

US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 160
 Land Disposal Restrictions Phase III -- Emergency Extension of the K088
 National Capacity Variance, Amendment
 62 FR 37694-37699
 July 14, 1997
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART C - PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS - SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES						
revise paragraph: replace "July 8" with "October 8"; replace "these wastes" with "this waste"; remove "on July 8, 1997" from last sentence	268.39(c)	5002.7(c)	X			

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DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 161
 Emergency Revision of the Carbamate Land Disposal Restrictions
 62 FR 45568
 August 28, 1997
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 268 -- LAND DISPOSAL RESTRICTIONS						
SUBPART D -- TREATMENT STANDARDS						
APPLICABILITY OF THE TREATMENT STANDARDS						
replace "Between August 26, 1996 and August 26, 1997" with "Between August 26, 1997 and August 26, 1998"	268.40(g)	5003.7	X			
in footnote 6 to the table, replace "Between August 26, 1996 and August 26, 1997" with "Between August 26, 1997 and August 26, 1998"	268.48(a)/Table	5003.13, 4016	X			

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DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 162
 Clarification of Standards for Hazardous Waste LDR Treatment Variances
 62 FR 64504-64509
 December 5, 1997
 (RCRA Cluster VIII, HSWA provisions)

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

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART D - TREATMENT STANDARDS

† VARIANCE FROM A TREATMENT STANDARD

completely revise paragraph; based on petition, Administrator may approve a variance from applicable treatment standard if:	268.44(a) intro	5003.11(a)	X			
add new subparagraph; it is not physically possible to treat waste to level specified in or by method specified as the treatment standard; petitioner must demonstrate that physical/chemical properties of waste differ significantly from waste analyzed in developing treatment standard; or	268.44(a)(1)	5003.11(a)(1)	X			

RCRA REVISION CHECKLIST 162: Clarification of Standards
for LDR Treatment Variances (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph; it is inappropriate to require waste to be treated to level specified or by method specified, even though such treatment is technically possible; petitioner must demonstrate that:	268.44(a)(2) intro	5003.11(a)(2) intro	X			
add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or	268.44(a)(2)(i)	5003.11(a)(2)(A)	X			
add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation	268.44(a)(2)(ii)	5003.11(a)(2)(B)	X			
***** *****						
completely revise paragraph; based on petition, Administrator or delegated representative may approve a site-specific variance from an applicable treatment standard if:	268.44(h) intro	5003.11(h) intro	X			

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RCRA REVISION CHECKLIST 162: Clarification of Standards
for LDR Treatment Variances (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph; it is not physically possible to treat waste to level specified in or by method specified as the treatment standard; petitioner must demonstrate that physical/chemical properties of waste differ significantly from waste analyzed in developing treatment standard; or	268.44(h)(1)	5003.11(h)(1)	X			
add new subparagraph; it is inappropriate to require waste to be treated to level specified or by method specified, even though such treatment is technically possible; petitioner must demonstrate that:	268.44(h)(2) intro	5003.11(h)(2) intro	X			
add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or	268.44(h)(2)(i)	5003.11(h)(2)(A)	X			
add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation	268.44(h)(2)(ii)	5003.11(h)(2)(B)	X			

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RCRA REVISION CHECKLIST 162: Clarification of Standards
for LDR Treatment Variances (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph; public notice and opportunity for comment must be provided before granting or denying petition	268.44(h)(3)	5003.11(h)(5)	X			

Note: CL 167 redesignates 40 CFR 268.44(h)(3) as 40 CFR 268.44(h)(5); the District has adopted CL 167.

add paragraph; for all variances, petitioner must demonstrate that compliance with treatment variance is sufficient to minimize threats to human health and environment; in evaluating demonstration, EPA may take into account whether a treatment variance should be approved if the waste is to be used in manner constituting disposal under 40 CFR 266.20 through 266.23	268.44(m)	5003.11(m)	X			
remove	268.44(p)	NA	NA			

Corporation Counsel Statement Comment: The District has chosen to keep the authority for granting site-specific variances with the EPA Administrator.

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 163
 Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers;
 Clarification and Technical Amendment
 62 FR 64636-64671
 December 8, 1997
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART B - GENERAL FACILITY STANDARDS						
GENERAL INSPECTION REQUIREMENTS						
replace "264.1088, and 264.1091(b)" with "and 264.1083 through 264.1089 of this part"	264.15(b)(4)	4404.4	X			
SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING						
OPERATING RECORD						
replace "264.252 through 264.254" with "264.252-264.254"; replace "264.302 through 264.304" with "264.302-264.304"; replace "264.1034(c) through 264.304(f)" with "264.1034(c)-264.1034(f)"; replace "264.1063(d) through 264.1063(i)" with "264.1063(d)-264.1063(i)"; replace "264.1088, 264.1089, and 264.1091" with "and 264.1082 through 264.1090 of this part"	264.73(b)(6)	4411.11(f)	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

revise paragraph; add quotation marks around "90-day"; insert "and is not a recycling unit under the provisions of 40 CFR 261.6" after "or container"	264.1030(b)(3)	4428.2(c)	X			
completely revise paragraph; for owner and operator of facility subject to part 264 and who received final permit prior to December 6, 1996, requirements of part 264, subpart AA shall be incorporated into permit when reissued under 40 CFR 124.15 requirements or reviewed under 40 CFR 270.50(d); until owner and operator receive such final permit, owner and operator subject to 40 CFR part 265, subpart AA requirements	264.1030(c)	4428.3	X			
add new paragraph; requirements of part 264, subpart AA do not apply to process vents at facility where owner or operator certifies that all process vents are equipped and operating air emission controls in accordance with process vent requirements under 40 CFR part 60, part 61, or part 63 ; documentation of compliance kept, or made available, with facility operating record	264.1030(e)	4428.4	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
DEFINITIONS						
revise "In light liquid service"; insert "organic" after "one or more of the" and after "pure"; replace "0.3 kPa" with "0.3 kilopascals (kPa)"	264.1031	5400.1	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
redesignate paragraph (a)(2) as (a)(2)(i), except for last sentence	264.1033(a)(2)(i)	4428.11	X			
revise and redesignate last sentence of (a)(2) as (a)(2)(ii); any unit that begins operation after December 21, 1990, and is subject to part 264, Subpart AA, must comply with rules immediately	264.1033(a)(2)(ii)	4428.11(a)	X			
add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 264, subpart AA, shall comply with subpart AA requirements no later than 30 months after effective date of amendment; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	264.1033(a)(2)(iii)	4428.11(b)	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; owners and operators of facilities and units newly subject to part 264, subpart AA after December 8, 1997, due to action other than under 264.1033(a)(2)(iii), must comply with requirements immediately	264.1033(a)(2)(iv)	4428.11(c)	X			

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY

revise paragraph; add "and is not a recycling unit under the provisions of 40 CFR 261.6" at end	264.1050(b)(3)	4445.2(c)	X			
completely revise paragraph; for owner and operator of facility newly subject to part 264, subpart BB, and who received final permit prior to December 6, 1996, requirements of part 264, subpart BB shall be incorporated into permit when reissued under 40 CFR 124.15 requirements or reviewed under 40 CFR 270.50(d); until owner and operator receives such final permit, owner and operator subject to 40 CFR 265, subpart BB requirements	264.1050(c)	4445.3	X			
remove "a period of"; insert comma after "identified"	264.1050(f)	4445.6	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
redesignate 264.1060 as 264.1060(a); insert "subject to this subpart" following "control devices" and insert "of this part" at end of paragraph	264.1060(a)	4454.1	X			
add new paragraph; owner or operator who cannot install closed-vent system and control device to comply with part 264, subpart BB, by the effective date must prepare implementation schedule including dates by which closed-vent system and control device will be installed and in operation; implementation schedule may allow up to 30 months after effective date for installation and startup	264.1060(b)(1)	4454.2	X			
add new paragraph; any unit that begins operation after December 21, 1990, and is subject to part 264, Subpart BB, must comply with rules immediately	264.1060(b)(2)	4454.3	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 264, subpart BB, shall comply with subpart BB requirements no later than 30 months after effective date of amendment; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	264.1060(b)(3)	4454.4	X			
add new paragraph; owners and operators of facilities and units newly subject to part 264, subpart BB, after December 8, 1997, due to action other than under 264.1060(b)(3), must comply with requirements immediately	264.1060(b)(4)	4454.5	X			
ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR						
insert "(i.e., monitor for leaks once every six months)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(2)	4456.3(a)	X			
insert "(i.e., monitor for leaks once every year)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(3)	4456.3(b)	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

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

RECORDKEEPING REQUIREMENTS

delete "a period of"; insert "calendar" following "per"	264.1064(g)(6)	4458.8(h)	X			
revise paragraph; owner or operator of facility with equipment subject to part 264, subpart BB, and to 40 CFR part 60, part 61, or part 63 may determine compliance with subpart BB by documentation under 264.1064 or by documentation of compliance with 40 CFR part 60, part 61, or part 63; documentation of compliance under 40 CFR part 60, part 61, or part 63 shall be kept or made available with the operating record	264.1064(m)	4458.14	X			

SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

APPLICABILITY

replace "October 6, 1996" and "this date" with "December 6, 1996"	264.1080(b)(1)	4474.2(a)	X			
replace "subpart and who" with "subpart who"; replace "October 6, 1996" with "December 6, 1996"; replace "the owner and operator receives a final permit incorporating the requirements of this subpart" with "the permit is reissued in accordance with the requirements of 40 CFR 124.15 or reviewed in accordance with the requirements of 40 CFR 270.50(d)"	264.1080(c)	4474.3	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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: GENERAL						
insert "hazardous" before both occurrences of "waste management unit"; replace "§264.1084 through §264.1087" with "§§264.1084 through 264.1087"	264.1082(b)	4475.2	X			
add "at section 4.4 of Method 25D in 40 CFR part 60, appendix A, or a value of 25 ppmw, whichever is less" at end of paragraph	264.1082(c)(2)(ix)(A)	4475.3(b)(7)(A)	X			
completely revise paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant value at least 0.1 Y/X at 25 degrees Celsius	264.1082(c)(2)(ix)(B)	4475.3(b)(7)(B)	X			
insert "or surface impoundment" following "tank"	264.1082(c)(3)	4475.3(c)	X			
replace "Has" with "The organic hazardous constituents in the waste have"; add "the" before "EPA"; replace "or treated" with "or have been removed or destroyed"	264.1082(c)(4)(ii)	4475.3(d)(2)	X			
WASTE DETERMINATION PROCEDURES						
insert "For a waste determination that is required by paragraph (a)(1) of this section," at beginning of paragraph; replace "may" with "shall"	264.1083(a)(2)	4476.1(b)	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
replace "a waste management unit" with "waste management units"; replace "264.1082(c)(2)" with "264.1082(c)(2)(i) through 264.1082(c)(2)(vi)"; replace "§ 264.1084 through § 264.1087" with "§§ 264.1084 through 264.1087"	264.1083(b)(1)	4476.2(a)	X			

