworded provision makes it clear that on-specification used oil is still subject to all of the handling requirements except those required for the burning of the used oil. Therefore, the District's program is equivalent to the Federal program.

- ◆ "Used Oil Not Exceeding Any Specification Level Is Not Subject to This Part When Burned for Energy Recovery"; lists constituents/properties and allowable levels; note regarding applicable standards for burning used oil containing PCBs

	112	279.11, Table 1	4900.15, Table 1			X	
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Corporation Counsel Statement Comment: The District's used oil specification is more stringent than the Federal used oil specification for cadmium, chromium, lead, total halogens, and flash point.

- †,◆ after Table 1, add note regarding applicable standards for burning used oil containing PCBs

	122	279.11, Table 1, note	4900.15, Table 1, note	X			
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CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PROHIBITIONS							
used oil shall not be managed in surface impoundments or waste piles unless those units are subject to Parts 264 or 265	112	279.12(a)	4900.16(a) & (b)			X	
Corporation Counsel Statement Comment: The management of used oil in surface impoundments is prohibited. This difference makes the District's program more stringent than the Federal program.							
use of used oil as a dust suppressant is prohibited, except in States listed in 279.82(c)	112	279.12(b)	4900.16(c)	D			
Corporation Counsel Statement Comment: The use of used oil as a dust suppressant is prohibited in the District. The District will not seek a program under 40 CFR 279.82.							
off-specification used oil fuel may be burned in:	112	279.12(c)	4900.16(d)	X			
industrial furnaces identified in 260.10	112	279.12(c)(1)	4900.16(d)(1)			X	
specific boilers:	112	279.12(c)(2)	4900.16(d)(2)			X	
Corporation Counsel Statement Comment: Relative to 20 DCMR §§4900.16(d)(1)&(2), the analogs to 40 CFR 279.12(c)(1)&(2), all units in which off-specification used oil is burned must be located outside the District. Therefore, the District is more stringent than the Federal program.							
industrial boilers on the site of a facility engaged in a manufacturing process where substances are transformed into new products by mechanical or chemical processes	112	279.12(c)(2)(i)	4900.16(d)(2) (A)			X	
utility boilers used to produce electric power, steam, heated or cooled air, or gases or fluids for sale	112	279.12(c)(2)(ii)	4900.16(d)(2) (B)			X	
used oil-fired space heaters if burner meets 279.23 provisions	112	279.12(c)(2)(iii)	4901.3, 4900.16 (e)			X	

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The burning of used oil (both on- and off-specification) in space heaters is prohibited in the District. The cited provision, 20 DCMR §4900.16(e), prohibits the burning of on-specification used oil in the District. 20 DCMR §4901.3 prohibits the burning of any used oil in space heaters, even by generators.

hazardous waste incinerators subject to regulation under Subpart O of 264 or 265	122	279.12(c)(3)	4900.16(d)(3)				X
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Corporation Counsel Statement Comment:

SUBPART C - STANDARDS FOR USED OIL GENERATORS

APPLICABILITY

definition of used oil generator; 279 Subpart C applies to all used oil generators except:	112	279.20(a)	4901.1	X			
household "do-it-yourselfer" used oil generators	112	279.20(a)(1)	4901.1(a)	X			
vessels, until the used oil is transported ashore; definition of co-generators; decision as to which party will fulfill Part 279 requirements	112	279.20(a)(2)	4901.1(b)	X			
diesel fuel and used oil mixed by the used oil generator for use in generator's own vehicles, after mixing; prior to mixing the used oil is subject to Part 279	112	279.20(a)(3)	4901.1(c)	X			
farmers who generate an average of ≤25 gallons per month from vehicles or machinery used on the farm in a calendar year	112	279.20(a)(4)	4901.1(d)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
used oil generators who conduct specific activities are subject to the requirements of other applicable provisions of Part 279	112	279.20(b)	4901.2	X			
except under 279.24(a)& (b), generators who transport used oil must also comply with Subpart E of Part 279	112	279.20(b)(1)	4901.2(a)	X			
except as provided in 279.20(b)(2)(ii), generators who process or re-refine used oil must also comply with Subpart F of Part 279	112,130	279.20(b)(2)(i)	4901.2(b)	X			
generators who perform the following activities are not processors provided the used oil is generated on-site and is not being sent off-site to a burner of on- or off- specification used oil fuel:	130	279.20(b)(2)(ii)	4901.2(c)	X			
filtering, cleaning, or otherwise reconditioning used oil before returning it for reuse by generator	130	279.20(b)(2)(ii)(A)	4901.2(c)(1)	X			
separating used oil from wastewater generated on-site to make the wastewater acceptable for discharge or reuse under CWA or other applicable Federal regulations governing the management or discharge of wastewaters	130	279.20(b)(2)(ii)(B)	4901.2(c)(2)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
using oil mist collectors to remove small droplets of used oil from in-plant air to make plant air suitable for continued recirculation	130	279.20(b)(2)(ii)(C)	4901.2(c)(3)	X			
draining or removing used oil from materials containing or contaminated with used oil in order to remove excessive oil pursuant to 279.10(c)	130	279.20(b)(2)(ii)(D)	4901.2(c)(4)	X			
filtering, separating or reconditioning used oil before burning it in a space heater pursuant to 279.23	130	279.20(b)(2)(ii)(E)	4901.3			X	

Corporation Counsel Statement Comment: The District does not allow the burning of used oil, both on- and off-specification, in space heaters. This difference makes the District's program more stringent than the Federal program.

generators who burn off-specification used oil for energy recovery, except under 279.23, must also comply with Subpart G of Part 279	112	279.20(b)(3)	4901.3			X	
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Corporation Counsel Statement Comment: The District does not allow the burning of used oil, both on- and off-specification, in space heaters. This difference makes the District's program more stringent than the Federal program.

generators who direct shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets 279.11 specifications must also comply with Subpart H of Part 279	112	279.20(b)(4)	4901.2(d)	X			
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CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
generators who dispose of used oil must also comply with Subpart I of Part 279	112	279.20(b)(5)	4901.2(e)	D			

Corporation Counsel Statement Comment: The District does not allow the use of used oil as a dust suppressant. Thus, the phrase addressing this type of disposal has been removed. This difference does not make the District's program more stringent because this practice is prohibited by the Federal program except in those states that have been allowed a program under 40 CFR 279.82. The District has chosen not to petition for such a program.

HAZARDOUS WASTE MIXING

mixtures of used oil and hazardous waste must be managed in accordance with 279.10(b)	112,122	279.21(a)	4901.4	X			
the rebuttable presumption of 279.10(b)(1)(ii) applies to used oil managed by generators; used oil containing >1,000 ppm total halogens is presumed to be hazardous and must be managed as such; does not apply to certain metalworking oils/fluids and certain used oils removed from refrigeration units	112	279.21(b)	4901.5			X	

Corporation Counsel Statement Comment: The District subjects all metalworking oils/fluids to the rebuttable presumption no matter how they are recycled or disposed. This difference makes District's program more stringent than the Federal program.

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
USED OIL STORAGE							
used oil generators are subject to applicable Spill Prevention, Control and Countermeasures (40 CFR Part 112) and Underground Storage Tank (40 CFR Part 280) standards for used oil stored in underground tanks, whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the Part 279, Subpart C requirements	112,122	279.22	4901.6	X			
used oil generators may not store used oil in units other than tanks, containers, or units subject to Parts 264 or 265	112	279.22(a)	4901.6(a)	X			
containers and aboveground tanks must be:	112	279.22(b)	4901.6(b)	X			
in good condition	112	279.22(b)(1)	4901.6(b)(1)	X			
not leaking	112	279.22(b)(2)	4901.6(b)(2)	X			
Corporation Counsel Statement Comment: The District's regulations include additional unit condition requirements not found in the Federal regulations. At §4901.6(b)(3), the District also requires secondary containment as approved by the Director. At §4901.6(b)(4)&(5), containers must meet requirements analogous to 40 CFR 264.173. These differences make the District more stringent.							
labels	112	279.22(c)	No direct analog due to formatting restriction; not needed because it is a title	D			
containers and aboveground tanks must be clearly marked "Used Oil"	112	279.22(c)(1)	4901.6(c)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
fill pipes used to transfer used oil into underground storage tanks must be clearly marked "Used Oil"	112	279.22(c)(2)	4901.6(d)	X			
on detection of a release of used oil to the environment not subject to Part 280, Subpart F, which has occurred after the effective date of the authorized used oil program for the State in which the release is located, a generator must perform these cleanup steps:	112	279.22(d)	4901.6(e)	X			
stop the release	112	279.22(d)(1)	4901.6(e)(1)	X			
contain the released used oil	112	279.22(d)(2)	4901.6(e)(2)	X			
clean up and properly manage the released used oil and other materials	112	279.22(d)(3)	4901.6(e)(3)	X			
repair or replace any leaking used oil storage containers or tanks prior to returning them to service	112	279.22(d)(4)	4901.6(e)(4)	X			
ON-SITE BURNING IN SPACE HEATERS							
♦ generators may burn used oil in used oil-fired space heaters if:	112,122	279.23	4901.3			X	
♦ the heater burns only used oil generated by the owner/operator or received from household do-it-yourself used oil generators	112,122	279.23(a)	4901.3			X	
♦ the heater is designed to have a maximum capacity <0.5 million Btu/hour	112,122	279.23(b)	4901.3			X	

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
◆ the combustion gases are vented to the ambient air	112,122	279.23(c)	4901.3			X	

Corporation Counsel Statement Comment: At 20 DCMR §4901.3, the analog to 40 CFR 279.23, the District prohibits the burning of any type of used oil (including on-specification used oil) in space heaters. This prohibition includes generators. The Federal program allows generators to burn used oil in space heaters if certain conditions are met. This difference makes the District's program more stringent than the Federal program.

OFF-SITE SHIPMENTS

except as provided in 279.24(a)-(c), generators must ensure their used oil is transported only by transporters with EPA ID numbers	112	279.24	4901.7	X			
generators, without an EPA ID number, may transport used oil generated at the generator's site and used oil collected from household do-it-yourselfers to a used oil collection center if:	112	279.24(a)	4901.7(a)	X			
the generator transports the used oil in a vehicle owned by the generator or by an employee of the generator	112	279.24(a)(1)	4901.7(a)(1)	X			
≤55 gallons is transported at any time	112	279.24(a)(2)	4901.7(a)(2)	X			
the used oil is transported to a used oil collection center that is registered, licensed, permitted or recognized by a state/county/-municipal government to manage used oil	112	279.24(a)(3)	4901.7(a)(3)			X	

Corporation Counsel Statement Comment: At 20 DCMR §4901.7(a)(3), the analog to 40 CFR 279.24(a)(3), the District also requires that the generator be able to document that he/she has transported the used oil to an appropriate collection center. This difference makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
generators, without an EPA ID number, may transport used oil generated at the generator's site to an aggregation point if:	112	279.24(b)	4901.7(b)	X			
the generator transports the used oil in a vehicle owned by the generator or by an employee of the generator	112	279.24(b)(1)	4901.7(b)(1)	X			
≤55 gallons is transported at any time	112	279.24(b)(2)	4901.7(b)(2)	X			
the generator transports the used oil to an aggregation point owned and/or operated by the same generator	112	279.24(b)(3)	4901.7(b)(3)	X			
used oil generators may arrange for used oil to be transported by a transporter without an EPA ID number if the used oil is reclaimed under a contractual agreement ("tolling arrangement") pursuant to which the reclaimed oil is returned by the processor/re-refiner to the generator for use as a lubricant, cutting oil or coolant; what the tolling arrangement must indicate:	112	279.24(c)	4901.7(c)	X			
type of used oil and frequency of shipments	112	279.24(c)(1)	4901.7(c)(1)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
that the vehicle used to transport the used oil to the processing/re-refining facility and to deliver recycled used oil back to the generator is owned and operated by the used oil processor/re-refiner	112	279.24(c)(2)	4901.7(c)(2)	X			
reclaimed oil will be returned to the generator	112	279.24(c)(3)	4901.7(c)(3)	X			

**SUBPART D - STANDARDS FOR USED OIL COLLECTION CENTERS
AND AGGREGATION POINTS**

DO-IT-YOURSELFER USED OIL COLLECTION CENTERS

section applies to owners/operators of do-it-yourselfer (DIY) used oil collection centers; definition of DIY used oil collection center	112	279.30(a)	4902.1	X			
owners/operators of DIY used oil collection centers must comply with the generator standards in Subpart C of Part 279	112	279.30(b)	4902.1	X			

USED OIL COLLECTION CENTERS

section applies to owners/operators of used oil collection centers; definition of used oil collection center; such centers may accept used oil from household DIYs	112	279.31(a)	4902.2	X			
owners/operators must:	112	279.31(b)	4902.2	X			
comply with the generator standards in Subpart C of Part 279	112	279.31(b)(1)	4902.2(a)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
be registered/licensed/permitted/recognized by a state/county/municipal government to manage used oil	112	279.31(b)(2)	4902.2(b)			X	

Corporation Counsel Statement Comment: At §4902.2(c), the District also subjects collection centers to the same general facility standards required for transfer facilities (see §4300.9), including requirements analogous to 40 CFR 264.14 through 264.17 and 40 CFR 264 Subparts C, D, and F. This difference makes the District's program more stringent than the Federal program.

