

US EPA ARCHIVE DOCUMENT

PROGRAM DESCRIPTION

Attachment 1

Checklist Crosswalk & Checklists

DRAFT DELAWARE REVISION 4 APPLICATION CHECKLIST CROSSWALK

The State is seeking authority to administer the provisions contained in the checklists listed below:

[illegible]

RCRA REVISION CHECKLIST 175

HWIR-Media

63 FR 65874-65947

November 30, 1998

(RCRA Cluster IX, HSWA/non-HSWA provisions)

Notes : 1) While not included in this revision checklist, this rule adds new requirements to Part 271. Specifically, it adds the procedures for a State to receive authorization for rules listed as acceptable for abbreviated application requirements.

2) The revisions to 40 CFR 260.10, 264.1(j) intro, 264.101(d), 264.552(a), 264.553(a), 264.554, 265.1(b), 268.2(c), 268.50(g), 270.2, 270.42 Appendix I, and 270.230(e)(1) were promulgated pursuant to HSWA. Because these provisions are not more stringent, they are immediately effective only in those States not authorized for the base RCRA program. The revisions to 40 CFR 261.4(g), 264.1(j)(1)-(13), 264.73(b)(17), 270.11(d), 270.68, 270.73(a), and Part 270 Subpart H (except 270.230(e)(1)) were promulgated relative to non-HSWA authority. The 264.1(j) introductory paragraph is also a non-HSWA provision to the extent that it addresses the requirements that remediation waste management units can meet in lieu of 40 CFR Part 264, Subparts B, C and D. Those provisions designated as HSWA are identified by a "♦" (diamond symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B - DEFINITIONS						
DEFINITIONS						
remove "266, 268, and 270 through"	260.10(intro)	260.10 (intro)	X			
replace existing definition of "corrective action management unit or CAMU" with new definition of "corrective action management unit (CAMU)"	260.10 "corrective action management unit (CAMU)"	260.10 "corrective action management unit (CAMU)"	X			
add third definition numbered "(3)", a remediation waste management site is not facility subject to 264.101, but is subject to corrective action if site is located within such facility	260.10 "facility"	260.10 "facility"	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†, ♦ replace "40 CFR part 146" with "part 146 of this chapter"; remove "or" prior to "unit eligible"; insert "a" prior to "research"; replace "§ 270.65" with "40 CFR 270.65, or staging pile"	260.10 "miscellaneous unit"	260.10 "miscellaneous unit"	X			
†, ♦ replace ", which" with "that" after "debris"; replace "which" with "that" prior to "themselves"; remove "waste" after "exhibit a hazardous"; replace ", that" with "and" after "characteristic"; remove "the purpose of" prior to "implementing"; replace "implementing corrective" with "implementing cleanup"; delete remainder of text beginning with "action requirements..."	260.10 "remediation waste"	260.10 "remediation waste"	X			
†, ♦ add "remediation waste management site"	260.10 "remediation waste management site"	260.10 "remediation waste management site"	X			
†, ♦ add "staging pile"	260.10 "staging pile"	260.10 "staging pile"	X			

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

† add new paragraph; dredged material subject to permit issued under the Federal Water Pollution Control Act or section 103 of Marine Protection, Research, and Sanctuaries Act of 1972 is not hazardous waste; for 261.4(g), following definitions apply:	261.4(g) intro	261.4(g) intro	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† dredged material has the same meaning as defined in 40 CFR 232.2;	261.4(g)(1)	261.4(g)(1)	X			
† definition of permit	261.4(g)(2) intro	261.4(g)(2) intro	X			
	261.4(g)(2)(i)	261.4(g)(2)(i)	X			
	261.4(g)(2)(ii)	261.4(g)(2)(ii)	X			
	261.4(g)(2)(iii)	261.4(g)(2)(iii)	X			

PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE
TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