STANDARDS: TANKS

insert ", and any manifold system associated with the fixed roof," before "shall be"	264.1084(c)(2)(iii)	4477.3(b)(3)	X			
delete "it" before "shall be"; insert ", except as provided for in paragraphs (c)(2)(iii)(B)(1) and (2) of this section" at end of paragraph	264.1084(c)(2)(iii)(B)	4477.3(b)(3)(B)	X			
add new paragraph; when necessary to provide access to tank for performing activities of 264.1084(c)(2)(iii)(B)(2), venting of vapor headspace underneath fixed roof to control device is not required, opening of closure devices is allowed, and removal of fixed roof is allowed; following completion of activity, owner or operator shall secure closure device in closed position or reinstall cover and resume operation of control device	264.1084(c)(2)(iii)(B)(1)	4477.3(b)(3)(B)(i)	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add new paragraph; during routine inspection, maintenance, or other activities needed for normal operations, and for removal of sludge or other residues from tank bottom	264.1084(c)(2)(iii)(B)(2)	4477.3(b)(3)(B)(ii)	X			
add new paragraph; safety devices, as defined in 40 CFR 265.1081, may be installed and operated as necessary on tank complying with 264.1084(e) requirements	264.1084(e)(4)	4477.5(d)	X			
replace "perimeter" with "diameter"	264.1084(f)(3)(i)(D)(4)	4477.6(c)(1)(D)(iv)	X			
replace "this subpart" with "this section"	264.1084(f)(3)(iii)	4477.6(c)(3)	X			
add new paragraph; safety devices, as defined in 40 CFR 265.1081, may be installed and operated on tank complying with 264.1084(f)	264.1084(f)(4)	4477.6(d)	X			
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1084(j)(2)(iii)	4477.10(b)(3)	X			

STANDARDS: SURFACE IMPOUNDMENTS

replace "sections" with "section"	264.1085(b)(2)	4400.3, 4018(a)			X	
replace "for and designing" with "of construction and designing"	264.1085(d)(1)(iii)	4400.3, 4018(a)			X	
insert "the" before "surface impoundment"	264.1085(d)(2)(i)(B)	4400.3, 4018(a)			X	

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1085(e)(2)(iii)	4400.3, 4018(a)			X	

Corporation Counsel Statement Comment: This section was not needed in the District regulations because surface impoundments are not allowed in the District.

STANDARDS: CONTAINERS

replace "it" with "the container"; insert comma after "integrity"; replace comma after "permeability" with ";	264.1086(c)(2)	4478.3(b)	X			
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container is accepted at facility; date of acceptance	264.1086(c)(4)(i)	4478.3(d)(1)	X			
replace "a submerged-fill" with "A submerged-fill"	264.1086(d)(2)	4478.4(b)	X			
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	264.1086(d)(4)(i)	4478.4(d)(1)	X			
completely revise paragraph; to determine compliance with 264.1086(d)(1)(ii), use procedure specified in 264.1083(d)	264.1086(g)	4478.7	X			

STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add “that is a hazardous waste and that” after “All carbon”; add “, regardless of the average volatile organic concentration of the carbon” at end of paragraph	264.1087(c)(3)(ii)	4479.3(c)(2)	X			
insert “closed-vent system and” before the first occurrence of “control device”	264.1087(c)(7)	4479.3(g)	X			
RECORDKEEPING REQUIREMENTS						
replace “(b) through (i)” with “(b) through (j)”; replace both occurrences of “paragraph (i)” with “paragraphs (i) and (j)”; replace “tank or container” with “waste management unit”; replace “§264.1084(d) of this subpart” with “§264.1080(d) or §264.1080(b)(7) of this subpart, respectively”	264.1089(a)	4481.1	X			
delete “, the following information”; replace “provisions” with “requirements”	264.1089(b)(1)(ii)(B)	4481.2(a)(2)(B)	X			
replace “or containers” with “and containers”; replace “(c)(2)” with “§§ 264.1082(c)(2)(i) through (c)(2)(vi)”	264.1089(f)(1)	4481.5	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; for each hazardous waste management unit not using air emission controls under 264.1084 through 264.1087 in accordance with 264.1080(b)(7), owner and operator shall record and maintain the following:	264.1089(j)	4481.9	X			
add new paragraph; certification that waste management unit equipped with and operating air emission controls in accordance with 40 CFR part 60, part 61, or part 63	264.1089(j)(1)	4481.9(a)	X			
add new paragraph; identification of specific requirements under 40 CFR part 60, part 61, or part 63 with which waste management unit is in compliance	264.1089(j)(2)	4481.9(b)	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

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

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL INSPECTION REQUIREMENTS

replace "it" with "the frequency; replace "265.1089, and 265.1091b" with "and 265.1084 through 265.1090 of this part,"	265.15(b)(4)	4401	X			
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SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

replace "when required" with ", and corrective action where required by subpart F of this part and"; replace "265.1089, 265.1090, and 265.1091" with "and 265.1083 through 265.1090 of this part"	265.73(b)(6)	4401	X			
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SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

add quotation marks around "90-day";add "and is not a recycling unit under the requirements of 40 CFR 261.6" at end of paragraph	265.1030(b)(3)	4401	X			
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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add new paragraph; requirements of part 265, subpart AA, do not apply to process vents at facility where owner or operator certifies that all process vents are equipped with and operating air emission controls in accordance with 40 CFR part 60, part 61, or part 63; documentation of compliance with 40 CFR part 60, part 61, or part 63 shall be kept or made available with facility operating record	265.1030(d)	4401	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
add new paragraph; owner or operator of existing facility who cannot install closed-vent system and control device to comply with part 265, subpart AA by effective date must prepare implementation schedule that includes expected dates of installation and operation; implementation schedule may allow up to 30 months for installation and startup	265.1033(a)(2)(i)	4401	X			
add new paragraph; unit that begins operation after December 21, 1990, and subject to requirements of part 265, subpart AA when operation begins must comply with rules immediately	265.1033(a)(2)(ii)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; owner or operator of facility in existence on effective date of statutory or EPA regulatory amendment that renders facility subject to part 265, subpart AA shall comply with requirements of part 265, subpart AA no later than 30 months after amendment's effective date; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	265.1033(a)(2)(iii)	4401	X			
add new paragraph; owners and operators of facilities and units newly subject to part 265, subpart AA after December 8, 1997, due to action other than under 265.1033(a)(2)(iii), must comply with requirements immediately	265.1033(a)(2)(iv)	4401	X			
replace both occurrences of "oC" with "°C"	265.1033(f)(2)(vi)(B)	4401	X			

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY

add quotation marks around "90-day"; add "and is not a recycling unit under the provisions of 40 CFR 261.6" at end of paragraph	265.1050(b)(3)	4401	X			
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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
remove "a period of"; replace "§ 265.1052 through § 265.1060" with "§§ 265.1052 through 265.1060"; insert comma between "identified" and "as required"	265.1050(e)	4401	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
redesignate 265.1060 as 265.1060(a); add "subject to this subpart" after "devices"; add "of this part" at end	265.1060(a)	4401	X			
add new paragraph; owner or operator who cannot install closed-vent system and control device to comply with part 265, subpart BB by effective date must prepare implementation schedule including dates by which closed-vent system and control device will be installed and in operation; implementation schedule may allow up to 30 months after effective date for installation and startup	265.1060(b)(1)	4401	X			
add new paragraph; any units that begin operation after December 21, 1990, and are subject to part 265, Subpart BB, must comply with rules immediately	265.1060(b)(2)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 265, subpart BB shall comply with subpart BB, requirements no later than 30 months after effective date of amendment; facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	265.1060(b)(3)	4401	X			
add new paragraph; owners and operators of facilities and units newly subject to part 265, subpart BB, after December 8, 1997, due to action other than under 265.1060(b)(3), must comply with requirements immediately	265.1060(b)(4)	4401	X			
ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR						
add "(i.e., monitor for leaks once every six months)" after "periods"; add "of this subpart" at end of paragraph	265.1062(b)(2)	4401	X			
add "(i.e., monitor for leaks once every year)" after second occurrence of "periods"; add "of this subpart" at end of paragraph	265.1062(b)(3)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

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

RECORDKEEPING REQUIREMENTS

delete "a period of"	265.1064(g)(6)	4401	X			
revise paragraph; owner or operator of facility with equipment subject to part 265, subpart BB, and to leak detection, monitoring, and repair requirements of 40 CFR part 60, part 61, or part 63 may elect to determine compliance with subpart BB by documentation under 265.1064 or by documentation of compliance with 40 CFR part 60, part 61, or part 63; documentation of compliance under 40 CFR part 60, part 61, or part 63 shall be kept or made available with the operating record	265.1064(m)	4401	X			

SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

APPLICABILITY

replace both "October 6, 1996" and "this date" with "December 6, 1996"	265.1080(b)(1)	4401	X			
replace "October 6, 1996" with "December 6, 1996"	265.1080(c)	4401	X			

DEFINITIONS

revise "In light material service"; replace "the vapor" with "The vapor"	265.1081	4401	X			
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SCHEDULE FOR IMPLEMENTATION OF AIR EMISSION STANDARDS

replace "October 6, 1996" with "December 6, 1996"	265.1082(a)	4401	X			
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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "required by" with "or waste management units required to comply with this subpart and complete modifications of production or treatment processes to satisfy exemption criteria in accordance with § 265.1083(c) of"; replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(1)	4401	X			
revise paragraph; when control equipment or waste management units required to comply with part 265, subpart CC cannot be installed and in operation or modifications of production or treatment processes to satisfy exemption criteria under § 265.1083(c) cannot be completed by December 6, 1996, owner or operator shall:	265.1082(a)(2)	4401	X			
add "and waste management units, and complete modifications of production or treatment processes" after "equipment"	265.1082(a)(2)(i)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
replace "orders for the control equipment," with "orders for control equipment, waste management units, and production or treatment process modifications;"; add "or waste management units, and modifications of production or treatment processes;" before "completion"; replace "control equipment installation," with "control equipment or waste management unit installation, and production or treatment process modifications;" delete "any"; replace "meets" with "or waste management units, and modified production or treatment processes meet"	265.1082(a)(2)(ii)	4401	X			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iii)	4401	X			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iv)	4401	X			
add "and units" after "facilities"; replace "statutory or regulatory amendments under the Act that render" with "a statutory or EPA regulatory amendment that renders"	265.1082(b)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
replace "all control equipment required by" with "control equipment or waste management units required to comply with this subpart, and complete modifications of production or treatment processes to satisfy exemption criteria of § 265.1083(c) of"	265.1082(b)(1)	4401	X			
insert "or waste management units required to comply with" after "control equipment"; insert ", or when modifications of production or treatment processes to satisfy exemption criteria of § 265.1083(c) of this subpart cannot be completed" after "operation"	265.1082(b)(2)	4401	X			
replace "operate" with "begin operation of"; insert "or waste management unit, and complete modification of production or treatment processes" after "control equipment"	265.1082(b)(2)(i)	4401	X			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(ii)	4401	X			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(iii)	4401	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
redesignate 265.1082(c) as 265.1082(d) and add new 265.1082(c); owners and operators of facilities and units that become newly subject to the part 265, subpart CC, requirements after December 8, 1997 due to action other than those in 265.1082(b) must comply with requirements immediately	265.1082(c)	4401	X			
insert comma between "control equipment" and "and"	265.1082(d)	4401	X			
STANDARDS: GENERAL						
replace both occurrences of "waste management unit" with "hazardous waste management unit"; replace "§265.1085 through §265.1088" with "§§ 265.1085 through 265.1088"	265.1083(b)	4401	X			
replace "C" with "C ₁ "	265.1083(c)(2)(i)	4401	X			
add "at section 4.4 of Method 25D in 40 CFR part 60, appendix A, or a value of 25 ppmw, whichever is less" at end of paragraph	265.1083(c)(2)(ix)(A)	4401	X			
completely revise paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant value at least 0.1 Y/X at 25 degrees Celsius	265.1083(c)(2)(ix)(B)	4401	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add "or surface impoundment" after "tank"	265.1083(c)(3)	4401	X			
replace "Has" with "The organic hazardous constituents in the waste have"; replace "EPA" with "the EPA"; replace "or treated" with "or have been removed or destroyed"	265.1083(c)(4)(ii)	4401	X			