USED OIL AGGREGATION POINTS OWNED BY THE GENERATOR

section applies to owners/operators of used oil aggregation points; definition of used oil aggregation point; such points may accept oil from household DIYs	112	279.32(a)	4902.3	X			
owners/operators must comply with the generator standards in Subpart C of Part 279	112	279.32(b)	4902.3	X			

SUBPART E - STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES

APPLICABILITY

definition of used oil transporters; Subpart E of Part 279 applies to all used oil transporters except:	112	279.40(a)	4903.1	X			
on-site transportation	112	279.40(a)(1)	4903.1(a)	X			
generators who transport ≤55 gallons from the generator to a used oil collection center	112	279.40(a)(2)	4903.1(b)	X			
generators who transport ≤55 gallons from the generator to a used oil aggregation point owned or operated by the same generator	112	279.40(a)(3)	4903.1(c)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
those who transport used oil from household do-it-yourselfers to a regulated used oil generator, collection center, aggregation point, processor/re-refiner, or burner subject to Part 279; Subpart E of Part 279 applies to transportation of collected household DIY used oil from regulated used oil generators, collection centers, aggregation points, or other facilities where household DIY used oil is collected	112,122	279.40(a)(4)	4903.1(d)	X			
transporters who import or export used oil are subject to Part 279, Subpart E whenever the used oil is in the United States	112	279.40(b)	4903.2	X			
used oil transported in a truck previously used to transport hazardous waste must be managed as hazardous waste unless the truck has been emptied, prior to transport, as described in 261.7 or the waste/oil mixture is determined under 279.10 (b) not to be hazardous waste	112	279.40(c)	4903.3	X			
specific used oil transporters are subject to additional provisions of Part 279 as follows:	112	279.40(d)	4903.4	X			
transporters who generate used oil must also comply with Subpart C of Part 279	112	279.40(d)(1)	4903.4(a)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
except as 279.41 provides, transporters who process or re-refine used oil must also comply with Subpart F of Part 279	112	279.40(d)(2)	4903.4(b)	X			
transporters who burn off-specification used oil for energy recovery must also comply with Subpart G of Part 279	112	279.40(d)(3)	4903.5			X	

Corporation Counsel Statement Comment: 20 DCMR §4903.5, the analog to 40 CFR 279.40(d)(3), restricts transporters from burning used oil (including on-specification used oil) in the District. The Federal program allows transporters to burn used oil. This difference makes the District more stringent.

transporters must also comply with Subpart H of Part 279 if they direct shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets used oil fuel specifications	112,122	279.40(d)(4)	4903.4(c)	X			
transporters who dispose of used oil must also comply with Subpart I of Part 279	112	279.40(d)(5)	4903.4(d)	D			

Corporation Counsel Statement Comment: The District does not allow the use of used oil as a dust suppressant. Thus, the phrase addressing this type of disposal has been removed. This difference does not make the District's program more stringent because this practice is prohibited by the Federal program except in those states that have been allowed a program under 40 CFR 279.82. The District has chosen not to petition for such a program.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
RESTRICTIONS ON TRANSPORTERS WHO ARE NOT ALSO PROCESSORS OR RE-REFINERS							
used oil transporters may consolidate or aggregate loads of used oil for transport; except as 279.41 (b) provides, used oil transporters may not process used oil unless they also comply with the requirements for processors/re-refiners in Subpart F of Part 279	112	279.41(a)	4903.7	X			
transporters may conduct processing operations incidental to transport, but not designed to produce used oil derived products, unless the transporter also complies with the processor/re-refiner requirements in Subpart F of Part 279	112	279.41(b)	4903.8	X			
† transporters of used oil removed from oil bearing electrical transformers and turbines and filtered by transporter or at a transfer facility prior to being returned to its original use are not subject to the processor/re-refiner requirements in Subpart F of Part 279	130	279.41(c)	4903.9	X			
NOTIFICATION							
used oil transporters who have not previously done so must comply with RCRA §3010 notification requirements and obtain an EPA ID number	112,122	279.42(a)	4903.10	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a used oil transporter without an EPA ID number may obtain one by submitting either:	112	279.42(b)	4903.10	X			
a completed EPA Form 8700-12; or	112,122	279.42(b)(1)	4903.10	X			
a letter requesting an EPA ID number; what the letter should include	112	279.42(b)(2) - (b)(2)(vii)	No analog			X	

Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 279.42(b)(2) because it does not allow the use of a letter submission for an identification number. The Federal program allows the use of this alternative. Thus, the District's program is more stringent.

USED OIL TRANSPORTATION

a used oil transporter must deliver all used oil received to:	112	279.43(a)	4903.11	X			
another used oil transporter with an EPA ID number	112	279.43(a)(1)	4903.11(a)	X			
a used oil processing/re-refining facility with an EPA ID number	112	279.43(a)(2)	4903.11(b)	X			
an off-specification used oil burner facility with an EPA ID number	112	279.43(a)(3)	4903.11(c)			X	

Corporation Counsel Statement Comment: 20 DCMR 4903.11(c) has the additional requirement that the off-specification used oil burner facility must be located outside the District. This difference makes the District's program more stringent than the Federal program.

an on-specification used oil burner facility	112	279.43(a)(4)	4903.11(d)			X	
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Corporation Counsel Statement Comment: 20 DCMR 4903.11(d) has the additional requirement that the on-specification used oil burner facility must be located outside the District. This difference makes the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
used oil transporters must comply with all applicable requirements under DOT regulations in 40 CFR 171-180; persons transporting used oil that meets definition of hazardous material in 49 CFR 171.8 must comply with all applicable regulations in 49 CFR parts 171-180	112,122	279.43(b)	4903.12	X			
used oil discharges	112	279.43(c)	4903.13	X			
if there is a discharge during transport, the transporter must immediately take appropriate action to protect human health and the environment	112	279.43(c)(1)	4903.13(a)	D			

Corporation Counsel Statement Comment: At 20 DCMR 4903.13(a) the analog to 40 CFR 279.43(c)(1), the District has added the phrase “stop the source of the discharge”. This is implied in the Federal requirements; thus, while this provision is worded slightly differently, it is equivalent to the Federal requirements.

if an official appropriately determines that the used oil must be removed immediately to protect human health and the environment and authorizes the transport, transporters without EPA ID numbers may remove used oil discharged during transport	112	279.43(c)(2)	4903.13(b)	X			
an air, rail, highway or water transporter who has discharged used oil must:	112	279.43(c)(3)	4903.13(c)	X			
give notice, if required by 49 CFR 171.15, to the National Response Center	112	279.43(c)(3)(i)	4903.13(c)(1)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
report in writing to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Dept. of Transportation	112	279.43(c)(3)(ii)	4903.13(c)(2)	X			
a water transporter who has discharged used oil must give notice as required by 33 CFR 153.203	112	279.43(c)(4)	4903.13(d)	X			
a transporter must clean up any used oil discharged during transport or take action required or approved by government officials so that the used oil discharge no longer presents a hazard to human health or the environment	112	279.43(c)(5)	4903.13(e)	X			
REBUTTABLE PRESUMPTION FOR USED OIL							
used oil transporter must determine whether total halogen content of used oil transported or stored is above or below 1000 ppm	112	279.44(a)	4903.14(a)	X			
transporter must determine this by:	112	279.44(b)	4903.14(b)	X			
testing the used oil; or	112	279.44(b)(1)	4903.14(b)(1)	X			
applying knowledge of the halogen content of the used oil in light of the materials or processes used	112	279.44(b)(2)	4903.14(b)(2)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
used oil containing ≥ 1000 ppm total halogens is presumed to be hazardous waste; presumption may be rebutted by demonstrating that the used oil does not contain hazardous waste; SW-846 example; where to obtain SW-846	112,130	279.44(c)	4903.14(c)	X			
rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins if processed, through a tolling agreement, to reclaim metalworking oils/fluids; presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner or disposed	112	279.44(c)(1)	4903.14(d)			X	
Corporation Counsel Statement Comment: District subjects all metalworking oils/fluids to the rebuttable presumption that they are hazardous waste no matter how they are disposed of or recycled. The Federal program exempts certain metalworking oils/fluids processed through a 40 CFR 279.24(c) tolling arrangement. Thus, the District's program is more stringent than the Federal program.							
rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFCs are destined for reclamation; presumption applies to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units	112	279.44(c)(2)	4903.14(e)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
transporter must maintain records of analyses or information used to comply with 279.44(a), (b) & (c) for at least 3 years	112	279.44(d)	4903.14(f)	X			

USED OIL STORAGE AT TRANSFER FACILITIES

used oil transporters are also subject to applicable Spill Prevention, Control and Countermeasures (40 CFR Part 112); transporters are subject to Underground Storage Tank (40 CFR Part 280) standards for used oil stored in underground tanks, whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of this subpart	112,122	279.45	4903.15	X			
section applies to used oil transfer facilities; definition of used oil transfer facilities; transfer facilities that store used oil for more than 35 days subject to regulation under Subpart F of Part 279	112	279.45(a)	4903.16			X	

Corporation Counsel Statement Comment: At 20 DCMR §4903.16, the District restricts the number of days that used oil can stay at a transfer facility up to and including 10 days before the facility is considered a processor and subject to the requirements of District's analog to 40 CFR 279, Subpart F. Under the Federal program, the transporter has up to and including 35 days. This difference makes the District's regulation of used oil transporters more stringent than the Federal program.