†, ♦, 1 add new paragraph; subparts B, C, and D of 264 and 264.101 do not apply to cleanup only remediation waste management sites; owners/operators of remediation waste management sites must:	264.1(j) intro	264.1(j) intro	X			
† add new paragraph; obtain an EPA identification number;	264.1(j)(1)	264.1(j)(1)	X			
† add new paragraph; obtain a detailed chemical and physical analysis of the hazardous remediation wastes; minimum requirements of analysis	264.1(j)(2)	264.1(j)(2)	X			
† add new paragraph; prevent people who are unaware of danger from entering, and minimize entry of unauthorized people or livestock onto active portion of remediation waste management site; exceptions	264.1(j)(3) intro	264.1(j)(3) intro	X			
	264.1(j)(3)(i)	264.1(j)(3)(i)	X			
	264.1(j)(3)(ii)	264.1(j)(3)(ii)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraph; inspect remediation waste management site for problems that may cause or lead to release of hazardous waste; owner/operator must inspect often enough to correct problems before they harm or lead to hazards to human health or environment; where hazard is imminent or already occurred, owner/operator must take immediate remedial action	264.1(j)(4)	264.1(j)(4)	X			
† add new paragraph; provide personnel with training	264.1(j)(5)	264.1(j)(5)	X			
† add new paragraph; prevent ignition or reaction of ignitable, reactive or incompatible waste	264.1(j)(6)	264.1(j)(6)	X			
† add new paragraph; for certain sites design, construct, operate, and maintain unit within 100-year floodplain to prevent washout of hazardous waste	264.1(j)(7)	264.1(j)(7)	X			
† add new paragraph; not place any non-containerized or bulk liquid hazardous waste in any salt dome formation, salt bed formation, underground mine or cave;	264.1(j)(8)	264.1(j)(8)	X			
† add new paragraph; develop and maintain construction quality assurance program for certain units	264.1(j)(9)	264.1(j)(9)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraph; develop and maintain procedures to prevent accidents and contingency and emergency plans to control accidents; required procedures	264.1(j)(10)	264.1(j)(10)	X			
† add new paragraph; designate at least one employee to coordinate all emergency response measures; emergency coordinator requirements	264.1(j)(11)	264.1(j)(11)	X			
† add new paragraph; develop, maintain and implement plan to meet 264.1(j)(2)-(j)(6) & (j)(9)-(j)(10) requirements	264.1(j)(12)	264.1(j)(12)	X			
† add new paragraph; maintain records documenting compliance with 264.1(j)(1)-(j)(12)	264.1(j)(13)	264.1(j)(13)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

† add new paragraph; any records required under 264.1(j)(13)	264.73(b)(17)	264.73(b)(17)	X			
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SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