WASTE DETERMINATION PROCEDURES

replace "The" with "For a waste determination that is required by paragraph (a)(1) of this section, the" at beginning of paragraph	265.1084(a)(2)	4401	X			
replace "for the hazardous waste stream" with "and analyzed for a hazardous waste determination. The average of the four or more sample results constitutes a waste determination for the waste stream. One or more waste determinations may be required"	265.1084(a)(3)(ii)(B)	4401	X			
replace "8260(B) or 8270(C)" with "8260 or 8270"	265.1084(a)(3)(iii)	4401	X			
no change	265.1084(a)(3)(iii)(A)	4401	X			
replace both occurrences of "8260(B)" with "8260"	265.1084(a)(3)(iii)(F)	4401	X			
replace both occurrences of "8270(C)" with "8270"	265.1084(a)(3)(iii)(G)	4401	X			
insert ", introduction, and analysis" after "preparation"	265.1084(a)(3)(iii)(G)(I)	4401	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
redesignate all except title as 265.1084(a)(3)(iv)(A)	265.1084(a)(3)(iv)	4401	X			
revise redesignated paragraph; replace "samples analyzed" with "waste determinations conducted"; replace "paragraph (a)(3)(iii)" with "paragraphs (a)(3)(ii) and (iii)"; replace all "sample" with "waste determination"; at "n =", replace "collected (at least 4)" with "conducted"; at "C _i =", replace "§ 265.1084(a)(3)(ii) of this subpart" with "paragraph (a)(3)(iii) of this section (i.e., the average of the four or more samples specified in paragraph (a)(3)(ii)(B) of this section)"	265.1084(a)(3)(iv)(A)	4401	X			
add new paragraph; for purpose of determining C _i , for individual waste samples analyzed in accordance with 265.1084(a)(3)(iii), owner or operator shall account for VO concentrations determined to be below limit of detection of analytical method by using following VO concentration:	265.1084(a)(3)(iv)(B)	4401	X			
add new paragraph; if Method 25D in 40 CFR part 60, appendix A is used for analysis, one-half blank value determined in method at section 4.4 of Method 25D	265.1084(a)(3)(iv)(B)(I)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add new paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant values at least 0.1 Y/X at 25 degrees Celsius	265.1084(a)(3)(iv)(B)(2)	4401	X			
add new paragraph; provided that test method is appropriate for waste as required under 265.1084(a)(3)(iii), EPA will determine compliance based on test method used by owner or operator as recorded pursuant to § 265.1090(f)(1)	265.1084(a)(3)(v)	4401	X			
add "The owner or operator may choose one or more appropriate methods to analyze each collected sample in accordance with the requirements of paragraph (a)(3)(iii) of this section" at end of paragraph	265.1084(a)(4)(iv)	4401	X			
replace "265.1083(c)(2)" with "265.1083(c)(2)(i) through (c)(2)(vi)"; replace "§ 265.1085 through § 265.1088" with "§§ 265.1085 through 265.1088"	265.1084(b)(1)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
replace "for the hazardous waste stream" with "and analyzed for a hazardous waste determination. The average of the four or more sample results constitutes a waste determination for the waste stream. One or more waste determinations may be required"; insert "waste" before "compositions"; replace "process treating" with "source or process generating"	265.1084(b)(3)(ii)(B)	4401	X			
insert new second sentence; when owner or operator is making hazardous waste determination for treated hazardous waste to be compared to average VO concentration at point of waste origination or entry to treatment system, to determine if conditions of 264.1082(c)(2)(i) through (c)(2)(vi) or 265.1083(c)(2)(i) through (c)(2)(vi) are met, then waste samples shall be prepared and analyzed using same method(s) as used in making initial waste determinations at point of waste origination or at point of entry; remove "EPA" before "Method 624"; replace "8260(B) or 8270(C)" with "8260 or 8270"	265.1084(b)(3)(iii)	4401	X			
replace both occurrences of "8260(B)" with "8260"	265.1084(b)(3)(iii)(F)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
replace both occurrences of "8270(C)" with "8270"	265.1084(b)(3)(iii)(G)	4401	X			
revise paragraph; replace "samples analyzed" with "waste determinations conducted"; replace "paragraph (b)(3)(iii)" with "paragraphs (b)(3)(ii) and (iii)"; replace all "sample" with "waste determination"; at "n =", replace "collected (at least 4)" with "conducted"; at "C _i =", replace "§ 265.1084(b)(3)(iii) of this subpart" with "paragraph (b)(3)(iii) of this section (i.e., the average of the four or more samples specified in paragraph (b)(3)(ii)(B) of this section)"	265.1084(b)(3)(iv)	4401	X			
add new paragraph; provided that test method is appropriate for waste as required under 265.1084(b)(3)(iii), determine compliance based on test method used by owner or operator as recorded pursuant to § 265.1090(f)(1)	265.1084(b)(3)(v)	4401	X			
revised by placing "MR = E _b - E _a " before "Where:"	265.1084(b)(8)(iii)	4401	X			
revised by moving "respectively" to follow "of this section" and by placing "MR _{bio} = E _b x F _{bio} " before "Where:"	265.1084(b)(9)(iv)	4401	X			
replace "in air" with "or n-hexane and air"; add "methane or n-hexane" at end of paragraph	265.1084(d)(5)(ii)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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: TANKS						
insert “, and any manifold system associated with the fixed roof,” following “fixed roof”	265.1085(c)(2)(iii)	4401	X			
replace “and it shall” with “and shall”; insert “, except as provided for in paragraphs (c)(2)(iii)(B)(1) and (2) of this section” at end of paragraph	265.1085(c)(2)(iii)(B)	4401	X			
add new paragraph; during periods necessary to provide access to tank for performing activities of 265.1085(c)(2)(iii)(B)(2), venting of vapor headspace underneath fixed roof to control device not required, opening of closure devices is allowed, and removal of fixed roof is allowed; following completion of activity, owner or operator shall promptly secure closure device in closed position or reinstall cover and resume operation of control device	265.1085(c)(2)(iii)(B)(1)	4401	X			
add new paragraph; during periods of routine inspection, maintenance, or other activities needed for normal operations, and for removal of accumulated sludge or other residues from bottom of tank	265.1085(c)(2)(iii)(B)(2)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add new paragraph; safety devices, as defined in 265.1081, may be installed and operated as necessary on tank complying with requirements of 265.1085(e)	265.1085(e)(4)	4401	X			
replace "perimeter" with "diameter"; replace "are then are" with "are then"	265.1085(f)(3)(i)(D)(4)	4401	X			
add new paragraph; safety devices, as defined in 265.1081, may be installed and operated as necessary on tank complying with requirements of 265.1085(f)	265.1085(f)(4)	4401	X			
add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1085(j)(2)(iii)	4401	X			
STANDARDS: SURFACE IMPOUNDMENTS						
replace "provisions" with "requirements"; replace "this sections" with "this section"	265.1086(b)(2)	4401	X			
replace "materials for" with "materials of construction"	265.1086(d)(1)(iii)	4401	X			
insert "the" before "surface impoundment"	265.1086(d)(2)(i)(B)	4401	X			
add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1086(e)(2)(iii)	4401	X			
STANDARDS: CONTAINERS						

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	265.1087(c)(4)(i)	4401	X			
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	265.1087(d)(4)(i)	4401	X			
completely revise paragraph; to determine compliance with 265.1087(d)(1)(ii), procedure specified in 265.1084(d) shall be used	265.1087(g)	4401	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
add "that is a hazardous waste and that" after "carbon"; add ", regardless of the average volatile organic concentration of the carbon" at end of paragraph	265.1088(c)(3)(ii)	4401	X			
insert "closed-vent system and" between "The" and "control"	265.1088(c)(7)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
RECORDKEEPING REQUIREMENTS						
replace "paragraphs (b) through (i)" with "paragraphs (b) through (j)"; replace both occurrences of "paragraph (i)" with "paragraphs (i) and (j); replace "tank or container" with "waste management unit"; replace "§§ 264.1084 through 264.01087" with "§§ 265.1085 through 265.1088"; replace "§ 264.1084(d) of this subpart" with "§ 265.1080(d) or § 265.1080(b)(7) of this subpart, respectively"	265.1090(a)	4401	X			
delete ", the following information"; replace "the location" with "The location"	265.1090(b)(1)(ii)(B)	4401	X			
replace "or (c)(2)" with "§ 265.1084(c)(2)(i) through (c)(2)(vi)"	265.1090(f)(1)	4401	X			
add new paragraph; for each hazardous waste management unit not using air emission controls specified in 265.1085 through 265.1088 in accordance with 265.1080(b)(7), owner and operator shall record and maintain the following information:	265.1090(j)	4401	X			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
add new paragraph; certification that waste management unit is equipped with and operating air emission controls in accordance with requirements under 40 CFR part 60, part 61, or part 63	265.1090(j)(1)	4401	X			
add new paragraph; identification of specific requirements codified under 40 CFR part 60, part 61, or part 63 with which unit is in compliance	265.1090(j)(2)	4401	X			

PART 265 APPENDICES

APPENDIX VI - COMPOUNDS WITH HENRY'S LAW CONSTANT LESS THAN 0.1 Y/X

revised to read as follows:	Appendix VI	4401	X			
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Appendix VI to Part 265--Compounds With Henry's Law Constant Less Than 0.1 Y/X

Compound name	CAS No.
Acetaldol	107-89-1
Acetamide	60-35-5
2-Acetylaminofluorene	53-96-3
3-Acetyl-5-hydroxypiperidine.	
3-Acetylpiperidine	618-42-8
1-Acetyl-2-thiourea	591-08-2
Acrylamide	79-06-1
Acrylic acid	79-10-7
Adenine	73-24-5
Adipic acid	124-04-9

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Adiponitrile						111-69-3
Alachlor						15972-60-8
Aldicarb						116-06-3
Ametryn						834-12-8
4-Aminobiphenyl						92-67-1
4-Aminopyridine						504-24-5
Aniline						62-53-3
o-Anisidine						90-04-0
Anthraquinone						84-65-1
Atrazine						1912-24-9
Benzeneearsonic acid						98-05-5
Benzenesulfonic acid						98-11-3
Benzidine						92-87-5
Benzo(a)anthracene						56-55-3
Benzo(k)fluoranthene						207-08-9
Benzoic acid						65-85-0
Benzo(g,h,i)perylene						191-24-2
Benzo(a)pyrene						50-32-8
Benzyl alcohol						100-51-6
gamma-BHC						58-89-9
Bis(2-ethylhexyl)phthalate						117-81-7
Bromochloromethyl acetate.						
Bromoxynil						1689-84-5
Butyric acid						107-92-6