used oil may not be stored in units other than tanks, containers, or units subject to regulation under Part 264 or 265	112	279.45(b)	4903.16(a)	X			
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CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
containers and aboveground tanks must be:	112	279.45(c)	4903.16(b)	X			
in good condition	112	279.45(c)(1)	4903.16(b)(1)	X			
not leaking	112	279.45(c)(2)	4903.16(b)(2)	X			
containers must have secondary containment system	112	279.45(d)	4903.16(c)	X			
what secondary containment system must, at a minimum, include	112	279.45(d)(1)	4903.16(c)(1)	X			
		279.45(d)(1)(i)	4903.16(c)(1)(A)	X			
	112,122	279.45(d)(1)(ii)	4903.16(c)(1)(B)	X			
	122	279.45(d)(1)(iii)	4903.16(c)(1)(C)	X			
entire containment system must be sufficiently impervious to used oil to prevent release into system from migrating to soil, groundwater or surface water	112	279.45(d)(2)	4903.16(c)(2)	X			
existing aboveground tanks must have a secondary containment system	112	279.45(e)	4903.16(c)	X			
what the secondary containment system must, at a minimum, include	112	279.45(e)(1)	4903.16(c)(1)	X			
		279.45(e)(1)(i)	4903.16(c)(1)(A)	X			
		279.45(e)(1)(ii)	4903.16(c)(1)(B)	X			
		279.45(e)(1)(iii)	4903.16(c)(1)(C)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
entire containment system must prevent used oil release into system from migrating to soil, groundwater or surface water	112	279.45(e)(2)	4903.16(c)(2)	X			
new aboveground tanks storing used oil must have a secondary containment system	112	279.45(f)	4903.16(c)	X			
		279.45(f)(1)	4903.16(c)(1)	X			
		279.45(f)(1)(i)	4903.16(c)(1)(A)	X			
		279.45(f)(1)(ii)	4903.16(c)(1)(B)	X			
what the secondary containment system must, at a minimum, include	112	279.45(f)(1)(iii)	4903.16(c)(1)(C)	X			
entire containment system must prevent oil release into system from migrating to soil, groundwater or surface water	112	279.45(f)(2)	4903.16(c)(2)	X			
labels	112	279.45(g)	No direct analog due to formatting restriction; not needed because it is a title	D			
containers and aboveground tanks must be clearly marked "Used Oil"	112	279.45(g)(1)	4903.16(f)	X			
fill pipes used to transfer used oil into underground storage tanks must be clearly marked "Used Oil"	112	279.45(g)(2)	4903.16(g)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
on detection of a release of used oil to the environment not subject to 40 CFR 280 Subpart F (UST systems), which has occurred after the effective date of the authorized used oil program for the State in which the release is located, the owner/operator must perform these cleanup steps:	112	279.45(h)	4903.16(h)	X			
stop the release	112	279.45(h)(1)	4903.16(h)(1)	X			
contain the released used oil	112	279.45(h)(2)	4903.16(h)(2)	X			
clean up and properly manage the released used oil and other materials	112	279.45(h)(3)	4903.16(h)(3)	X			
repair or replace any leaking used oil storage containers or tanks before returning them to service	112	279.45(h)(4)	4903.16(h)(4)	X			

TRACKING

used oil transporters must keep a record of each used oil shipment accepted for transport; what the records must include	112	279.46(a)	4903.17	X			
		279.46(a)(1)	4903.17(a)	X			
		279.46(a)(2)	4903.17(b)	X			
		279.46(a)(3)	4903.17(c)	X			
		279.46(a)(4)	4903.17(d)	X			
except as provided in 279.46(a)(5)(ii), signature of a representative is required	112,†130	279.46(a)(5)(i)	4903.17(e)	X			
† intermediate rail transporters not required to sign record of acceptance	130	279.46(a)(5)(ii)	4903.17(a)	D			

Corporation Counsel Statement Comment: To accommodate the District Register formatting requirements, this requirement has been combined with the introductory text. The does not affect equivalency.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
used oil transporters must keep a record of each used oil shipment delivered to another used oil transporter, burner, processor/re-refiner, or disposal facility; what the records must include	112	279.46(b)	4903.18	X			
		279.46(b)(1)	4903.18(a)	X			
		279.46(b)(2)	4903.18(b)	X			
		279.46(b)(3)	4903.18(c)	X			
		279.46(b)(4)	4903.18(d)	X			
except as provided in 279.46(b)(5)(ii), signature of a representative is required	112,†130	279.46(b)(5)(i)	4903.18(e)	X			
† intermediate rail transporters not required to sign record of acceptance	130	279.46(b)(5)(ii)	4903.18(a)	D			

Corporation Counsel Statement Comment: To accommodate the District Register formatting requirements, this requirement has been combined with the introductory text. The does not affect equivalency.

for each shipment exported to any foreign country, transporters must maintain records described in 279.46(b)(1)-(4)	112	279.46(c)	4903.19	X			
records described in 279.46(a), (b) & (c) must be maintained for at least 3 years	112	279.46(d)	4903.20	X			

MANAGEMENT OF RESIDUES

transporters who generate residues must manage the residues as specified in 279.10(e)	112	279.47	4903.21	X			
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CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART F - STANDARDS FOR USED OIL PROCESSORS AND RE-REFINERS							
APPLICABILITY							
subpart applies to owners/operators of facilities that process used oil; definition of processing and specific inclusions; exclusions:	112	279.50(a)	4904.1	X			
transporters that conduct incidental processing operations occurring during normal course of transportation as provided in 279.41	112	279.50(a)(1)	4904.1(a)	X			
burners that conduct incidental processing operations occurring during normal course of used oil management prior to burning as provided in 279.61(b)	112	279.50(a)(2)	4904.1(b)	X			
specific processors/re-refiners who are subject to additional provisions of Part 279:	112	279.50(b)	4904.2	X			
processors/re-refiners who generate used oil must also comply with Subpart C of Part 279	112	279.50(b)(1)	4904.2(a)	X			
processors/re-refiners who transport used oil must also comply with Subpart E of Part 279	112	279.50(b)(2)	4904.2(b)	X			
except as 279.50(b)(3)(i)& (ii) provide otherwise, processors/re-refiners who burn off-specification used oil for energy recovery must also comply with Subpart G of Part 279; exceptions	112	279.50(b)(3)	4904.2(c)			X	

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: The District does not allow this exemption for processors/re-refiners that burn used oil for energy recovery when the used oil is burned for the purposes of processing used oil, which is considered burning incidentally to used oil processing. This difference makes the District's program more stringent than the Federal program.

used oil is burned in an on-site space heater meeting 279.23 requirements	112	279.50(b)(3)(i)	4904.3			X	
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Corporation Counsel Statement Comment: Processors/re-refiners may not burn used oil (including on-specification used oil) in space heaters even if the processor/re-refiner is a generator. This difference makes the District's program more stringent than the Federal program.

used oil is burned for processing used oil, which is considered incidental to used oil processing	112	279.50(b)(3)(ii)	4904.2(c)	X			
processors/re-refiners who direct shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications of 279.11 must also comply with Subpart H of Part 279	112	279.50(b)(4)	4904.2(d)	X			
processors/re-refiners who dispose of used oil also must comply with Subpart I of Part 279	112	279.50(b)(5)	4904.2(e)	X			

NOTIFICATION

processors/re-refiners who have not yet done so must comply with RCRA §3010 notification requirements and obtain an EPA ID number	112,122	279.51(a)	4904.4	X			
a processor/re-refiner without an EPA ID number may obtain one by submitting either:	112	279.51(b)	4904.4	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a completed EPA Form 8700-12; or	112	279.51(b)(1)	4904.4(a)	X			
a letter requesting an EPA ID number; what the letter should include	112	279.51(b)(2)	4904.4(b)	X			
		279.51(b)(2)(i)	4904.4(b)(1)	X			
		279.51(b)(2)(ii)	4904.4(b)(2)	X			
		279.51(b)(2)(iii)	4904.4(b)(3)	X			
		279.51(b)(2)(iv)	4904.4(b)(4)	X			
		279.51(b)(2)(v)	4904.4(b)(5)	X			
		279.51(b)(2)(vi)	4904.4(b)(6)	X			

GENERAL FACILITY STANDARDS

owners/operators of used oil processing and re-refining facilities must comply with the following preparedness and prevention requirements:	112	279.52(a)	4904.5	X			
facilities must be maintained and operated to minimize the possibility of fire, explosion, or any unplanned release of used oil to air, soil or surface water which could threaten human health or the environment	112	279.52(a)(1)	4904.5(a)	X			
unless none of the hazards posed by the used oil handled at the facility could require the equipment specified in 279.52(a)(2)(i)-(iv), all facilities must be equipped with the following:	112	279.52(a)(2)	4904.5(b)			X	