†, ♦ add new paragraph; does not apply to remediation waste management sites unless part of a facility subject to permit for treating, storing or disposing of hazardous wastes that are not remediation wastes	264.101(d)	264.101(d)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART S - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS						
CORRECTIVE ACTION MANAGEMENT UNITS (CAMU)						
completely revise paragraph; Regional Administrator may designate an area at facility as CAMU for purpose of implementing remedies under 264.101 or RCRA 3008(h) or to implement remedies at a facility that is not subject to 264.101; CAMU must be located within contiguous property under owner/operator control where wastes originated; one or more CAMUs may be designated at facility	264.552(a) intro	264.552(a) intro	X			
reprinted, no change	264.552(a)(1)	264.552(a)(1)	X			
reprinted, no change	264.552(a)(2)	264.552(a)(2)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
TEMPORARY UNITS (TU)						
completely revise paragraph; Regional Administrator may designate unit as temporary unit, for temporary tanks and container storage areas used to treat or store hazardous remediation wastes under 264.101 or RCRA 3008(h), or at permitted facility not subject to 264.101; temporary unit must be located within contiguous property under owner/ operator control where wastes originated; Regional Administrator may replace Part 264/265 design, operating, or closure standard with alternative requirements which protect human health and environment	264.553(a)	264.553(a)	X			
STAGING PILES						
add new section; section written in special format to make regulatory requirements easier to understand; establishes enforceable legal requirements; "I" and "you" refer to owner/operator	264.554 intro	264.554 intro	X			
definition of staging pile; location requirements; designated by Director in accordance with 265.554	264.554(a)	264.554(a)	X			
use of staging pile	264.554(b)	264.554(b)	X			
staging pile designation, information requirements	264.554(c) intro	264.554(c) intro	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
sufficient and accurate information to enable Director to impose standards and design criteria according to 264.554(d)-(k);	264.554(c)(1)	264.554(c)(1)	X			
certification by an independent, qualified, registered professional engineer for technical data, unless Director determines that certification is not necessary to ensure protection of human health and environment; and	264.554(c)(2)	264.554(c)(2)	X			
any additional information Director determines necessary to protect human health and environment	264.554(c)(3)	264.554(c)(3)	X			
staging pile performance criteria	264.554(d) intro	264.554(d) intro	X			
standards and design criteria must:	264.554(d)(1) intro	264.554(d)(1) intro	X			
facilitate a reliable, effective and protective remedy;	264.554(d)(1)(i)	264.554(d)(1)(i)	X			
be designed to prevent or minimize releases of hazardous wastes and hazardous constituents, and control cross-media transfer, protect human health and environment; and	264.554(d)(1)(ii)	264.554(d)(1)(ii)	X			
not operate for more than 2 years, except when Director grants extension under 264.554(i); time limit is measured from the first time remediation waste placed into staging pile; records maintenance requirements	264.554(d)(1)(iii)	264.554(d)(1)(iii)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
in setting standards and design criteria, Director must consider:	264.554(d)(2)	264.554(d)(2)	X			
length of time pile will be in operation	264.554(d)(2)(i)	264.554(d)(2)(i)	X			
volumes of wastes intended to be stored	264.554(d)(2)(ii)	264.554(d)(2)(ii)	X			
physical and chemical characteristics of wastes	264.554(d)(2)(iii)	264.554(d)(2)(iii)	X			
potential for releases	264.554(d)(2)(iv)	264.554(d)(2)(iv)	X			
hydrogeological and other environmental conditions that may influence migration of potential releases;	264.554(d)(2)(v)	264.554(d)(2)(v)	X			
2 potential for human and environmental exposure	264.554(d)(2)(vi)	264.554(d)(2)(vi)	X			
ignitable or reactive remediation waste must not be placed in staging pile unless:	264.554(e) intro	264.554(e) intro	X			
remediation waste has been treated, rendered or mixed so that:	264.554(e)(1)	264.554(e)(1)	X			
remediation waste no longer meets definition of ignitable or reactive under 261.21 or 261.23; and	264.554(e)(1)(i)	264.554(e)(1)(i)	X			
waste complies with 264.17(b); or	264.554(e)(1)(ii)	264.554(e)(1)(ii)	X			
remediation waste is protected from exposure to any material or condition that might cause it to ignite or react	264.554(e)(2)	264.554(e)(2)	X			
"incompatible waste" is defined in 260.10; you must comply with the following:	264.554(f) intro	264.554(f) intro	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
incompatible remediation wastes must not be placed in same staging pile unless you have complied with 264.17(b);	264.554(f)(1)	264.554(f)(1)	X			
if remediation waste in pile is incompatible with waste stored in nearby containers, other piles, open tanks or land disposal units, incompatible materials must be separated or protected from one another by dike, berm, wall or other device; and	264.554(f)(2)	264.554(f)(2)	X			
remediation waste must not be piled on same base where incompatible wastes were previously piled, unless base has been decontaminated to comply with 264.17(b)	264.554(f)(3)	264.554(f)(3)	X			
placement of remediation wastes into staging pile does not constitute land disposal or create a unit subject to RCRA 3004(o)	264.554(g)	264.554(g)	X			
Director may allow staging pile to operate for up to 2 years after waste is first placed into pile; except as provided in 264.554(i), staging pile may not be used after time designated in permit, closure plan, or order	264.554(h)	264.554(h)	X			
operating extension for a staging pile	264.554(i) intro	264.554(i) intro	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Director may grant one operating term extension of up to 180 days beyond specified limit; sufficient and accurate information to enable Director to determine that continued operation of staging pile:	264.554(i)(1)	264.554(i)(1)	X			
will not pose threat to human health and environment; and	264.554(i)(1)(i)	264.554(i)(1)(i)	X			
is necessary to ensure timely and efficient implementation of remedial actions at facility	264.554(i)(1)(ii)	264.554(i)(1)(ii)	X			
Director may specify further standards and design criteria to ensure protection of human health and environment	264.554(i)(2)	264.554(i)(2)	X			
closure requirement for staging pile located in previously contaminated area	264.554(j) intro	264.554(j) intro	X			
within 180 days of operating term expiration, staging pile must be closed when located in previously contaminated area by removing or decontaminating all:	264.554(j)(1)	264.554(j)(1)	X			
remediation waste;	264.554(j)(1)(i)	264.554(j)(1)(i)	X			
contaminated containment system components; and	264.554(j)(1)(ii)	264.554(j)(1)(ii)	X			
structures and equipment contaminated with waste and leachate	264.554(j)(1)(iii)	264.554(j)(1)(iii)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
contaminated subsoils must also be decontaminated in manner and according to schedule that Director determines will protect human health and environment	264.554(j)(2)	264.554(j)(2)	X			
264.554(j)(1)-(2) requirements must be in permit, closure plan, or order	264.554(j)(3)	264.554(j)(3)	X			
closure requirement for staging pile located in uncontaminated area	264.554(k) intro	264.554(k) intro	X			
within 180 days of operating term expiration, staging pile must be closed when located in uncontaminated area according to 264.258(a) & 264.111; or 265.258(a) & 265.111	264.554(k)(1)	264.554(k)(1)	X			
264.554(k)(1) requirement must be in permit, closure plan, or order in which the pile was designated	264.554(k)(2)	264.554(k)(2)	X			
modification of existing permit, closure plan, or order to allow use of staging pile	264.554(l) intro	264.554(l) intro	X			
to modify permit, other than RAP, to incorporate staging pile or staging pile operating term extension, either:	264.554(l)(1)	264.554(l)(1)	X			
Director must approve modification under procedures in 270.41; or	264.554(l)(1)(i)	264.554(l)(1)(i)	X			
Class 2 modification must be requested under 270.42	264.554(l)(1)(ii)	264.554(l)(1)(ii)	X			
to modify RAP, comply with modification requirements under 270.170 and 270.175	264.554(l)(2)	264.554(l)(2)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
to modify closure plan follow applicable requirements under 264.112(c) or 265.112(c)	264.554(l)(3)	264.554(l)(3)	X			
to modify order follow terms of order and applicable provisions of 270.72(a)(5) or (b)(5)	264.554(l)(4)	264.554(l)(4)	X			
Director must document rationale for designating staging pile or staging pile operating term extension and make documentation available to the public	264.554(m)	264.554(m)	X			