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Caprolactam (hexahydro-2H-azepin-2-one)						105-60-2
Catechol (o-dihydroxybenzene)						120-80-9
Cellulose						9004-34-6
Cell wall.						
Chlorhydrin (3-Chloro-1,2-propanediol)						96-24-2
Chloroacetic acid						79-11-8
2-Chloroacetophenone						93-76-5
p-Chloroaniline						106-47-8
p-Chlorobenzophenone						134-85-0
Chlorobenzilate						510-15-6
p-Chloro-m-cresol (6-chloro-m-cresol)						59-50-7
3-Chloro-2,5-diketopyrrolidine.						
Chloro-1,2-ethane diol.						
4-Chlorophenol						106-48-9
Chlorophenol polymers (2-chlorophenol & 4-chlorophenol)						95-57-8 & 106-48-9
1-(o-Chlorophenyl)thiourea						5344-82-1
Chrysene						218-01-9
Citric acid						77-92-9
Creosote						8001-58-9
m-Cresol						108-39-4
o-Cresol						95-48-7
p-Cresol						106-44-5
Cresol (mixed isomers)						1319-77-3
4-Cumylphenol						27576-86

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Cyanide						57-12-5
4-Cyanomethyl benzoate.						
Diazinon						333-41-5
Dibenzo(a,h)anthracene						53-70-3
Dibutylphthalate						84-74-2
2,5-Dichloroaniline (N,N'-dichloroaniline)						95-82-9
2,6-Dichlorobenzonitrile11						1194-65-6
2,6-Dichloro-4-nitroaniline						99-30-9
2,5-Dichlorophenol						333-41-5
3,4-Dichlorotetrahydrofuran						3511-19
Dichlorvos (DDVP)						62737
Diethanolamine						111-42-2
N,N-Diethylaniline						91-66-7
Diethylene glycol						111-46-6
Diethylene glycol dimethyl ether (dimethyl Carbitol)						111-96-6
Diethylene glycol monobutyl ether (butyl Carbitol)						112-34-5
Diethylene glycol monoethyl ether acetate (Carbitol acetate)						112-15-2
Diethylene glycol monoethyl ether (Carbitol Cellosolve)						111-90-0
Diethylene glycol monomethyl ether (methyl Carbitol)						111-77-3
N,N'-Diethylhydrazine						1615-80-1
Diethyl (4-methylumbelliferyl) thionophosphate						299-45-6
Diethyl phosphorothioate						126-75-0
N,N'-Diethylpropionamide						15299-99-7
Dimethoate						60-51-5

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
2,3-Dimethoxystrychnidin-10-one						357-57-3
4-Dimethylaminoazobenzene						60-11-7
7,12-Dimethylbenz(a)anthracene						57-97-6
3,3-Dimethylbenzidine						119-93-7
Dimethylcarbamoyl chloride						79-44-7
Dimethyldisulfide						624-92-0
Dimethylformamide						68-12-2
1,1-Dimethylhydrazine						57-14-7
Dimethylphthalate						131-11-3
Dimethylsulfone						67-71-0
Dimethylsulfoxide						67-68-5
4,6-Dinitro-o-cresol						534-52-1
1,2-Diphenylhydrazine						122-66-7
Dipropylene glycol (1,1'-oxydi-2-propanol)						110-98-5
Endrin						72-20-8
Epinephrine						51-43-4
mono-Ethanolamine						141-43-5
Ethyl carbamate (urethane)						5-17-96
Ethylene glycol						107-21-1
Ethylene glycol monobutyl ether (butyl Cellosolve)						111-76-2
Ethylene glycol monoethyl ether (Cellosolve)						110-80-5
Ethylene glycol monoethyl ether acetate (Cellosolve acetate)						111-15-9
Ethylene glycol monomethyl ether (methyl Cellosolve)						109-86-4
Ethylene glycol monophenyl ether (phenyl Cellosolve)						122-99-6

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Ethylene glycol monopropyl ether (propyl Cellosolve)						2807-30-9
Ethylene thiourea (2-imidazolidinethione)						9-64-57
4-Ethylmorpholine						100-74-3
3-Ethylphenol						620-17-7
Fluoroacetic acid, sodium salt						62-74-8
Formaldehyde						50-00-0
Formamide						75-12-7
Formic acid						64-18-6
Fumaric acid						110-17-8
Glutaric acid						110-94-1
Glycerin (Glycerol)						56-81-5
Glycidol						556-52-5
Glycinamide						598-41-4
Glyphosate						1071-83-6
Guthion						86-50-0
Hexamethylene-1,6-diisocyanate (1,6-diisocyanatohexane)						822-06-0
Hexamethyl phosphoramidate						680-31-9
Hexanoic acid						142-62-1
Hydrazine						302-01-2
Hydrocyanic acid						74-90-8
Hydroquinone						123-31-9
Hydroxy-2-propionitrile (hydracrylonitrile)						109-78-4
Indeno (1,2,3-cd) pyrene						193-39-5
Lead acetate						301-04-2

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Lead subacetate (lead acetate, monobasic)						1335-32-6
Leucine						61-90-5
Malathion						121-75-5
Maleic acid						110-16-7
Maleic anhydride						108-31-6
Mesityl oxide						141-79-7
Methane sulfonic acid						75-75-2
Methomyl						16752-77-5
p-Methoxyphenol						150-76-5
Methyl acrylate						96-33-3
4,4'-Methylene-bis-(2-chloroaniline)						101-14-4
4,4'-Methylenediphenyl diisocyanate (diphenyl methane diisocyanate)						101-68-8
4,4'-Methylenedianiline						101-77-9
Methylene diphenylamine (MDA).						
5-Methylfurfural						620-02-0
Methylhydrazine						60-34-4
Methyliminoacetic acid.						
Methyl methane sulfonate						66-27-3
1-Methyl-2-methoxyaziridine.						
Methylparathion						298-00-0
Methyl sulfuric acid (sulfuric acid, dimethyl ester)						77-78-1
4-Methylthiophenol						106-45-6
Monomethylformamide (N-methylformamide)						123-39-7
Nabam						142-59-6

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
alpha-Naphthol						90-15-3
beta-Naphthol						135-19-3
alpha-Naphthylamine						134-32-7
beta-Naphthylamine						91-59-8
Neopentyl glycol (dimethylolpropane)						126-30-7
Niacinamide						98-92-0
o-Nitroaniline						88-74-4
Nitroglycerin						55-63-0
2-Nitrophenol						88-75-5
4-Nitrophenol						100-02-7
N-Nitrosodimethylamine						62-75-9
Nitrosoguanidine						674-81-7
N-Nitroso-n-methylurea						684-93-5
N-Nitrosomorpholine (4-nitrosomorpholine)						59-89-2
Oxalic acid						144-62-7
Parathion						56-38-2
Pentaerythritol						115-77-5
Phenacetin						62-44-2
Phenol						108-95-2
Phenylacetic acid						103-82-2
m-Phenylene diamine						108-45-2
o-Phenylene diamine						95-54-5
p-Phenylene diamine						106-50-3
Phenyl mercuric acetate						62-38-4

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Phorate						298-02-2
Phthalic anhydride						85-44-9
alpha-Picoline (2-methyl pyridine)						109-06-8
1,3-Propane sulfone						1120-71-4
beta-Propiolactone						57-57-8
Proporur (Baygon).						
Propylene glycol						57-55-6
Pyrene						129-00-0
Pyridinium bromide						39416-48-3
Quinoline						91-22-5
Quinone (p-benzoquinone)						106-51-4
Resorcinol						108-46-3
Simazine						122-34-9
Sodium acetate						127-09-3
Sodium formate						141-53-7
Strychnine						57-24-9
Succinic acid						110-15-6
Succinimide						123-56-8
Sulfanilic acid						121-47-1
Terephthalic acid						100-21-0
Tetraethyldithiopyrophosphate						3689-24-5
Tetraethylenepentamine						112-57-2
Thiofanox						39196-18-4
Thiosemicarbazide						79-19-6

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
2,4-Toluenediamine						95-80-7
2,6-Toluenediamine						823-40-5
3,4-Toluenediamine						496-72-0
2,4-Toluene diisocyanate						584-84-9
p-Toluic acid						99-94-5
m-Toluidine						108-44-1
1,1,2-Trichloro-1,2,2-trifluoroethane						76-13-1
Triethanolamine						102-71-6
Triethylene glycol dimethyl ether.						
Tripropylene glycol						24800-44-0
Warfarin						81-81-2
3,4-Xylenol (3,4-dimethylphenol)						95-65-8

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

insert "of this part" following "264.15(b)" and following "264.1088"	270.14(b)(5)	4603.3(e)	X			
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US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 164
 Kraft Mill Steam Stripper Condensate Exclusion
 63 FR 18504-18751
 April 15, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

† EXCLUSIONS

add new paragraph; condensates derived from overhead gases from kraft mill steam strippers used to comply with 40 CFR 63.446(e); exemption applies only to combustion at mill generating condensates	261.4(a)(15)	4101.1(q)	X			
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DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 165
 Organobromine Production Wastes
 63 FR 24596-24628

May 4, 1998

as amended June 29, 1998, at 63 FR 35147
 (RCRA Cluster VIII, HSWA provisions)

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 listings at 40 DCMR §§4109.11/Table 5 and 4109.12(f)/Table 7 and the entries in Chapter 41 Appendices I&II, as related to Revision Checklist 165, are identical to their Federal counterparts as given in the May 4, 1998 rule (63 FR 24596) as amended June 29, 1998 (63 FR 35147). On April 9, 1999, the United States Court of Appeals for the District of Columbia in *Great Lakes Chemical Corporation versus EPA* (Docket No. 98-1312) granted the U.S. Government’s motion for a voluntary vacatur of those rules. However, the District has chosen to list these wastes. As such, the District’s program is broader in scope to the extent that the wastes addressed by this listing are not hazardous under the hazardous waste characteristic criteria. The District’s program is also more stringent because certain requirements regarding mixtures and the existing hazardous waste regulations are more stringent for listed hazardous waste than for characteristic hazardous wastes. Additionally, the District is more stringent because it has specific land disposal prohibitions and standards for these wastes.

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTE

HAZARDOUS WASTES FROM SPECIFIC SOURCES

revise table by adding in numerical order the K140 entry to the subgroup “Organic chemicals” as shown below:	261.32/table	4109.11, Table 5			X	X
--------------------------------------------------------------------------------------------------------------	--------------	------------------	--	--	---	---

Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
* * * * *	* * * * *	*
Organic chemicals:		
* * * * *	* * * * *	*
K140	Floor sweepings, off-specification product and spent filter media from the production of 2,4,6-tribromophenol.	(T)
* * * * *	* * * * *	*

**RCRA REVISION CHECKLIST 165: Organobromine
Production Wastes (cont'd)**

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

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF

revise table by adding in numerical order the U408 entry as shown below:	261.33(f)/table	4109.12(f), Table 7				X	X
--------------------------------------------------------------------------	-----------------	------------------------	--	--	--	---	---

Hazardous waste No.	Chemical abstracts No.	Substance
* * * *	* * * *	* * * *
U408	118-79-6	2,4,6-Tribromophenol.
* * * *	* * * *	* * * *

PART 261 - APPENDIX VII

BASIS FOR LISTING HAZARDOUS WASTE

add in alphanumeric order the K140 entry as shown below:	261 Appendix VII	Appendix I to Chapter 41				X	X
----------------------------------------------------------	------------------	--------------------------	--	--	--	---	---

EPA hazardous waste No.	Hazardous constituents for which listed
* * * *	* * * *
K140	2,4,6-Tribromophenol.
* * * *	* * * *

PART 261 - APPENDIX VIII

HAZARDOUS CONSTITUENTS

add in alphabetical order the entry for "2,4,6-Tribromophenol" as shown below:	261 Appendix VIII	Appendix II to Chapter 41				X	X
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Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.
* * * *	* * * *	* * * *	* * * *
2,4,6-Tribromophenol	Tribromophenol, 2,4,6-	118-79-6	U408
* * * *	* * * *	* * * *	* * * *