Corporation Counsel Statement Comment: The District does not allow discretion on what equipment is needed. This difference makes the District requirements more stringent.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
internal communications or alarm system capable of providing immediate emergency instruction to facility personnel	112	279.52(a)(2)(i)	4904.5(b)(1)	X			
device capable of summoning emergency assistance	112	279.52(a)(2)(ii)	4904.5(b)(2)	X			
portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment, and	112	279.52(a)(2)(iii)	4904.5(b)(3)	X			
water at adequate volume and pressure to supply water hose streams or foam producing equipment or automatic sprinklers or water spray systems	112	279.52(a)(2)(iv)	4904.5(b)(4)	X			
all communications or alarm systems, fire protection equipment, spill control equipment and decontamination equipment must be tested and maintained to assure proper operation in time of emergency	112	279.52(a)(3)	4904.5(c)	X			
access to communications or alarm system	112	279.52(a)(4)	4904.5(d)	X			
all personnel involved in any handling operation must have immediate access to an internal alarm or emergency communication device, unless device not required in 279.52(a)(2)	112	279.52(a)(4)(i)	4904.5(d)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if only one employee is present while the facility is operating, the employee must have immediate access to a device capable of summoning external emergency assistance, unless not required in 279.52(a)(2)	112	279.52(a)(4)(ii)	4904.5(e)	X			
owner/operator must maintain aisle space to allow unobstructed movement of personnel and emergency equipment to any area of facility operation in an emergency, unless aisle space not needed for these purposes	112	279.52(a)(5)	4904.5(f)	X			
as appropriate, owner/operator must attempt to make arrangements with local authorities	112	279.52(a)(6)(i)	4904.5(g)	X			
arrangements to familiarize police, fire departments, and emergency response teams with the facility's layout, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes	112	279.52(a)(6)(i)(A)	4904.5(g)(1)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if more than one police and fire department might respond, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with others to provide support	112	279.52(a)(6)(i)(B)	4904.5(g)(2)	X			
agreements with State emergency response teams, emergency response contractors, and equipment suppliers	112	279.52(a)(6)(i)(C)	4904.5(g)(3)	X			
arrangements to familiarize local hospitals with the properties of used oil handled at the facility and the types of injuries or illnesses that could result from fires, explosions, or releases	112	279.52(a)(6)(i)(D)	4904.5(g)(4)	X			
if State or local authorities decline to enter into such arrangements, owner/operator must document the refusal in the operating record	112	279.52(a)(6)(ii)	4904.5(h)	X			
owners/operators of used oil processing and re-refining facilities must comply with the following contingency plan and emergency procedure requirements	112	279.52(b)	4904.6	X			
purpose and implementation of contingency plan	112	279.52(b)(1)	No direct analog due to formatting restriction; not needed because it is a title	D			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
contingency plan required; plan must be designed to minimize hazards to human health or the environment from fire, explosion or any unplanned release to air, soil, or surface water	112	279.52(b)(1)(i)	4904.6(a)	X			
provisions of plan must be carried out immediately whenever fire, explosion or release of used oil could threaten human health or the environment	112	279.52(b)(1)(ii)	4904.6(b)	X			
content of contingency plan	112	279.52(b)(2)	4904.7	X			
what the contingency plan must describe	112	279.52(b)(2)(i)	4904.7(a)	X			
if already prepared a Part 112 SPCC Plan, or other plan, owner/operator may amend existing plan to meet requirements of Part 279	112	279.52(b)(2)(ii)	4904.7(b)	X			
plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate 279.52(a)(6) emergency services	112	279.52(b)(2)(iii)	4904.7(c)	X			
plan must list names, addresses and phone numbers for primary emergency coordinator and others qualified to act as emergency coordinator in specified order; list must be kept up to date	112	279.52(b)(2)(iv)	4904.7(d)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
plan must include a list of required emergency equipment at the facility and location, physical description and brief outline of capabilities of each item; list must be kept up to date	112	279.52(b)(2)(v)	4904.7(e)	X			
plan must include evacuation plan if possibly necessary; evacuation plan must describe signal(s) to begin evacuation, evacuation routes and alternative routes	112	279.52(b)(2)(vi)	4904.7(f)	X			
contingency plan copy and all revisions must be:	112	279.52(b)(3)	4904.8	X			
maintained at the facility	112	279.52(b)(3)(i)	4904.8(a)	X			
submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services	112	279.52(b)(3)(ii)	4904.8(b)	X			
contingency plan must be reviewed and amended whenever:	112	279.52(b)(4)	4904.9	X			
applicable regulations are revised	112	279.52(b)(4)(i)	4904.9(a)	X			
the plan fails in an emergency	112	279.52(b)(4)(ii)	4904.9(b)	X			
the facility changes in any way that materially increases the potential for fires, explosions, or releases of used oil, or changes the response necessary in an emergency	112	279.52(b)(4)(iii)	4904.9(c)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the list of emergency coordinators changes	112	279.52(b)(4)(iv)	4904.9(d)	X			
the list of emergency equipment changes	112	279.52(b)(4)(v)	4904.9(e)	X			
at all times, at least one employee responsible for coordinating all emergency response measures must be at the facility or on call; knowledge and authority the emergency coordinator must have; guidance responsibilities spelled out in 279.52(b)(6)	112	279.52(b)(5)	4904.10	X			
emergency procedures	112	279.52(b)(6)	4904.11	X			
if there is an imminent or actual emergency, the emergency coordinator or designee must immediately:	112	279.52(b)(6)(i)	4904.11(a)	X			
activate internal facility alarms or communication systems	112	279.52(b)(6)(i)(A)	4904.11(a)(1)	X			
notify State or local agencies with designated response roles if needed	112	279.52(b)(6)(i)(B)	4904.11(a)(2)	X			
emergency coordinator must immediately identify the character, exact source, amount, and real extent of any released materials; how the coordinator may do this	112	279.52(b)(6)(ii)	4904.11(b)	X			
concurrently, the emergency coordinator must assess possible hazards to human health or the environment; what the assessment must consider	112	279.52(b)(6)(iii)	4904.11(c)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if release, fire, or explosion could threaten human health or the environment, emergency coordinator must report findings	112	279.52(b)(6)(iv)	4904.11(d)	X			
if evacuation may be advisable, emergency coordinator must immediately notify local authorities and be available to help them decide whether to evacuate local areas	112	279.52(b)(6)(iv)(A)	4904.11(d)(1)	X			
emergency coordinator must immediately notify either the government official designated on-scene coordinator or the National Response Center; what the report must include	112	279.52(b)(6)(iv)(B)	4904.11(d)(2)	X			
		279.52(b)(6)(iv)(B)(1)	4904.11(d)(2)(A)	X			
		279.52(b)(6)(iv)(B)(2)	4904.11(d)(2)(B)	X			
		279.52(b)(6)(iv)(B)(3)	4904.11(d)(2)(C)	X			
		279.52(b)(6)(iv)(B)(4)	4904.11(d)(2)(D)	X			
		279.52(b)(6)(iv)(B)(5)	4904.11(d)(2)(E)	X			
		279.52(b)(6)(iv)(B)(6)	4904.11(d)(2)(F)	X			
emergency coordinator must take all reasonable measures to ensure that fires, explosions and releases do not occur, recur, or spread; what measures must include	112	279.52(b)(6)(v)	4904.11(e)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
emergency coordinator must monitor for leaks, pressure buildup, gas generation, or ruptures if the facility stops operation because of a fire, explosion or release	112	279.52(b)(6)(vi)	4904.11(f)	X			
emergency coordinator must provide for recycling, storing or disposing of any material that results from a release, fire or explosion immediately after that event	112	279.52(b)(6)(vii)	4904.11(g)	X			
emergency coordinator must ensure that:	112	279.52(b)(6)(viii)	4904.11(h)	X			
no waste or used oil that may be incompatible with the released material is recycled, treated, stored or disposed of until cleanup procedures are completed	112	279.52(b)(6)(viii) (A)	4904.11(h)(1)	X			
before operations resume, all emergency equipment is cleaned and fit for intended use	112	279.52(b)(6)(viii) (B)	4904.11(h)(2)	X			
before operations resume, owner/operator must notify Regional Administrator and State and local officials that facility complies with 279.52(a)	112,122	279.52(b)(6)(viii) (C)	4904.11(h)(3)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator must note in the operating record the time, date and details of any incident that requires implementing the contingency plan; must submit written report to Regional Administrator within 15 days; what the report must include	112	279.52(b)(6)(ix)	4904.11(i)	X			
		279.52(b)(6)(ix)(A)	4904.11(i)(1)	X			
		279.52(b)(6)(ix)(B)	4904.11(i)(2)	X			
		279.52(b)(6)(ix)(C)	4904.11(i)(3)	X			
		279.52(b)(6)(ix)(D)	4904.11(i)(4)	X			
		279.52(b)(6)(ix)(E)	4904.11(i)(5)	X			
		279.52(b)(6)(ix)(F)	4904.11(i)(6)	X			
		279.52(b)(6)(ix)(G)	4904.11(i)(7)	X			

REBUTTABLE PRESUMPTION FOR USED OIL

owner/operator of a processing/re-refining facility must determine whether the total halogen content of used oil managed at the facility exceeds or is less than 1,000 ppm	112	279.53(a)	4904.12	X			
how the owner/operator must make this determination	112	279.53(b)	4904.12(a)	X			
		279.53(b)(1)	4904.12(a)(1)	X			
		279.53(b)(2)	4904.12(a)(2)	X			
if the used oil contains \geq 1,000 ppm total halogens, it is presumed to be a hazardous waste; how the owner/operator may rebut the presumption; SW-846 example; where to obtain SW-846	112,130	279.53(c)	4904.12(b)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins if processed, through a tolling agreement, to reclaim metalworking oils/fluids; presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner, or disposed	112	279.53(c)(1)	4904.12(c)			X	

Corporation Counsel Statement Comment: The District subjects all metalworking oils/fluids to the rebuttable presumption that it is a hazardous waste no matter how they are disposed of or recycled. The Federal program exempts certain metalworking oils/fluids processed through a 40 CFR 279.24(c) tolling arrangement. Thus, the District's program is more stringent than the Federal program.

rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFCs are destined for reclamation; presumption does apply to CFC-contaminated used oils mixed with used oil from sources other than refrigeration units	112	279.53(c)(2)	4904.12(d)	X			
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CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
USED OIL MANAGEMENT							
used oil processors/ re-refiners are also subject to applicable Spill Prevention, Control and Countermeasures (40 CFR Part 112) and Underground Storage Tank (40 CFR Part 280) standards for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of a hazardous waste, in addition to the Part 279, Subpart F, requirements	112,122	279.54	4904.13	X			
processors/re-refiners may not store used oil in units other than tanks, containers, or units subject to regulation under Part 264 or 265	112,122	279.54(a)	4904.13(a)	X			
containers and aboveground tanks must be:	112	279.54(b)	4904.13(b)	X			
in good condition	112	279.54(b)(1)	4904.13(b)(1)	X			
not leaking	112	279.54(b)(2)	4904.13(b)(2)	X			
containers must have a secondary containment system	112	279.54(c)	4904.13(c)	X			
		279.54(c)(1)	4904.13(c)(1)	X			
	112	279.54(c)(1)(i)	4904.13(c)(1)(A)	X			
	112,122	279.54(c)(1)(ii)	4904.13(c)(1)(B)	X			
what the secondary containment system must, at a minimum, include	122	279.54(c)(1)(iii)	4904.13(c)(1)(C)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
entire containment system must prevent used oil released into the system from migrating out of the system into soil, groundwater or surface water	112	279.54(c)(2)	4904.13(c)(2)	X			
existing aboveground tanks used to store or process used oil must have a secondary containment system	112	279.54(d)	4904.13(c)	X			
what the secondary containment system must, at a minimum, include	112	279.54(d)(1)	4904.13(c)(1)	X			
		279.54(d)(1)(i)	4904.13(c)(1)(A)	X			
		279.54(d)(1)(ii)	4904.13(c)(1)(B)	X			
		279.54(d)(1)(iii)	4904.13(c)(1)(C)	X			
entire containment system must prevent used oil released into the system from migrating out of the system into soil, groundwater or surface water	112	279.54(d)(2)	4904.13(c)(2)	X			
new aboveground tanks used to store or process used oil must be equipped with a secondary containment system	112	279.54(e)	4904.13(c)	X			
what the secondary containment system must, at a minimum, include	112	279.54(e)(1)	4904.13(c)(1)	X			
		279.54(e)(1)(i)	4904.13(c)(1)(A)	X			
		279.54(e)(1)(ii)	4904.13(c)(1)(B)	X			
		279.54(e)(1)(iii)	4904.13(c)(1)(C)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
entire containment system must prevent used oil released into the system from migrating out of the system into soil, groundwater or surface water	112	279.54(e)(2)	4904.13(c)(2)	X			
labels	112	279.54(f)	No direct analog, not needed	D			
containers and aboveground tanks must be clearly marked "Used Oil"	112	279.54(f)(1)	4904.13(f)	X			
fill pipes used to transfer used oil into underground storage tanks must be clearly marked "Used Oil"	112	279.54(f)(2)	4904.13(g)	X			
on detection of a release of used oil to the environment not subject to 40 CFR 280 Subpart F which has occurred after the effective date of the authorized used oil program for the State in which the release is located, the owner/operator must perform these cleanup steps:	112	279.54(g)	4904.13(h)	X			
stop the release	112	279.54(g)(1)	4904.13(h)(1)	X			
contain the released used oil	112	279.54(g)(2)	4904.13(h)(2)	X			
clean up and properly manage released used oil and other materials	112	279.54(g)(3)	4904.13(h)(3)	X			
repair or replace leaking storage containers or tanks before returning them to service	112	279.54(g)(4)	4904.13(h)(4)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
closure	112	279.54(h)	No direct analog due to formatting restriction; not needed because it is a title	D			
at closure, owners/operators who store or process used oil in aboveground tanks must comply with these requirements	112	279.54(h)(1)	4904.13(i)	X			
owner/operator must remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil and manage them as hazardous waste; exception	112	279.54(h)(1)(i)	4904.13(i)(1)	X			
if owner/operator demonstrates that not all contaminated soils can be removed or decontaminated, closure and post-closure care as for a hazardous waste landfill	112	279.54(h)(1)(ii)	4904.13(i)(2)	X			
at closure, owners/operators who store used oil in containers must comply with these requirements	112	279.54(h)(2)	4904.13(i)(3)	X			
containers of used oils or used oil residues must be removed from the site	112	279.54(h)(2)(i)	4904.13(i)(3) (A)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator must remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil and manage them as hazardous waste; exception	112	279.54(h)(2)(ii)	4904.13(i)(3)(B)	X			