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

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

†, ♦ replace "40 CFR 264.552 and 40 CFR 264.553" with "40 CFR 264.552, 264.553, and 264.554"	265.1(b)	265.1(b)	X			
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

DEFINITIONS APPLICABLE IN THIS PART

†, ♦ insert "or staging pile" after "corrective action management unit"	268.2(c)	268.2(c)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITION ON STORAGE OF RESTRICTED WASTES

†, ♦, 3 add new paragraph; prohibition and requirements in 268.50 do not apply to hazardous remediation wastes stored in staging pile approved pursuant to 265.554	268.50(g)	268.50(g)	X			
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

DEFINITIONS

† add "Remedial Action Plan (RAP)"	270.2	122.2	X			
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SUBPART B - PERMIT APPLICATION

SIGNATORIES TO PERMIT APPLICATIONS AND REPORTS

†, 4, 5 redesignate 270.11(d) as 270.11(d)(1); replace "must make" with "shall make"; in certification statement, replace "in accordance with" with "according to"; remove "be" in "to be the best of my knowledge"	270.11(d)(1)	122.11(d)(1)	X			
† add new paragraph; for RAPs under 270 subpart H, owner may make the certification at 270.11(d)(2) instead of 270.11(d)(1); certification statement	270.11(d)(2)	122.11(d)(2)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