PART 268 - LAND DISPOSAL RESTRICTIONS

RCRA REVISION CHECKLIST 165: Organobromine
Production Wastes (cont'd)

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

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE-SPECIFIC PROHIBITIONS - ORGANOBROMINE WASTES

organobromine wastes	No Federal analog	5002.3	D			
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Corporation Counsel Statement Comment: The District has included an introductory paragraph at 5002.3 which adds clarity for the regulated community.

effective November 4, 1998, hazardous wastes K140 and U408 are prohibited from land disposal; soils and debris contaminated with the wastes, radioactive wastes mixed with the wastes, and soils and debris contaminated with these radioactive mixed wastes are also prohibited from land disposal	268.33(a)	5002.3(a)			X	
requirements of §268.33(a) do not apply if:	268.33(b)	5002.3(b)			X	
wastes meet applicable treatment standards specified in subpart D of part 268	268.33(b)(1)	5002.3(b)(1)			X	
persons have been granted exemption from prohibition pursuant to petition under §268.6, with respect to wastes and units covered by petition	268.33(b)(2)	5002.3(b)(2)			X	
wastes meet applicable treatment standards established pursuant to petition granted under §268.44	268.33(b)(3)	5002.3(b)(3)			X	
hazardous debris has met treatment standards in §268.40 or alternative treatment standards in §268.45; or	268.33(b)(4)	5002.3(b)(4)			X	

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 165: Organobromine
Production Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
persons have been granted extension to effective date of prohibition pursuant to §268.5, with respect to wastes covered by extension	268.33(b)(5)	5002.3(b)(5)			X	
to determine whether hazardous waste exceeds applicable treatment standards in §268.40, initial generator must test sample of waste extract or entire waste, or the generator may use knowledge of waste; if waste contains constituents in excess of Universal Treatment Standard levels of §268.48, waste is prohibited from land disposal, and all requirements of part 268 are applicable	268.33(c)	5002.3(c)			X	

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

revise table by adding in alphanumeric order the entries for K140 and U408 as shown below:	268.40/table	5003.9, 4016			X	
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**RCRA REVISION CHECKLIST 165: Organobromine
Production Wastes (cont'd)**

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

Waste Code	Waste Description and Treatment/Regulatory Subcategory ¹	Common Name	CAS ² number	Regulated Hazardous Constituent	Non-waste-waters
				Waste-waters	Concentration in mg/kg ⁵ unless noted as "Mg/L TCLP"; or Technology Code
* * *	* * *	* * *	* * *		
K140	Floor sweepings, off-specification product, and spent filter media from the production of 2,4,6-tribromophenol.	2,4,6-Tribromophenol	118-79-6	0.035	7.4
* * *	* * *	* * *	* * *		
U408	2,4,6-Tribromophenol	2,4,6-Tribromophenol	118-79-6	0.035	7.4
* * *	* * *	* * *	* * *		

UNIVERSAL TREATMENT STANDARDS

revise Universal Treatment Standards table by adding in alphabetical order the entry for "2,4,6-Tribromophenol" as shown below:	268.48(a)/table	5003.13, 4016			X	
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Universal Treatment Standards
[Note: NA means not applicable]

Regulated constituent/common name	CAS ¹ Number	Wastewater standard	Nonwastewater standard
		Concentration in mg/L ²	Concentration in mg/kg ³ unless noted as "mg/L TCLP"
* * *	* * *	* * *	* * *
2,4,6-Tribromophenol	118-79-6	0.035	7.4
* * *	* * *	* * *	* * *

US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 166
 Recycled Used Oil Management Standards; Technical Correction and Clarification
 63 FR 24963-24969
 May 6, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

Note: The District has adopted through the July 14, 1998 (63 FR 37780) correction to this rule.

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

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

remove both occurrences of the phrase "if it is destined to be burned for energy recovery"	261.5(j)	4102.10			X	
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Note: The July 14, 1998 rule withdrew this change.

Corporation Counsel Statement Comment: The District regulates the mixtures addressed by 40 CFR 261.5(j) as hazardous waste rather than as used oil under the District's analog to 40 CFR Part 279. As such, this District provision is more stringent than its Federal counterpart.

† REQUIREMENTS FOR RECYCLABLE MATERIALS

replace "266.40(e)" with "279.11"	261.6(a)(3)(iv)(A)	4103.3(d)	X			
replace "266.40(e)" with "279.11"	261.6(a)(3)(iv)(B)	4103.3(e)	X			
replace "266.40(e)" with "279.11"	261.6(a)(3)(iv)(C)	4103.3(f)	X			

**RCRA REVISION CHECKLIST 166: Recycled Used Oil
Management Standards; Technical Correction and Clarification (cont'd)**

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

PART 279 - STANDARDS FOR THE MANAGEMENT OF USED OIL

SUBPART B - APPLICABILITY

† **APPLICABILITY**

completely revise paragraph; used oil containing PCBs at concentration less than 50 ppm is subject to requirements of part 279; used oil subject to part 279 may also be subject to prohibitions and requirements at 40 CFR part 761, including §761.20(d)&(e); used oil containing PCBs at concentrations of 50 ppm or greater is not subject to part 279 but is subject to 40 CFR part 761	279.10(i)	4900.14	X			
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† **USED OIL STORAGE**

insert "that is" between "environment" and "not"; insert "and" between "chapter" and "which"; replace "authorized used oil program for" with "recycled used oil management program in effect in"	279.22(d)	4901.6(e)	X			
no change	279.22(d)(1)	4901.6(e)(1)	X			
no change	279.22(d)(2)	4901.6(e)(2)	X			
no change	279.22(d)(3)	4901.6(e)(3)	X			
remove "to prevent further releases"	279.22(d)(4)	4901.6(e)(4)	X			

**RCRA REVISION CHECKLIST 166: Recycled Used Oil
Management Standards; Technical Correction and Clarification (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 E - STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES

† **USED OIL STORAGE AT TRANSFER FACILITIES**

insert "that is" between "environment" and "not"; insert a comma after "part 280"; insert "of this chapter and" after "subpart F"; replace "authorized used oil program for" with "recycled used oil management program in effect in"	279.45(h)	4903.16(h)	X			
no change	279.45(h)(1)	4903.16(h)(1)	X			
replace "release" with "released"	279.45(h)(2)	4903.16(h)(2)	X			
no change	279.45(h)(3)	4903.16(h)(3)	X			
no change	279.45(h)(4)	4903.16(h)(4)	X			

SUBPART F - STANDARDS FOR USED OIL PROCESSORS AND RE-REFINERS

† **USED OIL MANAGEMENT**

insert "that is" between "environment" and "not"; insert "and" between "chapter" and "which"; replace "authorized used oil program for" with "recycled used oil management program in effect in"	279.54(g)	4904.13(h)	X			
no change	279.54(g)(1)	4904.13(h)(1)	X			
no change	279.54(g)(2)	4904.13(h)(2)	X			
replace "mange" with "manage"	279.54(g)(3)	4904.13(h)(3)	X			
no change	279.54(g)(4)	4904.13(h)(4)	X			

**RCRA REVISION CHECKLIST 166: Recycled Used Oil
Management Standards; Technical Correction and Clarification (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 G - STANDARDS FOR USED OIL BURNERS WHO BURN OFF-SPECIFICATION USED OIL
FOR ENERGY RECOVERY**

† **USED OIL STORAGE**

insert “that is” between “environment” and “not”; insert a comma after “part 280”; insert “of this chapter and” after “subpart F”; replace “authorized used oil program for” with “recycled used oil management program in effect in”	279.64(g)	4905.1, 4905.2			X	
no change	279.64(g)(1)	4905.1, 4905.2			X	
no change	279.64(g)(2)	4905.1, 4905.2			X	
no change	279.64(g)(3)	4905.1, 4905.2			X	
no change	279.64(g)(4)	4905.1, 4905.2			X	

Corporation Counsel Statement Comment: The District does not allow the burning of off-specification used oil in the District. Thus, the District’s analog to 40 CFR 279, Subpart G consists of two paragraphs. The first prohibits the burning of any used oil in the District, even by generators. The second points to 40 CFR 279, Subpart G for the requirements for burning off-specification used oil outside the District. This prohibition makes the District’s used oil requirements more stringent than the Federal requirements.

SUBPART H - STANDARDS FOR USED OIL FUEL MARKETERS

† **TRACKING**

replace “an on-specification used oil burner” with “the facility to which it delivers the used oil”	279.74(b)	4906.9	X			
no change	279.74(b)(1)	4906.9(a)	X			
no change	279.74(b)(2)	4906.9(b)	X			
no change	279.74(b)(3)	4906.9(c)	X			
no change	279.74(b)(4)	4906.9(d)	X			

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 167 A
 Land Disposal Restrictions Phase IV –Treatment Standards for Metal Wastes
 and Mineral Processing Wastes
 63 FR 28556-28753
 May 26, 1998
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART A - GENERAL						
DEFINITIONS APPLICABLE IN THIS PART						
insert "selenium, sulfides," after "except fluoride,"; delete comma after "hazardous waste"	268.2(i)	5400.1 "Underlying hazardous constituent"	X			
DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT						
add new paragraph; adding iron filings or other metallic forms of iron to lead-containing hazardous wastes to achieve land disposal restriction treatment standard for lead is a form of impermissible dilution and is prohibited; list of lead-containing wastes	268.3(d)	5000.10	X			
SUBPART C - PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS - TOXICITY CHARACTERISTIC METAL WASTES						
toxicity characteristic metal wastes	No Federal analog	5002.4 intro	D			
Corporation Counsel Statement Comment: The District includes an introductory paragraph at 5002.4 which adds clarity for the regulated community.						
effective August 24, 1998, the specified wastes are prohibited from land disposal	268.34(a)	5002.4(a)	X			

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RCRA REVISION CHECKLIST 167 A: Land Disposal Restrictions
Phase IV--Treatment Standards for Metal Wastes and Mineral Processing Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
effective May 26, 2000, the specified wastes are prohibited from land disposal	268.34(b)	5002.4(b)	X			
between May 26, 1998 and May 26, 2000, newly identified characteristic wastes mixed with D004–D011 wastes, or mixed with newly identified characteristic mineral processing wastes, soil, or debris may be disposed in a landfill or surface impoundment if unit is in compliance with 268.5(h)(2)	268.34(c)	5002.4(c)	X			
requirements of 268.34(a) & (b) do not apply if:	268.34(d) intro	5002.4(d)	X			
wastes meet applicable treatment standards specified in part 268, subpart D	268.34(d)(1)	5002.4(d)(1)	X			
persons have been granted an exemption from prohibition pursuant to a petition under 268.6, with respect to wastes & units covered	268.34(d)(2)	5002.4(d)(2)	X			
wastes meet applicable alternate treatment standards pursuant to a petition under 268.44; or	268.34(d)(3)	5002.4(d)(3)	X			
persons have been granted an exemption to the effective date of a prohibition pursuant to 268.5, with respect to wastes covered by extension	268.34(d)(4)	5002.4(d)(4)	X			

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RCRA REVISION CHECKLIST 167 A: Land Disposal Restrictions
Phase IV--Treatment Standards for Metal Wastes and Mineral Processing Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
to determine whether a hazardous waste exceeds treatment standards in 268.40, test the waste extract or entire waste, or use knowledge of the waste; if waste contains constituents in excess of applicable UTS levels of 268.48, waste is prohibited from land disposal and all requirements of 268 apply, except as specified	268.34(e)	5002.4(e)	X			