ANALYSIS PLAN

owners/operators of used oil processing and re-refining facilities must develop and follow a written analysis plan describing procedures to be used to comply with analysis requirements of 279.53 and 279.72; plan must be kept at the facility	112	279.55	4904.14	X			
for 279.53, what the plan must specify, at a minimum:	112	279.55(a)	4904.15	X			
whether sample analyses or knowledge of the halogen content will be used	112	279.55(a)(1)	4904.15(a)	X			
if sample analyses are to be used:	112	279.55(a)(2)	4904.15(b)	X			
methods to be used to obtain representative samples	112	279.55(a)(2)(i)	4904.15(b)(1)	X			
		279.55(a)(2)(i)(A)	4904.15(b)(1)(A)	X			
		279.55(a)(2)(i)(B)	4904.15(b)(1)(B)	X			
frequency of sampling and whether analysis will be performed on-site or off-site	112	279.55(a)(2)(ii)	4904.15(b)(2)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
methods used to analyze for 279.53 parameters	112	279.55(a)(2)(iii)	4904.15(b)(3)	X			
type of information that will be used to determine halogen content of the used oil	112	279.55(a)(3)	4904.15(c)	X			
if 279.72 on-specification used oil fuel requirements apply, at a minimum the plan must specify:	112	279.55(b)	4904.16	X			
whether sample analyses or other information will be used to make this determination	112	279.55(b)(1)	4904.16(a)	X			
if sample analyses are used:	112	279.55(b)(2)	4904.16(b)	X			
methods to be used to obtain representative samples	112	279.55(b)(2)(i)	4904.16(b)(1)	X			
		279.55(b)(2)(i)(A)	4904.16(b)(1)(A)	X			
		279.55(b)(2)(i)(B)	4904.16(b)(1)(B)	X			
whether used oil will be sampled and analyzed before or after processing/re-refining	112	279.55(b)(2)(ii)	4904.16(b)(2)	X			
frequency of sampling and whether analysis will be performed on-site or off-site	112	279.55(b)(2)(iii)	4904.16(b)(3)	X			
methods used to analyze used oil for 279.72 parameters	112	279.55(b)(2)(iv)	4904.16(b)(4)	X			
type of information that will be used to make the on-specification used oil fuel determination	112	279.55(b)(3)	4904.16(c)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
TRACKING							
processors/re-refiners must keep a record of each used oil shipment accepted for processing/re-refining; forms records may take; what the records must include for each shipment:	112	279.56(a)	4904.17	X			
name and address of transporter who delivered the used oil to the processor/re-refiner	112	279.56(a)(1)	4904.17(a)	X			
name and address of generator or processor/re-refiner from whom the used oil was sent	112	279.56(a)(2)	4904.17(b)	X			
EPA ID number of transporter	112	279.56(a)(3)	4904.17(c)	X			
EPA ID number of generator or processor/re-refiner	112	279.56(a)(4)	4904.17(d)	X			
quantity of used oil accepted	112	279.56(a)(5)	4904.17(e)	X			
date of acceptance	112	279.56(a)(6)	4904.17(f)	X			
processors/re-refiners must keep record of each shipment shipped to a used oil burner, processor/re-refiner, or disposal facility; forms record may take; what the records must include for each shipment:	112	279.56(b)	4904.18	X			
name and address of transporter who delivers the used oil to the burner, processor/re-refiner or disposal facility	112	279.56(b)(1)	4904.18(a)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
name and address of burner, processor/re-refiner or disposal facility who will receive the used oil	112	279.56(b)(2)	4904.18(b)	X			
EPA ID number of transporter	112	279.56(b)(3)	4904.18(c)	X			
EPA ID number of burner, processor/re-refiner or disposal facility	112	279.56(b)(4)	4904.18(d)	X			
quantity of used oil shipped	112	279.56(b)(5)	4904.18(e)	X			
shipment date	112	279.56(b)(6)	4904.18(f)	X			
records described in 279.56(a) and (b) must be maintained for at least 3 years	112	279.56(c)	4904.19	X			
OPERATING RECORD AND REPORTING							
operating record	112	279.57	No direct analog due to formatting restriction; not needed because it is a title	D			
owner/operator must keep a written operating record at the facility	112	279.57(a)(1)	4904.20	X			
information must be recorded as it becomes available and maintained in the operating record until facility closure	112	279.57(a)(2)	4904.20	X			
records and results of used oil analyses described in 279.55 analysis plan	112	279.57(a)(2)(i)	4904.20(a)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
summary reports and details of all incidents that require implementation of the contingency plan of 279.52(b)	112	279.57(a)(2)(ii)	4904.20(b)	X			
processor/re-refiner must send a letter by March 1 of each even-numbered year to the Regional Administrator about used oil activities during the previous calendar year; what the letter must include	112	279.57(b)	4904.21	X			
		279.57(b)(1)	4904.21(a)	X			
		279.57(b)(2)	4904.21(b)	X			
		279.57(b)(3)	4904.21(c)	X			

OFF-SITE SHIPMENTS OF USED OIL

processors/re-refiners who initiate shipments off-site must use a used oil transporter with an EPA ID number	112	279.58	4904.22	X			
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MANAGEMENT OF RESIDUES

residues from storage, processing, or re-refining must be managed as specified in 279.10(e)	112	279.59	4904.23	X			
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SUBPART G - STANDARDS FOR USED OIL BURNERS WHO BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY

APPLICABILITY

♦ burning of off-specification used oil	112	279.60 - 279.67	4905.1, 4905.2 & 4905.3			X	
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Corporation Counsel Statement Comment: 20 DCMR §4905, the analog to 40 CFR 279, Subpart G, is very different than its Federal analog and consists of only two paragraphs. The first states that both on- and off-specification used oil burning are not allowed in the District and makes it clear that this prohibition on burning also applies to generators. The second paragraph addresses the requirements for burning off-specification used oil outside the District and points to the requirements found at 40 CFR 279, Subpart G. These differences make the District's program more stringent than the Federal program.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART H - STANDARDS FOR USED OIL FUEL MARKETERS

APPLICABILITY

♦ this subpart applies to any person who:	112,122	279.70(a)	4906.1	X			
♦ directs a shipment of off-specification used oil to a used oil burner	112	279.70(a)(1)	4906.1(a)	X			
♦ first claims that used oil that is to be burned for energy recovery meets the specifications of 279.11	112	279.70(a)(2)	4906.1(b)	X			
♦ persons who are not subject to Subpart H	112	279.70(b)	4906.2	X			
		279.70(b)(1)	4906.2(a)	X			
		279.70(b)(2)	4906.2(b)	X			
any person subject to the requirements of Part 279 Subpart H must also comply with one of specified Part 279 Subparts	112	279.70(c)	4906.3	X			
		279.70(c)(1)	4906.3(a)	X			
		279.70(c)(2)	4906.3(b)	X			
		279.70(c)(3)	4906.3(c)	X			
		279.70(c)(4)	4906.3(d)	X			

PROHIBITIONS

♦ used oil fuel marketer may initiate a shipment of off-specification used oil only to a used oil burner who:	112	279.71	4906.4	X			
♦ has an EPA ID number	112	279.71(a)	4906.4(a)	X			
♦ burns the used oil in an industrial furnace or boiler identified in 279.61(a)	112	279.71(b)	4906.4(b)			X	

Corporation Counsel Statement Comment: 20 DCMR §4906.4(b) is more stringent than its Federal analog because it requires that the boiler or industrial furnace to which the off-specification fuel is sold must be outside the District.

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
ON-SPECIFICATION USED OIL FUEL							
♦ determination that used oil meets 279.11 fuel specifications may be made by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets those specifications	112,122	279.72(a)	4906.5	X			
♦ generator, transporter, processor/re-refiner or burner who first claims used oil to be burned for energy recovery meets 279.11 specifications must keep analyses or other information for 3 years	112	279.72(b)	4906.6	X			
NOTIFICATION							
♦ a used oil fuel marketer, who has not previously done so, must comply with RCRA §3010 notification requirements and obtain an EPA ID number	112,122	279.73(a)	4906.7	X			
a marketer without an EPA ID number may be obtain one by submitting either:	112	279.73(b)	4906.7	X			
a completed EPA Form 8700-12; or	112	279.73(b)(1)	4906.7(a)	X			
		279.73(b)(2)	4906.7(b)	X			
		279.73(b)(2)(i)	4906.7(b)(1)	X			
		279.73(b)(2)(ii)	4906.7(b)(2)	X			
		279.73(b)(2)(iii)	4906.7(b)(3)	X			
a letter requesting an EPA ID number; what the letter should include	112	279.73(b)(2)(iv)	4906.7(b)(4)	X			
		279.73(b)(2)(v)	4906.7(b)(5)	X			

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
TRACKING							
◆ marketer who directs a shipment of off-specification used oil to a burner must keep a record of each shipment; forms record may take; each record must include:	112,122	279.74(a)	4906.8	X			
◆ name and address of transporter who delivers used oil to burner	112	279.74(a)(1)	4906.8(a)	X			
◆ name and address of burner receiving used oil	112	279.74(a)(2)	4906.8(b)	X			
◆ EPA ID number of transporter	112	279.74(a)(3)	4906.8(c)	X			
◆ EPA ID number of burner	112	279.74(a)(4)	4906.8(d)	X			
◆ quantity shipped	112	279.74(a)(5)	4906.8(e)	X			
◆ shipment date	112	279.74(a)(6)	4906.8(f)	X			
◆ generator, transporter, processor/re-refiner or burner who first claims used oil to be burned for energy recovery meets 279.11 specifications must keep a record of each shipment; each record must include:	112	279.74(b)	4906.9	X			
◆ name and address of receiving facility	112	279.74(b)(1)	4906.9(a)	X			
◆ quantity delivered	112	279.74(b)(2)	4906.9(b)	X			
◆ date of shipment or delivery	112	279.74(b)(3)	4906.9(c)	X			
◆ cross-reference to analysis or other information used to determine that the oil meets 279.72(a) specification	112	279.74(b)(4)	4906.9(d)	X			

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
◆ records described in 279.74(a) and (b) must be maintained for at least 3 years	112	279.74(c)	4906.10	X			

NOTICES

◆ before a used oil generator, transporter, or processor/re-refiner directs the first shipment of off-specification used oil fuel to a burner, burner must provide a one-time written and signed notice; what the notice must certify	112	279.75(a)	4906.11	X			
		279.75(a)(1)	4906.11(a)	X			
		279.75(a)(2)	4906.11(b)	X			
◆ 279.75 certification must be maintained for 3 years from the date of the last shipment of off-specification used oil to the burner	112	279.75(b)	4906.12	X			

SUBPART I - STANDARDS FOR USE AS A DUST SUPPRESSANT AND DISPOSAL OF USED OIL

APPLICABILITY

Subpart I applies to all used oils that cannot be recycled and are being disposed	112	279.80	4907.1	X			
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DISPOSAL

used oils that are hazardous waste and cannot be recycled must be managed in accordance with Parts 260-266, 268, 270 and 124	112	279.81(a)	4907.2	X			
used oils that are not hazardous wastes and cannot be recycled must be disposed in accordance with Parts 257 and 258	112	279.81(b)	4907.3	X			

USE AS A DUST SUPPRESSANT

CONSOLIDATED CHECKLIST C10:
40 CFR Part 279 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
use of used oil as a dust suppressant is prohibited; exception	112	279.82(a)	4907.4	D			
a State may petition EPA to allow the use of used oil meeting specific requirements as a dust suppressant; what State must show; program must minimize impact on the environment	112	279.82(b)	4907.4	D			
list of states (reserved)	112	279.82(c)	4907.4	D			

Corporation Counsel Statement Comment: As stated at 20 DCMR §4907.4, the District does not allow the use of used oil as a dust suppressant. This difference does not make the District's program more stringent because this practice is prohibited by the Federal program except in those states that have been allowed a program under 40 CFR 279.82. The District has chosen not to petition for such a program.