SUBPART D - CHANGES TO PERMITS

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

†, ♦ add entries D.3.g and N.3 as follows:	270.42, Appendix I	122.42, Appendix I	X			
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Modifications												Class
*	*	*	*	*	*	*	*	*	*	*	*	*
D. Closure	*	*	*	*	*	*	*	*	*	*	*	*
3. Addition of the following new units to be used temporarily for closure activities:	*	*	*	*	*	*	*	*	*	*	*	*
g. Staging piles	*	*	*	*	*	*	*	*	*	*	*	2
N. Corrective Action:	*	*	*	*	*	*	*	*	*	*	*	*
3. Approval of a staging pile or staging pile operating term extension pursuant to § 264.554	*	*	*	*	*	*	*	*	*	*	*	2

SUBPART F - SPECIAL FORMS OF PERMITS

† REMEDIAL ACTION PLANS (RAPs)

6 add new section; RAPs are special forms of permits regulated under 270 subpart H	270.68	122.68	X			
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SUBPART G - INTERIM STATUS

TERMINATION OF INTERIM STATUS

†, 7 insert “, except an application for a remedial action plan (RAP) under subpart H of this part,” following “application”	270.73(a)	122.73(a)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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SUBPART H - REMEDIAL ACTION PLANS (RAPs)

† WHY IS THIS SUBPART WRITTEN IN A SPECIAL FORMAT?

add new subpart; subpart is written in special format to make regulatory requirements easier to understand; establishes enforceable legal requirements; "I" and "you" refer to owner/operator	270.79	122.79	X			
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† WHAT IS A RAP?

explanation of a RAP; when RAPs may be issued	270.80(a)	122.80(a)	X			
requirements in 270.3-270.66 do not apply to RAPs unless specifically required under 270.80-270.230; 270.2 definitions apply	270.80(b)	122.80(b)	X			
any document meeting 270.80 requirements constitutes a RCRA permit under RCRA 3005(c)	270.80(c)	122.80(c)	X			
a RAP may be:	270.80(d) intro	122.80(d) intro	X			
a stand-alone document; or	270.80(d)(1)	122.80(d)(1)	X			
part of another document	270.80(d)(2)	122.80(d)(2)	X			
RAPs do not affect cleanup obligations under Federal or State authorities	270.80(e)	122.80(e)	X			
RAP received at facility operating under interim status does not terminate the interim status	270.80(f)	122.80(f)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

† WHEN DO I NEED A RAP?

treatment, storage, or disposal of hazardous remediation wastes in manner requiring permit under 270.1, either obtain:	270.85(a) intro	122.85(a) intro	X			
permit according to 270.3-270.66; or	270.85(a)(1)	122.85(a)(1)	X			
RAP according to 270 subpart H	270.85(a)(2)	122.85(a)(2)	X			
treatment units that use combustion of hazardous remediation wastes at remediation waste management site are not eligible for RAPs under 270 subpart H	270.85(b)	122.85(b)	X			
RAP can be obtained for managing hazardous remediation waste at permitted facility; the RAP must be approved as permit modification according to 270.41 or 270.42; certain 270.42 requirements do not apply; upon modification, RAP is part of permit; what requirements apply when permit is subsequently modified, revoked and reissued, terminated or when it expires	270.85(c)	122.85(c)	X			

† DOES MY RAP GRANT ME ANY RIGHTS OR RELIEVE ME OF ANY OBLIGATIONS?

the provisions of 270.4 apply to RAPs	270.90	122.90	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

† HOW DO I APPLY FOR A RAP?

to apply for RAP, complete & sign application and submit to Director according to 270 subpart H requirements	270.95	122.95	X			
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† WHO MUST OBTAIN A RAP?

when facility or remediation waste management site is owned by one person, but treatment, storage or disposal activities are operated by another, operator must obtain a RAP	270.100	122.100	X			
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† WHO MUST SIGN THE APPLICATION AND ANY REQUIRED REPORTS FOR A RAP?

both owner & operator must sign RAP application according to 270.11(a)-(c); both owner & operator must also make the 270.11(d)(1) certification; owner may choose 270.11(d)(2) certification if operator certifies under 270.11(d)(1)	270.105	122.105	X			
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† WHAT MUST I INCLUDE IN MY APPLICATION FOR A RAP?