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

replace "(D001–D003, and D012–D043)" with "(D001–D043)"; insert "and are not managed in a wastewater treatment system...injection well," after "Hazardous Wastes,"; replace "Table UTS," with "Table Universal Treatment Standards,"	268.40(e)	5003.5	X			
add new paragraph; prohibited D004–D011 mixed radioactive wastes & mixed radioactive listed wastes containing metals, previously treated & put into storage, do not have to be retreated prior to land disposal	268.40(h)	5003.8	X			
replace existing table with the table found at 63 <u>FR</u> 28643-28738 (May 26, 1998)	268.40/Table "Treatment Standards for Hazardous Wastes"	5003.9, 4016	X			

UNIVERSAL TREATMENT STANDARDS

RCRA REVISION CHECKLIST 167 A: Land Disposal Restrictions
Phase IV--Treatment Standards for Metal Wastes and Mineral Processing Wastes (cont'd)

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

Note: The revised numerical Universal Treatment Standards (UTS) for metal constituents Barium, Lead, Selenium, Beryllium, Nickel, Thallium, and Vanadium are less stringent (†) than existing standards and are optional for State adoption. The revised UTS for Cadmium, Chromium, Silver, Antimony and Zinc are more stringent. The UTS for Mercury are printed in the rule because of the ongoing discussion regarding changing the standards; however, at this time the UTS for Mercury remain unchanged.

replace existing table with the table found at 63 <u>FR</u> 28739-28750 (May 26, 1998)	268.48(a)/Table UTS	5003.13, 4016	X			
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DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 167 B
 Land Disposal Restrictions Phase IV –
 Hazardous Soils Treatment Standards and Exclusions
 63 FR 28556-28753
 May 26, 1998
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART A - GENERAL						
DEFINITIONS APPLICABLE IN THIS PART						
† add new paragraph; definition of soil	268.2(k)	5400.1 "Soil"	X			
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
† delete "Determine if the waste ...as follows:"; delete "a" after "generator of"; replace "§268.40 or §268.45" with "§268.40, §268.45, or §268.49";after "before they can be land disposed" insert "and some soils are contaminated by such hazardous wastes";after "These wastes" insert " , and soils contaminated with such wastes,";after "they are managing a waste" insert "or soil contaminated with a waste,"	268.7(a)(1)	5000.14(a)	X			
† insert "or contaminated soil" after "If the waste"	268.7(a)(2)	5000.14(b)	X			
† add new paragraph; for contaminated soil certification statement should be included, signed by an authorized representative; certification statement	268.7(a)(2)(i)	5000.14(b)(1)	X			

RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† add and reserve new paragraph	268.7(a)(2)(ii)	5000.14(b)(2)	X			
† insert “or contaminated soil” after “If the waste” in the first sentence	268.7(a)(3) intro	5000.14(c)	X			
† completely revise; for contaminated soil, with initial shipment of wastes generator must send notice & place copy in file; notice to include information in 268.7(a)(4) table	268.7(a)(3)(ii)	5000.14(c)(2)	X			
† insert “or contaminated soil” after “certain wastes” and after “hazardous wastes”	268.7(a)(4)	5000.14(d)	X			
† for entry 1, insert “Numbers” after “Waste”, replace “Manifest numbers” with “Manifest Number of first shipment”; for entry 3, replace parenthetical phrase with “in characteristic wastes” and delete “✓” under 268.7(a)(4) column ; redesignate entry 8 as 9; add new 8 as indicated at 63 FR 28640	268.7(a)(4)/table	5000.14(d)/table	X			
† insert “or contaminated soil” after “prohibited waste”	268.7(a)(5)	5000.14(e)	X			
† insert “or contaminated soil” after “that the waste”	268.7(a)(6)	5000.14(f)	X			

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RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† insert “or contaminated soil” after “For wastes”; delete “as concentrations”; delete the comma after the parenthetical phrase	268.7(b)(1)	5000.15(a)(1)	X			
† insert “or contaminated soil” after “For wastes”	268.7(b)(2)	5000.15(a)(2)	X			
† insert “or contaminated soil” after “shipment of waste”	268.7(b)(3)	5000.15(a)(3)	X			
† add new sentence & new certification statement after certification statement; a certification is also necessary for contaminated soil; certification statement	268.7(b)(4) intro	5000.15(a)(4)	X			
† add new paragraph; generators & treaters who receive a determination that contaminated soil subject to 268.49(a) no longer contains a listed hazardous waste and determine that contaminated soil no longer exhibits a characteristic of hazardous waste must:	268.7(e) intro	5000.18	X			
† add new subparagraph; prepare a one-time only documentation of determinations including supporting information and,	268.7(e)(1)	5000.18(a)	X			
† add new subparagraph; maintain that information in the facility files & other records for a minimum 3 years	268.7(e)(2)	5000.18(b)	X			

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**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (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 D - TREATMENT STANDARDS

VARIANCE FROM A TREATMENT STANDARD

† redesignate 268.44(h)(3) as 268.44(h)(5); add new 268.44(h)(3); for contaminated soil only, treatment would result in hazardous constituent concentrations below that necessary to minimize threats to human health and environment; treatment variances must:	268.44(h)(3) intro	5003.11(h)(3)	X			
† at a minimum, impose alternative land disposal restriction treatment standards that, using a reasonable maximum exposure scenario, meet the listed specifications	268.44(h)(3)(i)	5003.11(h)(3)(A)	X			
	268.44(h)(3)(i)(A)	5003.11(h)(3)(A)(i)	X			
	268.44(h)(3)(i)(B)	5003.11(h)(3)(A)(ii)	X			
† not consider post-land-disposal controls	268.44(h)(3)(ii)	5003.11(h)(3)(B)	X			
† add new paragraph; for contaminated soil only, treatment would result in hazardous constituent concentrations below natural background concentrations at the site of land disposal	268.44(h)(4)	5003.11(h)(4)	X			
† redesignate former 268.44(h)(3) as 268.44(h)(5)	268.44(h)(5)	5003.11(h)(5)	X			

Corporation Counsel Statement Comment: The District has left the authority to grant site-specific variances with the EPA Administrator.

ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL

alternative LDR treatment standards for contaminated soil	No Federal analog	5003.14	D			
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**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (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 has included an introductory paragraph at 5003.14 which provides clarity for the regulated community.						
† applicability; LDRs must be complied with prior to placing contaminated soil into a land disposal unit; chart describes whether compliance with LDRs is necessary prior to placing contaminated soil into a land disposal unit; add table as shown at 63 FR 28751(May 26, 1998)	268.49(a)	5003.14(a)	X			
† prior to land disposal, contaminated soil identified by 268.49(a) must be treated according to 268.49(c) or 268.48 UTS applicable to contaminating waste and/or applicable characteristic; 268.49(c) treatment standards and the UTS may be modified through a variance approved under 268.44	268.49(b)	5003.14(b)	X			
† treatment standards for contaminated soils; prior to land disposal, contaminated soil identified by 268.49(a) as needing to comply with LDRs must be treated according to 268.49(c)(1)-(3) or 268.48 UTS	268.49(c) intro	5003.14(c)	X			
† all soils; prior to land disposal, all constituents subject to treatment must be treated according to standards specified	268.49(c)(1) intro	5003.14(c)(1)	X			
	268.49(c)(1)(A)	5003.14(c)(1)(A)	X			

**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
	268.49(c)(1)(B)	5003.14(c)(1)(B)	X			
	268.49(c)(1)(C)	5003.14(c)(1)(C)	X			
† soils that exhibit characteristic of ignitability, corrosivity or reactivity; in addition to treatment required by 268.49(c)(1), prior to land disposal soils that exhibit a characteristic must be treated to eliminate characteristic	268.49(c)(2)	5003.14(c)(2)	X			
† soils that contain nonanalyzable constituents; in addition to requirements of 268.49(c)(1)&(2), prior to land disposal specified treatment is required	268.49(c)(3) intro	5003.14(c)(3)	X			
	268.49(c)(3)(A)	5003.14(c)(3)(A)	X			
	268.49(c)(3)(B)	5003.14(c)(3)(B)	X			
† constituents subject to treatment; when applying soil treatment standards in 268.49(c), constituents subject to treatment are any listed in 268.48, Table UTS that are reasonably expected to be present, with exceptions, and are present at greater than 10 times the UTS	268.49(d)	5003.14(d)	X			
† management of treatment residuals; treatment residuals from treating contaminated soil identified by 268.49(a) must be managed as follows:	268.49(e) intro	5003.14(e)	X			

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RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† soil residuals are subject to treatment standards of 268.49	268.49(e)(1)	5003.14(e)(1)	X			
† non-soil residuals are subject to the standards specified	268.49(e)(2) intro	5003.14(e)(2)	X			
	268.49(e)(2)(A)	5003.14(e)(2)(A)	X			
	268.49(e)(2)(B)	5003.14(e)(2)(B)	X			

US EPA ARCHIVE DOCUMENT

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 167 C
 Land Disposal Restrictions Phase IV – Corrections
 63 FR 28556-28753
 May 26, 1998
 as amended at 63 FR 31266, June 8, 1998
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART A - GENERAL						
TREATMENT SURFACE IMPOUNDMENT EXEMPTION						
replace colon after “at least annually” with a semicolon; delete second sentence beginning with “However, residues which are”	268.4(a)(2)(ii)	5000.11			X	
insert period after “for subsequent management” and delete remainder of sentence	268.4(a)(2)(iii)	5000.11			X	

Corporation Counsel Statement Comment: The District prohibits the use of surface impoundments in the District. 20 DCMR §5000.11 states this prohibition and points the regulated community to 40 CFR 268.4 for the requirements for treatment of hazardous waste in surface impoundments outside the District.

**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
replace "restricted" with "prohibited"; after first occurrence of "or solid waste or" replace "exempt" with "is exempted"; delete comma after first occurrence of "Subtitle C regulation" and after "261.4(a)(2)"; insert "that" after "261.4(a)(2) or"; insert ", or are managed in an underground injection well regulated by the SDWA" after "CWA-equivalent,"; replace "stating" with "describing"; insert "on-site" after "facility's"; change "file" to "files"	268.7(a)(7)	5000.14(g)	X			
for entry 1, insert "Numbers" after "Waste", replace "Manifest numbers" with "Manifest Number of first shipment" remove "✓" from §268.7(b) column; for entry 2, replace parenthetical phrase with "in characteristic wastes"; redesignate entry 5 as 6; add new 5 as indicated at 63 <u>FR</u> 28640	268.7(b)(3)(ii)/Table	5000.15(a)(3)(B)/Table 2	X			

**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; for characteristic wastes subject to 268.40 that are reasonably expected to contain 268.2(i) hazardous constituents which are treated on-site and then sent off-site, the certification must state; certification statement	268.7(b)(4)(iv)	5000.15(a)(5)(D)	X			
add new paragraph; for characteristic wastes containing underlying hazardous constituents as defined in 268.2(i) that are treated on-site to hazardous constituent levels in 268.48, the certification must state; certification statement	268.7(b)(4)(v)	5000.15(a)(5)(E)	X			
replace "treatment or storage" with "treatment, storage, or disposal"; insert comma after second occurrence of "storage"	268.7(b)(5)	5000.15(a)(6)	X			
replace both references to "(b)(4)" with "(b)(3)"; replace reference to "(b)(5)" with "(b)(4)"	268.7(b)(6)	5000.15(a)(7)	X			