DISTRICT OF COLUMBIA
 CONSOLIDATED CHECKLIST C11
 Consolidated Checklist for Universal Wastes
 40 CFR PART 273 as of June 30, 1997

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

PART 273--STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A--GENERAL

† SCOPE

Part 273 establishes requirements for managing the listed universal wastes	142 A	273.1(a) intro	4800.1	X			
batteries as described in 273.2	142 B	273.1(a)(1)	4800.1(a)	X			
pesticides as described in 273.3	142 C	273.1(a)(2)	4800.1(b)	X			
thermostats as described in 273.4	142 D	273.1(a)(3)	4800.1(c)	X			

Corporation Counsel Statement Comment: The District also regulates mercury-containing lamps as a universal waste. These requirements are found at §§4800.1, 4800.19 and 4806. While not identical to the new Federal universal waste requirements for hazardous waste lamps (64 FR 36466), the District's mercury containing lamp requirements are consistent with them. The District will seek authorization for the hazardous waste lamp requirements at a later date, because it is currently seeking authorization for the Federal program as of July 1, 1998.

Part 273 provides an alternate set of management standards in lieu of regulation under Parts 260-272	142 A	273.1(b)	4800.2			X	
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Corporation Counsel Statement Comment: At 20 DCMR §4800.2, the analog to 40 CFR 273.1(b), the District subjects all universal wastes, except pesticides, that are not recycled to full regulation rather than the reduced requirements of 20 DCMR Chapter 48, the analog to 40 CFR Part 273. This difference makes the District's universal waste requirements more stringent than the Federal program.

US EPA ARCHIVE DOCUMENT

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† APPLICABILITY - BATTERIES							
requirements of Part 273 apply to persons managing 273.6 batteries, except those in 273.2(b) list	142 B	273.2(a)(1)	4800.3	X			
spent lead-acid batteries not managed under Part 266, Subpart G are subject to management under Part 273	142 B	273.2(a)(2)	4800.4	X			
requirements of Part 273 do not apply to persons managing the following batteries:	142 B	273.2(b)	4800.5	X			
spent lead-acid batteries managed under Part 266, Subpart G	142 B	273.2(b)(1)	4800.5(a)	X			
batteries, as described in 273.6, that are not yet hazardous waste under Part 261, including those that do not meet the criteria for waste generation in 273.2(c)	142 B	273.2(b)(2)	4800.5(b)	X			
batteries, as described in 273.6, that are not hazardous waste; a hazardous waste only if it exhibits one or more of the characteristics of a hazardous waste	142 B	273.2(b)(3)	4800.5(c)	X			
a used battery becomes a waste on the date it is discarded	142 B	273.2(c)(1)	4800.6	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
an unused battery becomes a waste on the date the handler decides to discard it	142 B	273.2(c)(2)	4800.7	X			

† APPLICABILITY--PESTICIDES

requirements of Part 273 apply to persons managing 273.6 pesticides, except those in 273.3(b) list	142 C	273.3(a)	4800.8	X			
recalled pesticides that are:	142 C	273.3(a)(1)	4800.8(a)	X			
stocks of suspended and cancelled pesticides as per FIFRA §19(b), including, but not limited to those owned by the registrant responsible for conducting the recall	142 C	273.3(a)(1)(i)	4800.8(a)(1)	X			
stocks of suspended and canceled pesticides, or pesticides not in compliance with FIFRA, that are part of a voluntary recall by the registrant	142 C	273.3(a)(1)(ii)	4800.8(a)(2)	X			
stocks of other unused pesticide products collected and managed as part of a waste pesticide collection program	142 C	273.3(a)(2)	4800.8(b)	X			
requirements of Part 273 do not apply to persons managing the following pesticides:	142 C	273.3(b)	4800.9	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
recalled 273.3(a)(1)&(2) pesticides managed by farmers in compliance with 262.70	142 C	273.3(b)(1)	4800.9(a)	X			
pesticides not meeting the 273.3(a) conditions; these pesticides must be managed in compliance with Parts 260 through 272	142 C	273.3(b)(2)	4800.9(b)	X			
pesticides that are not wastes under Part 261, including those that do not meet the 273.3(c) criteria for waste generation or those that are not 273.3(d) wastes	142 C	273.3(b)(3)	4800.9(c)	X			
pesticides that are not hazardous waste (i.e., is not listed nor exhibits a characteristic)	142 C	273.3(b)(4)	4800.9(d)	X			
a recalled 273.3(a)(1) pesticide becomes a waste on the first date on which both of the following conditions apply:	142 C	273.3(c)(1)	4800.10	X			
the generator of the recalled pesticide agrees to participate in the recall	142 C	273.3(c)(1)(i)	4800.10(a)	X			
the person conducting the recall decides to discard (e.g., burn the pesticide for energy recovery)	142 C	273.3(c)(1)(ii)	4800.10(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
an unused pesticide product described in 273.3(a)(2) becomes a waste on the date the generator decides to discard it	142 C	273.3(c)(2)	4800.11	X			
pesticides that are not wastes:	142 C	273.3(d)	4800.12	X			
recalled 273.3(a)(1) pesticides, provided that the person conducting the recall:	142 C	273.3(d)(1)	4800.12(a)	X			
has not made a decision to discard the pesticide; until decision is met, it does not meet the definition of "solid waste"; pesticide remains subject to FIFRA	142 C	273.3(d)(1)(i)	4800.12(a)(1)	X			
has made the decision to use a management option under 261.2 that does not cause the pesticide to be a solid waste and, therefore, not a hazardous waste; this pesticide, including a recalled pesticide exported to a foreign destination for reuse, remains subject to FIFRA	142 C	273.3(d)(1)(ii)	4800.12(a)(2)	X			
unused pesticide products described in 273.3(a)(2), if the generator has not decided to discard them. These pesticides remain subject to FIFRA	142 C	273.3(d)(2)	4800.12(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† APPLICABILITY--MERCURY THERMOSTATS							
requirements of Part 273 apply to persons managing 273.6 thermostats, except those in 273.4(b) list	142 D	273.4(a)	4800.13	X			
requirements of Part 273 do not apply to persons managing the following thermostats:	142 D	273.4(b)	4800.14	X			
thermostats not yet wastes under Part 261; 273.4(c) describes when a thermostat becomes a waste	142 D	273.4(b)(1)	4800.14(a)	X			
thermostats that are not hazardous waste (i.e., they do not exhibit a characteristic)	142 D	273.4(b)(2)	4800.14(b)	X			
a used thermostat becomes a waste on the date it is discarded	142 D	273.4(c)(1)	4800.15	X			
an unused thermostat becomes a waste on the date handler decides to discard it	142 D	273.4(c)(2)	4800.16	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

† APPLICABILITY--HOUSEHOLD AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR WASTE

persons managing the wastes listed in 273.5(a)(1)&(2) may, at their option, manage them under Part 273	142 A	273.5(a)	4800.17	X			
household wastes exempt under 261.4(b)(1) that are the same type as the 273.6 defined universal wastes	142 A	273.5(a)(1)	4800.17	X			
conditionally exempt small quantity generator wastes exempt under 261.5 that are the same type as the 273.6 defined universal hazardous wastes	142 A	273.5(a)(2)	No analog	D			

Corporation Counsel Statement Comment: The District does not have an analog to 40 CFR 273.5(a)(2). This provision is not necessary because the wastes addressed in the District's analog to 40 CFR 261.5 are subject to the full hazardous waste requirements rather than requirements analogous to 40 CFR 261.5. As a result, these wastes that are also universal wastes would likely be managed as a universal waste because these requirements are less stringent than the requirements that wastes, analogous to 40 CFR 261.5 wastes, are subject to under the District's program.

273.5(a)(1)&(2) wastes commingled with universal wastes are regulated under Part 273	142 A	273.5(b)	4800.18	X			
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† DEFINITIONS

"battery"	142 B	273.6	5400.1	X			
"destination facility"	142 A	273.6	5400.1	X			
"FIFRA"	142 C	273.6	5400.1	X			
"generator"	142 A	273.6	5400.1	X			
"large quantity handler of universal waste"	142 A	273.6	No analog			X	

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: In its definitions at 20 DCMR §5400.1, the District does not make a distinction between small and large quantity handlers of universal waste because the District does not make a distinction between how these two types of handlers are regulated. Additionally, the District does not have a direct analog to 40 CFR 273, Subpart B. Small quantity handlers are subject to the same requirements as large quantity handlers. In addition, all handlers of universal waste are prohibited from accumulating more than 1,000 kilograms of universal waste at any time (see 20 DCMR §4801.2(c)). Thus, the District's program with regard to regulating these handlers is more stringent than the Federal program.

"mercury-containing lamp"	N/A	No analog	5400.1				
"on-site"	142 A	273.6	5400.1	X			
"pesticide"	142 C	273.6	5400.1	X			
"small quantity handler of universal waste"	142 A	273.6	No analog			X	

Corporation Counsel Statement Comment: In its definitions at 20 DCMR §5400.1, the District does not make a distinction between small and large quantity handlers of universal waste because the District does not make a distinction between how these two types of handlers are regulated. Additionally, the District does not have a direct analog to 40 CFR 273, Subpart B. Small quantity handlers are subject to the same requirements as large quantity handlers. In addition, all handlers of universal waste are prohibited from accumulating more than 1,000 kilograms of universal waste at any time (see 20 DCMR §4801.2(c)). Thus, the District's program with regard to regulating these handlers is more stringent than the Federal program.

"thermostat"	142 D	273.6	5400.1	X			
"universal waste"	142 A, 142 B, 142 C, 142 D	273.6	5400.1	X			
"universal waste handler"	142 A	273.6	5400.1	X			
"universal waste transfer facility"	142 A	273.6	5400.1	X			
"universal waste transporter"	142 A	273.6	5400.1	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

SUBPART B--STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE

† APPLICABILITY

Part 273, Subpart B applies to small quantity handlers of universal waste	142 A	273.10 - 273.20	4801			X	
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Corporation Counsel Statement Comment: The District does not have separate requirements for small and large quantity handlers of universal waste. Small quantity handlers are subject to the same requirements as large quantity handlers. In addition, all handlers of universal waste are prohibited from accumulating more than 1,000 kilograms of universal waste at any time. Thus, the District's program is more stringent than the Federal program.

SUBPART C--STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE

† APPLICABILITY

Part 273, Subpart C applies to large quantity handlers of universal waste	142 A	273.30	4801.1			X	
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Corporation Counsel Statement Comment: The District does not have separate requirements for small and large quantity handlers of universal waste. Small quantity handlers are subject to the same requirements as large quantity handlers. In addition, all handlers of universal waste are prohibited from accumulating more than 1,000 kilograms of universal waste at any time. Thus, the District's program is more stringent than the Federal program.

† PROHIBITIONS

a large quantity handler of universal waste is:	142 A	273.31 intro	4801.2	X			
prohibited from disposing of universal waste; and	142 A	273.31(a)	4801.2(a)	X			
prohibited from diluting or treating universal waste, except by responding to releases as per 273.37 or by managing a specific waste as provided in 273.33	142 A	273.31(b)	4801.2(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
prohibited from accumulating or storing more than 1,000 kilograms universal waste	N/A	No Federal analog	4801.2(c)			X	

Corporation Counsel Statement Comment: At 20 DCMR §4801.2(c), the District includes a requirement which prohibits the accumulation and storage of more than 1,000 kilograms of universal waste. The Federal program does not have this restriction; therefore, the District program is more stringent.