**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--Corrections (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 D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

replace “(D001–D003, and D012–D043)” with “(D001–D043)”;	268.40(e)	5003.5	X			
insert “and are not managed in a wastewater treatment system...injection well,” after “Hazardous Wastes,”; replace ““Table UTS,”” with “Table Universal Treatment Standards,”						
replace existing table with the table found at 63 FR 28643-28738 (May 26, 1998)	268.40/table “Treatment Standards for Hazardous Wastes”	5003.9, 4016	X			

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

remove “paragraphs (a)(1) and (a)(2) of this section and in”; replace “in paragraphs (a)(1) and (a)(2) and Table 1 of this section” with “in the table entitled “Technology... Standards” in this section”	268.42(a)	5003.10(a)	X			
remove	268.42(a)(1) – (a)(3)	NA	X			

TREATMENT STANDARDS FOR HAZARDOUS DEBRIS

replace reference to “261.3(e)(2)” with “261.3(f)(2)”	268.45(a) intro	5003.12(a)	X			
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**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
insert "treatment" after "meet the"; replace "under §268.43" with "in 'Treatment Standards for Hazardous Wastes' at §268.40"	268.45(d)(3)	5003.12(d)(3)	X			
replace "technology-based standards for ... under §268.42" with "technology specified in the treatment standard for D001: Ignitable Liquids"	268.45(d)(4)	5003.12(d)(4)	X			
UNIVERSAL TREATMENT STANDARDS						
replace existing table with the table found at 63 <u>FR</u> 28739-28750 (May 26, 1998)	268.48(a)/table UTS	5003.13, 4016	X			
APPENDIX VII TO PART 268						
remove entries for waste code F033; revise second entry for F032, second entry for F034, first entry for K088, entries for D003–D011; add two entries for F035	Appendix VII, Table 1	5005.1(g), 4016	X			
revise entry number 9 and add entries 12 and 13	Appendix VII, Table 2	5005.1(g), 4016	X			
APPENDIX VIII TO PART 268						
revise title; add in alphanumeric order the entry for "NA"	Appendix VIII	5005.1(h), 4016	X			

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 167 D
 Mineral Processing Secondary Materials Exclusion
 63 FR 28556-28753
 May 26, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
DEFINITION OF SOLID WASTE						
† insert “(except as provided under 40 CFR 261.4(a)(15)). Materials noted with a “-” in column 3 of Table 1 are not solid wastes when reclaimed (except as provided under 40 CFR 261.4(a)(15))” at end of sentence	261.2(c)(3)	4100.7(e)	X			
† revise Table 1 by inserting in third column heading “(except as provided in 261.4(a)(15) for mineral processing secondary materials)” following “Reclamation (§ 261.2(c)(3))”	261.2(c)(4)/Table 1	4100.7(f)/Table 1	X			
† completely revise; where materials are generated and reclaimed within the primary mineral processing industry, the conditions of the exclusion at 261.4(a)(15) apply	261.2(e)(1)(iii)	4100.9(c)	X			

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**RCRA REVISION CHECKLIST 167 D: Mineral Processing Secondary
Materials Exclusion (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
EXCLUSIONS						
† add new paragraph; secondary materials generated within the primary mineral processing industry from which minerals, acids, cyanide, water or other values are recovered, provided that:	261.4(a)(16) intro	4101.1(r)	X			
† add new subparagraph; secondary material is legitimately recycled to recover minerals, acids, cyanide, water or other values	261.4(a)(16)(i)	4101.1(r)(1)	X			
† add new subparagraph; secondary material is not accumulated speculatively	261.4(a)(16)(ii)	4101.1(r)(2)	X			
† add new subparagraph; except as provided in 261.4(a)(15)(iv), the secondary material is stored in tanks, containers, or buildings meeting the specified minimum integrity standards; if tanks or containers contain particulate subject to wind dispersal, owner/operator must operate units in a manner which controls fugitive dust; units must be designed, constructed and operated to prevent significant releases to the environment of these materials	261.4(a)(16)(iii)	4101.1(r)(3)	X			

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**RCRA REVISION CHECKLIST 167 D: Mineral Processing Secondary
Materials Exclusion (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† add new subparagraph; Regional Administrator or State Director may make a site-specific determination that only solid mineral processing secondary materials may be placed on pads, rather than in tanks, containers, or buildings; solid mineral processing secondary materials do not contain free liquid; pads must be designed, constructed & operated to prevent significant releases and provide same degree of containment afforded the non-RCRA tanks, containers & buildings eligible for exclusion	261.4(a)(16)(iv)	4101.1(r)(4)	X			
† add new subparagraph; environmental considerations for pads	261.4(a)(16)(iv)(A)	4101.1(r)(4)(A)	X			
† add new subparagraph; minimum standards for pads	261.4(a)(16)(iv)(B)	4101.1(r)(4)(B)	X			
† add new subparagraph; notice and comment opportunity requirements before decision	261.4(a)(16)(iv)(C)	4101.1(r)(4)(C)	X			
† add new paragraph; owner/operator provides notice to Regional Administrator or State Director identifying specified information; notification must be updated when type of materials recycled or location changes	261.4(a)(16)(v)	4101.1(r)(5)	X			

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**RCRA REVISION CHECKLIST 167 D: Mineral Processing Secondary
Materials Exclusion (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraph; for purposes of 261.4(b)(7), mineral processing secondary materials must be the result of mineral processing & may not contain listed hazardous wastes; listed & characteristic hazardous wastes generated by non-mineral processing industries are not eligible for exclusion	261.4(a)(16)(vi)	4101.1(r)(6)	X			

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DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 167 E
 Bevill Exclusion Revisions and Clarifications
 63 FR 28556-28753
 May 26, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

DEFINITION OF HAZARDOUS WASTE

following "identified in subpart C", replace "except that" with "of this part. However,"; following "under subpart C", replace "of this part" with "is a hazardous waste"; in second sentence, insert a comma following "had not occurred"	261.3(a)(2)(i)	4100.12(b)(1)	X			
remains unchanged even though included in this rule	261.3(a)(2)(iii)	4100.12(b)(3)	X			

EXCLUSIONS

† revise 261.4(b)(7) as 261.4(b)(7), (b)(7)(i), & (b)(7)(ii); new 261.4(b)(7) is now unchanged first sentence of old 261.4(b)(7)	261.4(b)(7) intro	4101.2(h)	X			
† new 261.4(b)(7)(i) is second sentence of old 261.4(b)(7) with the following revisions: delete comma following "§261.4(b)(7)"; replace colon following "activities" with a semicolon; use lower case with "crushing"	261.4(b)(7)(i)	4101.2(h)(1)	X			

RCRA REVISION CHECKLIST 167 E: Bevill Exclusion Revisions and Clarifications (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† new 261.4(b)(7)(ii) is third sentence of old 261.4(b)(7) with the following revisions: insert “as generated” after “the following wastes”	261.4(b)(7)(ii)	4101.2(h)(2)	X			
† redesignate old 261.4(b)(7)(i) - (xx) as 261.4(b)(7)(ii)(A) - (T)	261.4(b)(7)(ii)(A) - (T)	4101.2(h)(2)(A)-(T)	X			
† add new paragraph; a residue derived from co-processing mineral processing secondary materials with normal beneficiation raw materials remains excluded under 261.4(b) if owner/operator meets specified conditions	261.4(b)(7)(iii)	4101.2(h)(3)	X			
	261.4(b)(7)(iii)(A)	4101.2(h)(3)(A)	X			
	261.4(b)(7)(iii)(B)	4101.2(h)(3)(B)	X			

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 167 F
 Exclusion of Recycled Wood Preserving Wastewaters
 63 FR 28556-28753
 May 26, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

	261.4(a)(9)(iii)	4101.1(k)	X			
† add new paragraph; prior to reuse, wood preserving wastewaters and spent wood preserving solutions described in 261.4(a)(9)(i)&(ii), so long as they meet all specified conditions	261.4(a)(9)(iii)(A)	4101.1(k)(1)	X			
	261.4(a)(9)(iii)(B)	4101.1(k)(2)	X			
	261.4(a)(9)(iii)(C)	4101.1(k)(3)	X			
	261.4(a)(9)(iii)(D)	4101.1(k)(4)	X			
	261.4(a)(9)(iii)(E)	4101.1(k)(5)	X			

DISTRICT OF COLUMBIA
 RCRA REVISION CHECKLIST 168
 Hazardous Waste Combustors Revised Standards
 63 FR 33782 - 33829
 June 19, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

† add paragraph; comparable fuels or syngas fuels that meet requirements of 261.38	261.4(a)(16)	4101.1(s)	X			
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SUBPART D - LISTS OF HAZARDOUS WASTES

† COMPARABLE/SYNGAS FUEL EXCLUSION

wastes meeting following comparable/syngas fuel requirements are not solid wastes:	261.38 intro	4111.1	X			
comparable fuels; physical and constituent specifications	261.38(a) intro	4111.1(a)	X			
	261.38(a)(1) intro	4111.1(a)(1)	X			
	261.38(a)(1)(i)	4111.1(a)(1)(A)	X			
	261.38(a)(1)(ii)	4111.1(a)(1)(B)	X			
	261.38(a)(2)	4111.1(a)(2)	X			
synthesis gas fuel specifications	261.38(b) intro	4111.1(b)	X			
	261.38(b)(1)	4111.1(b)(1)	X			
	261.38(b)(2)	4111.1(b)(2)	X			
	261.38(b)(3)	4111.1(b)(3)	X			
	261.38(b)(4)	4111.1(b)(4)	X			
	261.38(b)(5)	4111.1(b)(5)	X			
Detection and Detection Limit Values for Comparable Fuel Specification	261.38/Table 1	4111.1/Table 8	X			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
implementation; waste meeting comparable or syngas fuel specification is excluded from the definition of solid waste provided following requirements are met:	261.38(c) intro	4111.1(c)	X			
notices; person claiming and qualifying for exclusion is comparable/ syngas fuel generator; person burning fuel is comparable/syngas burner; generator must claim and certify exclusion	261.38(c)(1)	4111.1(c)(1)	X			
State RCRA and CAA Directors in authorized States or Regional RCRA and CAA Directors in unauthorized States	261.38(c)(1)(i) intro	NA	X			
generator must submit one-time notice certifying compliance with conditions of exclusion and providing required documentation	261.38(c)(1)(i)(A)	4111.1(c)(1)(A)	X			
generator shall specify facility(ies) generating comparable/syngas fuel	261.38(c)(1)(i)(B)	4111.1(c)(1)(B)	X			
generator's notification requirements	261.38(c)(1)(i)(C) intro	4111.1(c)(1)(C)	X			
	261.38(c)(1)(i)(C)(1)					
	261.38(c)(1)(i)(C)(2)					
	261.38(c)(1)(i)(C)(3)					
	261.38(c)(1)(i)(C)(4)					
public notice; prior to burning excluded comparable/syngas fuel, burner must publish notice; information requirements	261.38(c)(1)(ii) intro	4111.1(c)(1)(D)	X			
	261.38(c)(1)(ii)(A)					
	261.38(c)(1)(ii)(B)					
	261.38(c)(1)(ii)(C)					

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
	261.38(c)(1)(ii)(D)					
	261.38(c)(1)(ii)(E)					
burning; exclusion for comparable/syngas fuel applies only if fuel is burned in units subject to Federal/State/local air emission requirements, including applicable CAA MACT requirements	261.38(c)(2) intro	4111.1(c)(2)	X			
industrial furnaces as defined in § 260.10	261.38(c)(2)(i)	4111.1(c)(2)(A)			X	
boilers as defined in § 260.10, and	261.38(c)(2)(ii) intro	4111.1(c)(2)(B)			X	
industrial boilers located on facility site engaged in manufacturing process where substances are transformed into new products, including component parts of products, by mechanical or chemical processes; or	261.38(c)(2)(ii)(A)	4111.1(c)(2)(B)(i)			X	
utility boilers used to produce electric power, steam, heated or cooled air, or other gases or fluids for sale	261.38(c)(2)(ii)(B)	4111.1(c)(2)(B)(ii)			X	
hazardous waste incinerators subject to regulation under subpart O of parts 264 and 265, or applicable CAA MACT standards	261.38(c)(2)(iii)	4111.1(c)(2)(C)			X	
Corporation Counsel Statement Comment: At §4111.1(c)(2)(A)-(C), the District is more stringent because the units must be located outside the District of Columbia because of the 20 DCMR §4018 prohibitions.						
blending to meet viscosity specification; hazardous waste blending requirements	261.38(c)(3) intro	4111.1(c)(3)	X			
	261.38(c)(3)(i)					
	261.38(c)(3)(ii)					

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
	261.38(c)(3)(iii)					
treatment to meet comparable fuel exclusion specifications	261.38(c)(4) intro	4111.1(c)(4)	X			
hazardous waste may be treated to meet exclusion specification if standards are met; treatment standards	261.38(c)(4)(i) intro	4111.1(c)(4)(A)	X			
	261.38(c)(4)(i)(A)					
	261.38(c)(4)(i)(B)					
	261.38(c)(4)(i)(C)					
residuals resulting from treatment of listed subpart D hazardous waste to generate a comparable fuel remain hazardous waste	261.38(c)(4)(ii)	4111.1(c)(4)(B)	X			
generation of a syngas fuel	261.38(c)(5) intro	4111.1(c)(5)	X			

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RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
syngas fuel can be generated from processing hazardous wastes to meet exclusion specification; processing standards	261.38(c)(5)(i) intro	4111.1(c)(5)(A)	X			
	261.38(c)(5)(i)(A)					
	261.38(c)(5)(i)(B)					
	261.38(c)(5)(i)(C)					
residuals resulting from treatment of listed subpart D hazardous waste to generate a comparable fuel remain hazardous waste	261.38(c)(5)(ii)	4111.1(c)(5)(B)	X			
dilution prohibition for comparable/syngas fuels	261.38(c)(6)	4111.1(c)(6)	X			
waste analysis plans; generator shall develop and follow written waste analysis plan; plan shall be developed in accordance with SW-846 and followed/retained at facility excluding waste	261.38(c)(7) intro	4111.1(c)(7)	X			
minimum specifications for waste analysis plan	261.38(c)(7)(i) intro	4111.1(c)(7)(A)	X			
	261.38(c)(7)(i)(A)					
	261.38(c)(7)(i)(B)					
	261.38(c)(7)(i)(C)					
	261.38(c)(7)(i)(D)					
	261.38(c)(7)(i)(E)					

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RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
waste analysis plan recording requirements	261.38(c)(7)(ii) intro	4111.1(c)(7)(B)	X			
	261.38(c)(7)(ii)(A)					
	261.38(c)(7)(ii)(B)					
	261.38(c)(7)(ii)(C)					
	261.38(c)(7)(ii)(D)					
	261.38(c)(7)(ii)(E)					
	261.38(c)(7)(ii)(F)					
	261.38(c)(7)(ii)(G)					
	261.38(c)(7)(ii)(H)					
waste analysis plan shall be submitted prior to performing sampling, analysis or management of syngas fuel as excluded waste; approval of plan must be in writing and received by facility prior to sampling and analysis; plan approval may contain provisions and conditions as regulatory authority deems appropriate	261.38(c)(7)(iii)	4111.1(c)(7)(C)	X			
comparable fuel sampling and analysis	261.38(c)(8) intro	4111.1(c)(8)	X			
for each excluded waste generator must test for constituents in Part 261 Appendix VIII, except those generator determines by testing or knowledge to not be present in waste; generator required to document basis of each decision; generator may not determine certain categories of constituents should not be present	261.38(c)(8)(i) intro	4111.1(c)(8)(A)	X			
	261.38(c)(8)(i)(A)					
	261.38(c)(8)(i)(B)					
	261.38(c)(8)(i)(C)					
	261.38(c)(8)(i)(D)					

Note: The District has included the note following 40 CFR 261.38(c)(8)(i)(D) at 20 DCMR §4111.1(c)(8)(A)(v) to provide additional clarity to the regulated community.

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
for each excluded waste where generator of comparable/syngas fuel is not original generator, generator of comparable/syngas fuel may not use process knowledge and must test to determine constituent specifications	261.38(c)(8)(ii)	4111.1(c)(8)(B)	X			
generator may use any reliable analytical method to demonstrate no constituent of concern is present above specification levels; responsibility of generator to ensure unbiased, precise, and representative sampling and analysis; waste is eligible for exclusion if:	261.38(c)(8)(iii) intro	4111.1(c)(8)(C)	X			
each constituent of concern is not present above specification level at 95% upper confidence limit around mean, and	261.38(c)(8)(iii)(A)	4111.1(c)(8)(C)(i)	X			
analysis could have detected presence of constituent at or below specification level at 95% upper confidence limit around mean	261.38(c)(8)(iii)(B)	4111.1(c)(8)(C)(ii)	X			
nothing preempts, overrides or negates 262.11 provision which requires generators of solid waste to determine if waste is hazardous waste	261.38(c)(8)(iv)	4111.1(c)(8)(D)	X			
in enforcement action, burden of proof to establish conformance with exclusion specification shall be on generator	261.38(c)(8)(v)	4111.1(c)(8)(E)	X			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
generator must conduct sampling and analysis in accordance with waste analysis plan	261.38(c)(8)(vi)	4111.1(c)(8)(F)	X			
syngas and comparable fuel not blended to meet kinematic viscosity specification shall be analyzed as generated	261.38(c)(8)(vii)	4111.1(c)(8)(G)	X			
if comparable fuel blended to meet kinematic viscosity specification generator shall:	261.38(c)(8)(viii) intro	4111.1(c)(8)(H)	X			
analyze fuel as generated to ensure meeting constituent and heating value specifications	261.38(c)(8)(viii)(A)	4111.1(c)(8)(H)(i)	X			
after blending, analyze fuel again to ensure blended fuel meets comparable/syngas fuel specifications	261.38(c)(8)(viii)(B)	4111.1(c)(8)(H)(ii)	X			
excluded comparable/syngas fuel must be re-tested at least annually and after a process change that could change chemical or physical properties of waste	261.38(c)(8)(ix)	4111.1(c)(8)(I)	X			
speculative accumulation; any persons handling comparable/syngas fuel are subject to speculative accumulation test under 261.2(c)(4)	261.38(c)(9)	4111.1(c)(9)	X			
records; generator must maintain certain records on-site	261.38(c)(10) intro	4111.1(c)(10)	X			

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RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
information required to be submitted to implementing authority as part of notification of claim	261.38(c)(10)(i) intro	4111.1(c)(10)(A)	X			
	261.38(c)(10)(i)(A)					
	261.38(c)(10)(i)(B)					
	261.38(c)(10)(i)(C)					
brief description of process generating hazardous waste and process generating excluded fuel, if not same	261.38(c)(10)(ii)	4111.1(c)(10)(B)	X			
estimate of average and maximum monthly and annual quantities of each waste claimed for exclusion	261.38(c)(10)(iii)	4111.1(c)(10)(C)	X			
documentation for any claim that constituent is not present in hazardous waste	261.38(c)(10)(iv)	4111.1(c)(10)(D)	X			
results of all analyses and all detection limits achieved	261.38(c)(10)(v)	4111.1(c)(10)(E)	X			
required documentation if excluded waste was generated through treatment or blending	261.38(c)(10)(vi)	4111.1(c)(10)(F)	X			
certification from burner if waste is shipped off-site	261.38(c)(10)(vii)	4111.1(c)(10)(G)	X			
waste analysis plan and results of sampling and analysis	261.38(c)(10)(viii) intro	4111.1(c)(10)(H)	X			
required analysis and sampling information	261.38(c)(10)(viii)(A)	4111.1(c)(10)(H)(i)-(viii)	X			
	261.38(c)(10)(viii)(B)					
	261.38(c)(10)(viii)(C)					
	261.38(c)(10)(viii)(D)					
	261.38(c)(10)(viii)(E)					
	261.38(c)(10)(viii)(F)					

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
	261.38(c)(10)(viii)(G)					
	261.38(c)(10)(viii)(H)					
if fuel is shipped off-site for burning, generator must retain shipment information on-site; information requirements	261.38(c)(10)(ix) intro					
	261.38(c)(10)(ix)(A)					
	261.38(c)(10)(ix)(B)					
	261.38(c)(10)(ix)(C)					
	261.38(c)(10)(ix)(D)					
	261.38(c)(10)(ix)(E)	4111.1(c)(10)(I)	X			
records retention; records must be maintained for three years; generator must maintain current waste analysis plan during three-year period	261.38(c)(11)	4111.1(c)(11)	X			
burner certification; prior to submitting notification, generator intending to ship fuel off-site for burning must obtain one-time written, signed statement from burner; certification information requirements	261.38(c)(12) intro					
	261.38(c)(12)(i)					
	261.38(c)(12)(ii)					
	261.38(c)(12)(iii)	4111.1(c)(12)	X			
ineligible waste codes; wastes listed because of presence of dioxins or furans are not eligible for exclusion, and fuel produced from or containing these wastes remains hazardous waste subject to full RCRA requirements	261.38(c)(13)	4111.1(c)(13)	X			

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART D - CHANGES TO PERMITS

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS DISTRICT CITATION	DISTRICT ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
† add new paragraph; combustion facility changes to meet part 63 MACT standards; procedures apply to hazardous waste combustion facility permit modifications requested under Appendix I of 270.42, section L(9)	270.42(j) intro	4400.3, 4018.1			X	
	270.42(j)(1)	4400.3, 4018.1			X	
	270.42(j)(2)	4400.3, 4018.1			X	

Corporation Counsel Statement Comment: These provisions are not necessary because of the prohibition on burning in the District. The District's program is more stringent than the Federal program because of this prohibition.

† add entry L(9) as follows:	270.42 Appendix I	4617, Appendix I			X	
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Modification												Class
*	*	*	*	*	*	*	*	*	*	*	*	*
L. Incinerators, Boilers, and Industrial Furnaces												¹ 1
*	*	*	*	*	*	*	*	*	*	*	*	*
9.	Technology Changes Needed to meet Standards under 40 CFR part 63 (Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors), provided the procedures of §270.42(i) are followed.											
*	*	*	*	*	*	*	*	*	*	*	*	*

¹ Class 1 modifications requiring Agency prior approval.

Corporation Counsel Statement Comment: The use of incinerators, boilers, and industrial furnaces for the burning of hazardous waste or hazardous waste fuel is not allowed in the District. The District's analog to 40 CFR 270.42, Appendix I has notations indicating which practices are not allowed in the District. This prohibition on the burning/incineration of hazardous waste in the District makes the District's program more stringent than the Federal program.

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RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (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 G - INTERIM STATUS

CHANGES DURING INTERIM STATUS

† add paragraph; changes necessary to comply with standards under 40 CFR part 63, Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors	270.72(b)(8)	4400.3, 4018			X	
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Corporation Counsel Statement Comment: This provision is not necessary because of the prohibition on burning in the District. The District's program is more stringent than the Federal program because of this prohibition.