† NOTIFICATION

except as provided in 273.32(a)(2)&(3), a large quantity handler must have sent written notification of universal waste management to the Regional Administrator and received an EPA identification number before meeting or exceeding the 5,000 kg storage limit	142 A 142 C	273.32(a)(1)	4801.3			X	
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Corporation Counsel Statement Comment: The District requires notification before meeting the storage limit, making 20 DCMR §4801.3 more stringent than its Federal counterpart. In addition, the storage limit is 1,000 kg rather than 5,000 kg.

a large quantity handler who has already notified EPA of hazardous waste activities and has an EPA identification number, is not required to re-notify	142 A	273.32(a)(2)	4801.4	X			
a large quantity handler of 273.3(a)(1) recalled pesticides who has sent EPA notification as per 40 CFR 165 is not required to notify under 273.32 for those recalled universal wastes	142 C	273.32(a)(3)	4801.5	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what the notification must include:	142 A	273.32(b)	4801.6	X			
the universal waste handler's name and mailing address	142 A	273.32(b)(1)	4801.6(a)	X			
the name and business telephone number of the person at the universal waste handler's site who should be contacted	142 A	273.32(b)(2)	4801.6(b)	X			
the address or physical location of the universal waste management activities	142 A	273.32(b)(3)	4801.6(c)	X			
a list of all the types of universal waste managed by the handler	142 A	273.32(b)(4)	4801.6(d)	X			
a statement that the handler is accumulating more than 5,000 kg of universal waste at one time and the type of waste accumulating above this quantity	142 A	273.32(b)(5)	4801.6(e)			X	

Corporation Counsel Statement Comment: The District's requirement is more stringent than its Federal counterpart because the accumulation notification limit is 1,000 kg rather than 5,000 kg.

† WASTE MANAGEMENT

large quantity handlers of universal waste must manage waste batteries to prevent release	142 B	273.33(a)	4801.7	X			
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CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
contain any universal waste battery that shows evidence of leakage, spillage, or damage; container must be closed, structurally sound, compatible, and lack evidence of leakage, spillage or damage that could cause a leak	142 B	273.33(a)(1)	4801.7(a)	X			
activities that may be conducted as long as the casing of each battery is not breached and remains intact and closed, except for electrolyte removal:	142 B	273.33(a)(2)	4801.7(b)	X			
sorting batteries by type	142 B	273.33(a)(2)(i)	4801.7(b)(1)	X			
mixing batteries by type	142 B	273.33(a)(2)(ii)	4801.7(b)(2)	X			
discharging batteries so as to remove the electric charge	142 B	273.33(a)(2)(iii)	4801.7(b)(3)	X			
regenerating used batteries	142 B	273.33(a)(2)(iv)	4801.7(b)(4)	X			
disassembling batteries or battery packs into individual batteries or cells	142 B	273.33(a)(2)(v)	4801.7(b)(5)	X			
removing batteries from consumer products	142 B	273.33(a)(2)(vi)	4801.7(b)(6)	X			
removing electrolyte from batteries	142 B	273.33(a)(2)(vii)	4801.7(b)(7)	X			
resulting electrolyte and other solid wastes must be tested to determine if they exhibit a hazardous waste characteristic	142 B	273.33(a)(3)	4801.7(c)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if a characteristic is exhibited, the electrolyte and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste generator	142 B	273.33(a)(3)(i)	4801.7(c)(1)	X			
if not hazardous, then handler may manage the waste in any way that is in compliance with applicable Federal, State or local solid waste regulations	142 B	273.33(a)(3)(ii)	4801.7(c)(2)	X			
large quantity handlers of universal waste must manage waste pesticides to prevent release; universal waste pesticide must be contained in one or more of the following:	142 C	273.33(b)	4801.8	X			
a container that remains closed, structurally sound, compatible with the pesticide, and lacks evidence of leakage, spillage, or damage that could cause a leak	142 C	273.33(b)(1)	4801.8(a)	X			
a container that does not meet the requirements of 273.33(b)(1), provided that the unacceptable container is overpacked in a container that meets the 273.33(b)(1) requirements	142 C	273.33(b)(2)	4801.8(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a tank meeting the Part 265, Subpart J requirements (except for 265.197(c), 265.200 and 265.201); or	142 C	273.33(b)(3)	4801.8(c)			X	

Corporation Counsel Statement Comment: At 20 DCMR §4801.8(c), the analog to 40 CFR 273.33(b)(3), the District subjects the universal waste handler to its 40 CFR 264, Subpart J analog rather than its analog to 40 CFR 265, Subpart J. In general, the District's 40 CFR 264 Subpart J analog is either equivalent to or more stringent than 40 CFR 265, Subpart J. The District has included additional requirements at 20 DCMR §4801.8(c) to take into account those situations where the District's 40 CFR 264 Subpart J analog is less stringent than its 40 CFR 265, Subpart J counterpart. In addition, the District's 40 CFR 264, Subpart J analog is more stringent because it also subjects the handler to provisions equivalent to 40 CFR 265.197(c) and 40 CFR 265.200, which 40 CFR 273.33(b)(3) specifically excludes from being required.

a transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause a leak	142 C	273.33(b)(4)	4801.8(d)	X			
large quantity handler must manage universal waste thermostats to prevent releases	142 D	273.33(c)	4801.9	X			
contain any universal waste thermostat that show evidence of leakage, spillage, or damage; container must be closed, structurally sound, compatible, and lack evidence of leakage, spillage or damage that could cause a leak	142 D	273.33(c)(1)	4801.9(a)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a large quantity handler of universal waste may remove mercury-constraining ampules from universal waste thermostats provided the handler:	142 D	273.33(c)(2)	4801.9(b)	X			
removes the ampules in a manner designed to prevent breakage of the ampules	142 D	273.33(c)(2)(i)	4801.9(b)(1)	X			
removes ampules only over or in a containment device	142 D	273.33(c)(2)(ii)	4801.9(b)(2)	X			
ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets 262.34 requirements	142 D	273.33(c)(2)(iii)	4801.9(b)(3)	X			
immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets 262.34 requirements	142 D	273.33(c)(2)(iv)	4801.9(b)(4)	X			
ensures that the area where ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA mercury exposure levels	142 D	273.33(c)(2)(v)	4801.9(b)(5)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
ensures that employees are thoroughly familiar with mercury handling and emergency procedures including transfer of mercury from containment devices to appropriate containers	142 D	273.33(c)(2)(vi)	4801.9(b)(6)	X			
stores removed ampules in closed, non-leaking containers that are in good condition; and	142 D	273.33(c)(2)(vii)	4801.9(b)(7)	X			
packs removed ampules in the container with packing materials adequate to prevent breakage	142 D	273.33(c)(2)(viii)	4801.9(b)(8)	X			
a large quantity handler who removes mercury-containing ampules from thermostats must determine whether the following exhibit a hazardous waste characteristic	142 D	273.33(c)(3)(i)	4801.9(c)	X			
mercury or clean-up residues resulting from spills or leaks	142 D	273.33(c)(3)(i)(A)	4801.9(c)(1)	X			
other solid waste generated as result of removing mercury-containing ampules	142 D	273.33(c)(3)(i)(B)	4801.9(c)(2)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if a characteristic is exhibited, the mercury, residues and/or solid waste is subject to Parts 260 through 272; the handler is considered a hazardous waste generator	142 D	273.33(c)(3)(ii)	4801.9(d)	X			
if not hazardous, then handler may manage the mercury, residues and/or solid waste in any way that is in compliance with applicable Federal, State or local solid waste regulations	142 D	273.33(c)(3)(iii)	4801.9(e)	X			
† LABELING/MARKING							
a large quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified in 273.34(a) through (d)	142 A	273.34 intro	4801.10	X			
each battery, or a container or tank in which the batteries are contained, must be labeled or marked clearly with "Universal Waste--Battery(ies)" or "Waste Battery(ies)" or "Used Battery(ies)"	142 B	273.34(a)	4801.10(a)	X			
for recalled 273.3(a)(1) pesticides, the container (or multiple container unit), tank, transport vehicle or vessel must be labeled/marked with:	142 C	273.34(b)	4801.10(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the label that was on or accompanied the product as sold or distributed	142 C	273.34(b)(1)	4801.10(b)(1)	X			
the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)"	142 C	273.34(b)(2)	4801.10(b)(2)	X			
for unused 273.3(a)(2) pesticides, the container, tank or transport vehicle or vessel must be labeled/marked with:	142 C	273.34(c)	4801.10(c)	X			
the label that was on the product when purchased, if still legible	142 C	273.34(c)(1)(i)	4801.10(c)(1)	X			
if 273.34(c)(1)(i) labeling not feasible, then the appropriate label as required under 49 CFR Part 172	142 C	273.34(c)(1)(ii)	4801.10(c)(2)	X			
if 273.34(c)(1)(i) or (ii) labeling not feasible, then another label prescribed or designed by the pesticide collection program	142 C	273.34(c)(1)(iii)	4801.10(c)(3)	X			
the words "Universal Waste--Pesticide(s)" or "Waste--Pesticide(s)"	142 C	273.34(c)(2)	4801.10(c)(4)	X			
universal waste thermostats or container in which the thermostats are contained must be labeled or marked clearly with "Universal Waste--Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)"	142 D	273.34(d)	4801.10(d)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† ACCUMULATION TIME LIMITS							
one year accumulation period for large quantity handlers, unless 273.35(b) requirements are met	142 A	273.35(a)	4801.11	X			
an accumulation period longer than one year is allowed if activity is solely for the purpose of accumulating such quantities of universal wastes as necessary for proper recovery, treatment, or disposal; handler bears burden of proof	142 A	273.35(b)	4801.12	X			
large quantity handlers must be able to demonstrate the length of time the universal waste has been accumulated; this demonstration is made by:	142 A	273.35(c)	4801.13	X			
placing the universal waste in a container and marking or labeling with the earliest date that any universal waste in the container became a waste or was received	142 A	273.35(c)(1)	4801.13(a)	X			
marking or labeling the individual item of universal waste with the date it became a waste or was received	142 A	273.35(c)(2)	4801.13(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received	142 A	273.35(c)(3)	4801.13(c)	X			
maintaining an inventory system on-site that identifies that earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received	142 A	273.35(c)(4)	4801.13(d)	X			
placing universal waste in a specific accumulation area and identifying the earliest date that any universal waste in area became a waste or was received	142 A	273.35(c)(5)	4801.13(e)	X			
any other method clearly demonstrating the length of time that the universal waste has been accumulated	142 A	273.35(c)(6)	4801.13(f)	X			
† EMPLOYEE TRAINING							
large quantity handlers must ensure that employees are thoroughly familiar with proper waste handling and emergency procedures	142 A	273.36	4801.14	X			
† RESPONSE TO RELEASES							

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
a large quantity handler must immediately contain all releases of universal waste and other residues from universal wastes	142 A	273.37(a)	4801.15	X			
determine whether material resulting from the release is hazardous waste; if so, manage it in compliance with all applicable Part 260 through 272 requirements; the handler is considered the generator and subject to the Part 262 requirements	142 A	273.37(b)	4801.16	X			
† OFF-SITE SHIPMENTS							
large quantity handlers are prohibited from sending or taking universal waste to a place other than to another universal waste handler, a destination facility, or a foreign destination	142 A	273.38(a)	4801.17	X			
when a large quantity handler transports off-site, the handler becomes a universal waste transporter subject to the Part 273, Subpart D requirements while transporting the waste	142 A	273.38(b)	4801.18	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if the universal waste being transported off-site meets 49 CFR Parts 171-180 definition of hazardous materials, large quantity handlers must follow DOT requirements for packaging, labeling, marking, placarding, and tracking	142 A	273.38(c)	4801.19	X			
prior to shipment from the originating handler, the receiving handler must agree to receipt of shipment	142 A	273.38(d)	4801.20	X			
if the receiving handler rejects the shipment, the originating handler must either:	142 A	273.38(e)	4801.21	X			
receive the waste back when notified that the shipment has been rejected, or	142 A	273.38(e)(1)	4801.21(a)	X			
agree with the receiving handler on a destination facility to which the shipment will be sent	142 A	273.38(e)(2)	4801.21(b)	X			
a large quantity handler can reject a universal waste shipment or a portion of a shipment; if rejected, the handler must notify the originating handler and either:	142 A	273.38(f)	4801.22	X			
send the shipment back to the originating handler, or	142 A	273.38(f)(1)	4801.22(a)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
if agreed to by both the originating and receiving handler, send the shipment to a destination facility	142 A	273.38(f)(2)	4801.22(b)	X			
if large quantity handler receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify EPA of the illegal shipment and provide the name, address, and phone number of the originating shipper; EPA will provide instructions for managing hazardous the waste	142 A	273.38(g)	4801.23	X			
if a large quantity handler receives a non-hazardous, non-universal waste shipment, the handler may manage the waste in any way that is in compliance with applicable Federal, State or local solid waste regulations	142 A	273.38(h)	4801.24	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
† TRACKING UNIVERSAL WASTE SHIPMENTS							
large quantity handlers must keep a record of each universal waste shipment received; what form the record can take; the record must include:	142 A	273.39(a)	4801.25	X			
name and address of originating handler or foreign shipper	142 A	273.39(a)(1)	4801.25(a)	X			
quantity of each type of universal waste received	142 A	273.39(a)(2)	4801.25(b)	X			
the date the shipment was received	142 A	273.39(a)(3)	4801.25(c)	X			
large quantity handlers must keep a record of each universal waste shipment sent from the handler to other facilities; what form the record can take; the record must include:	142 A	273.39(b)	4801.26	X			
name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent	142 A	273.39(b)(1)	4801.26(a)	X			
quantity of each universal waste type sent	142 A	273.39(b)(2)	4801.26(b)	X			
the date the shipment left the facility	142 A	273.39(b)(3)	4801.26(c)	X			
large quantity handlers must retain the 273.39(a) records for at least 3 years from the date of receipt of a shipment	142 A	273.39(c)(1)	4801.27	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
large quantity handlers must retain the 273.39(b) records for at least 3 years from the date a shipment left the facility	142 A	273.39(c)(2)	4801.28	X			

† EXPORTS

a large quantity handler who sends universal waste to a foreign destination, other than to OECD countries in 262.58(a)(1), must:	142 A, †152	273.40 intro	4801.29	X			
comply with the 262.53, 262.56(a)(1)-(4)&(6), 262.56(b), and 262.57 primary exporter requirements	142 A	273.40(a)	4801.29(a)	X			
export only upon consent of the receiving country and in conformance with the EPA Acknowledgment of Consent as defined in 262, Subpart E	142 A	273.40(b)	4801.29(b)	X			
provide a copy of the EPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export	142 A	273.40(c)	4801.29(c)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
SUBPART D--STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS							
† APPLICABILITY							
Part 273, Subpart D applies to universal waste transporters	142 A	273.50	4802.1	X			
† PROHIBITIONS							
a universal waste transporter is:	142 A	273.51 intro	4802.2	X			
prohibited from disposing of universal waste	142 A	273.51(a)	4802.2(a)	X			
prohibited from diluting or treating universal waste, except by responding to releases as 273.54 provides	142 A	273.51(b)	4802.2(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
† WASTE MANAGEMENT							
universal waste transporters must comply with applicable 49 CFR Parts 171-180 DOT requirements for transport of any universal waste that meets the definition of hazardous material at 49 CFR 171.8; under the DOT regulations, a material is a hazardous waste if it is subject to the Part 262 hazardous waste manifest requirements; because universal waste does not require a hazardous waste manifest, it is not considered a hazardous waste under the DOT regulations	142 A	273.52(a)	4802.3	X			
those universal wastes meeting the criteria for one or more hazard classes specified at 49 CFR 173.2 are regulated by DOT as hazardous materials; because universal waste shipments do not require a Part 262 manifest, they may not be described by the DOT proper shipping name "hazardous waste,(l) or (s), n.o.s.", nor may the hazardous material's proper shipping name be modified by adding the word "waste"	142 A	273.52(b)	4802.4	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

† STORAGE TIME LIMITS

universal waste transporters may store universal wastes at a universal waste transfer facility for 10 days or less	142 A	273.53(a)	4802.6			X	
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Corporation Counsel Statement Comment: Universal waste transfer facilities are subject to the general facility requirements found at analogs to 40 CFR 264.14 - 264.17 and 40 CFR 264, Subparts C, D, and F. These requirements apply no matter how many days the universal waste is stored. These differences make the District's program more stringent than the Federal program.

if waste is stored longer than 10 days, the transporter becomes a universal waste handler and must comply with Part 273, Subparts B or C, as applicable	142 A	273.53(b)	4802.7			X	
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Corporation Counsel Statement Comment: If a transporter stores universal wastes longer than ten days, he is considered a waste handler under both the District and the Federal programs and subject to the handler requirements. Under the District requirements, the transporter is also subject to the general facility requirements found at analogs to 40 CFR 264.14 - 264.17 and 40 CFR 264, Subparts C, D, and F. When the two sets of requirements conflict or are inconsistent, the more stringent requirement applies. This difference makes the District's program more stringent than the Federal program.

† RESPONSE TO RELEASES

a universal waste transporter must immediately contain all releases of universal wastes and other residues from universal wastes	142 A	273.54(a)	4802.8	X			
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CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a universal waste transporter must determine whether material resulting from release is hazardous and subject to Parts 260-272; if the waste is hazardous, the transporter is subject to Part 262	142 A	273.54(b)	4802.9	X			

† OFF-SITE SHIPMENTS

universal waste transporters are prohibited from transporting universal waste to a place other than a universal waste handler, a destination facility or a foreign destination	142 A	273.55(a)	4802.10	X			
if universal waste meets DOT's definition of hazardous materials under 49 CFR 171.8, the shipment must be properly described on a shipping paper in accordance with 49 CFR Part 172	142 A	273.55(b)	4802.11	X			

† EXPORTS

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
a universal waste transporter may not accept shipment to a foreign destination, other than to OECD countries in 262.58(a)(1), if it is known that the shipment does not conform with the EPA Acknowledgment of Consent; the transporter must also ensure:	142 A, †152	273.56 intro	4802.12	X			
a copy of the EPA Acknowledgment of Consent accompanies the shipment	142 A	273.56(a)	4802.12(a)	X			
the shipment is delivered to the facility designated by the person initiating the shipment	142 A	273.56(b)	4802.12(b)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART E--STANDARDS FOR DESTINATION FACILITIES

† **APPLICABILITY**

owner/operator of a destination facility is subject to all applicable requirements of Parts 264-270 and 124 and the RCRA §3010 notification requirements	142 A	273.60(a)	4803.1	X			
owner/operator of a destination facility who recycles without storing that universal waste must comply with 261.6(c)(2)	142 A	273.60(b)	4803.2	X			

† **OFF-SITE SHIPMENTS**

owner/operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility or a foreign destination	142 A	273.61(a)	4803.3	X			
owner/operator of a destination facility may reject a universal waste shipment or a portion of a shipment; if rejected, the owner/operator must notify the shipper and either:	142 A	273.61(b)	4803.4	X			
send shipment back to the original shipper, or	142 A	273.61(b)(1)	4803.4(a)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if agreed by both the shipper and the owner/operator, the shipment is sent to another destination facility	142 A	273.61(b)(2)	4803.4(b)	X			
if the owner/operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, owner/operator must immediately notify EPA of the illegal shipment and provide the name, address, and phone number of the originating shipper; EPA will provide instructions for managing the hazardous waste	142 A	273.61(c)	4803.5	X			
if non-hazardous, non-universal waste is received, the owner/operator may manage the waste in any that is in compliance with applicable Federal or State solid waste regulations	142 A	273.61(d)	4803.6	X			
† TRACKING UNIVERSAL WASTE SHIPMENTS							
owner/operator of a destination facility must keep a record of each shipment received; what form the record may take; the record should include:	142 A	273.62(a)	4803.7	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent	142 A	273.62(a)(1)	4803.7(a)	X			
quantity of each universal waste type received	142 A	273.62(a)(2)	4803.7(b)	X			
the date the shipment was received	142 A	273.62(a)(3)	4803.7(c)	X			
273.62(a) records must be retained for at least three years from the date of receipt of shipment of universal waste	142 A	273.62(b)	4803.8	X			

SUBPART F--IMPORT REQUIREMENTS

† IMPORTS

persons managing imported universal waste are subject to Part 273, Subpart F requirements immediately after the waste enters the U.S.	142 A, †152	273.70 intro	4804.1	X			
universal waste transporters are subject to the Part 273, Subpart D requirements	142 A	273.70(a)	4804.1(a)	X			
universal waste handlers are subject to the small or large quantity waste handler requirements in Part 273, Subparts B or C	142 A	273.70(b)	4804.1(b)			X	

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE

Corporation Counsel Statement Comment: At 20 DCMR §4804.1(b), the analog to 40 CFR 273.70(b), no distinction is made between small and large quantity handler's of universal waste because the District subjects small quantity handlers to the same requirements as large quantity handlers. This difference makes the District's program more stringent than the Federal program.

owners/operators of destination facilities are subject to the Part 273, Subpart E requirements	142 A	273.70(c)	4804.1(c)	X			
† persons managing universal waste imported from OECD countries in 262.58(a)(1) are subject to 273.70(a) through (c) in addition to part 262, subpart H	152	273.70(d)	4804.1(d)	X			

SUBPART G--PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273

† GENERAL

persons seeking to add a hazardous waste or a category, may petition under 260.20, 260.23, and Part 273, Subpart G.	142 E	273.80(a)	4805.1	X			
what the petitioner must demonstrate to be successful; petition must include the 260.20(b) information; 273.81 factors	142 E	273.80(b)	4805.2	X			
Administrator will use the 273.81 factors to evaluate and decide; factors on which the decision will be based	142 E	273.80(c)	4805.3	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† FACTORS FOR PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273							
waste or waste category, as generated by a wide variety of generators, is a listed waste or, if not listed, a proportion of the waste stream exhibits one or more of the 261, Subpart C hazardous waste characteristics; how the definition of universal waste is amended when a characteristic waste is added; only that portion of the waste stream exhibiting one or more characteristics (i.e., is a hazardous waste) is subject to Part 273	142 E	273.81(a)	4805.4, 4805.4(a)	X			
waste or waste category is not exclusive to a specific industry or group of industries and is commonly generated by a wide variety of establishments	142 E	273.81(b)	4805.4(b)	X			
waste or waste category is generated by a large number of generators and is frequently generated in small quantities by each generator	142 E	273.81(c)	4805.4(c)	X			
collection systems for waste or waste category would ensure close stewardship of the waste	142 E	273.81(d)	4805.4(d)	X			

CONSOLIDATED CHECKLIST C11:
40 CFR PART 273 as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
low risk posed by accumulation and transport of waste or waste category; specific proposed management standards would be protective of human health and the environment during accumulation and transport	142 E	273.81(e)	4805.4(e)	X			
Part 273 regulation of waste or waste category will increase the likelihood that the waste will be diverted from non-hazardous waste management systems to recycling, treatment, or disposal in compliance with RCRA Subtitle C	142 E	273.81(f)	4805.4(f)	X			
Part 273 regulation will improve implementation and compliance with hazardous waste regulatory program	142 E	273.81(g)	4805.4(g)	X			
such other factors as may be appropriate	142 E	273.81(h)	4805.4(h)	X			

Corporation Counsel Statement Comment: The District adds §4806, which addresses specific handling requirements for mercury-containing lamps. While not identical to the new Federal universal waste requirements for hazardous waste lamps (64 FR 36466), the District's mercury containing lamp requirements are consistent with them. The District will seek authorization for the hazardous waste lamp requirements at a later date, because it is currently seeking authorization for the Federal program as of July 1, 1998.