the following must be included in application for RAP:	270.110 intro	122.110 intro	X			
name, address, & EPA identification number of site;	270.110(a)	122.110(a)	X			
name, address, & telephone number of owner & operator;	270.110(b)	122.110(b)	X			
latitude & longitude of site;	270.110(c)	122.110(c)	X			
USGS or county map showing location of site;	270.110(d)	122.110(d)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
scaled drawing of site showing:	270.110(e) intro	122.110(e) intro	X			
site boundaries;	270.110(e)(1)	122.110(e)(1)	X			
significant physical structures; and	270.110(e)(2)	122.110(e)(2)	X			
boundary where remediation waste is to be treated, stored or disposed;	270.110(e)(3)	122.110(e)(3)	X			
specification of hazardous remediation waste to be treated, stored or disposed of; include information on:	270.110(f) intro	122.110(f) intro	X			
constituent concentrations & other properties that may affect treatment and/or management;	270.110(f)(1)	122.110(f)(1)	X			
waste quantity estimate; and	270.110(f)(2)	122.110(f)(2)	X			
description of processes used to treat, store, or dispose of waste before subjecting to part 268;	270.110(f)(3)	122.110(f)(3)	X			
enough information to demonstrate compliance with applicable requirements of parts 264, 266, & 268;	270.110(g)	122.110(g)	X			
information necessary for Regional Administrator to carry out duties under other laws for traditional permits under 270.14(b)(20);	270.110(h)	122.110(h)	X			
any other information the Director decides is necessary to protect human health & environment	270.110(i)	122.110(i)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† WHAT IF I WANT TO KEEP THIS INFORMATION CONFIDENTIAL?						
any or all information submitted to EPA under 270 subpart H can be claimed confidential; to assert claim, stamp "confidential business information" on each page; information claimed as confidential will be subjected to 40 CFR part 2 procedures; without a claim, information may be made available to public without further notice; any requests for name and/or address confidentiality will be denied	270.115	122.115	X			
† TO WHOM MUST I SUBMIT MY RAP APPLICATION?						
applications for RAP must be submitted to Director	270.120	122.120	X			
† IF I SUBMIT MY RAP APPLICATION AS PART OF ANOTHER DOCUMENT, WHAT MUST I DO?						
when submitting applications for RAP as part of another document, clearly identify the components constituting your RAP	270.125	122.125	X			
† WHAT IS THE PROCESS FOR APPROVING OR DENYING MY APPLICATION FOR A RAP?						
Director will make tentative decision on RAP application if all 270.110 information requirements are included & proposed remediation waste management activities meet regulatory standards; Director will prepare draft RAP & provide opportunity for public comment	270.130(a)	122.130(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Director may request additional information or ask that deficiencies be corrected; failure or refusal to provide additional information or to correct deficiencies may be cause for tentative application denial; after tentative denial, Director prepares Notice of Intent (NOI) and provides opportunity for public comment; Director may deny all or part of application	270.130(b)	122.130(b)	X			

† WHAT MUST THE DIRECTOR INCLUDE IN A DRAFT RAP?

if Director prepares draft RAP, it must include:	270.135 intro	122.135 intro	X			
information required under 270.110(a)-(f);	270.135(a)	122.135(a)	X			
terms & conditions:	270.135(b) intro	122.135(b) intro	X			
terms & conditions to ensure compliance with applicable requirements of parts 264, 266, & 268; Director may incorporate applicable requirements of parts 264, 266, & 268 into RAP or establish site-specific conditions as required by parts 264, 266, & 268;	270.135(b)(1)	122.135(b)(1)	X			
terms & conditions in 270.30;	270.135(b)(2)	122.135(b)(2)	X			
terms & conditions in 270.170; and	270.135(b)(3)	122.135(b)(3)	X			
any additional terms or conditions Director determines necessary to protect human health & environment; and	270.135(b)(4)	122.135(b)(4)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if part of another document, Director must clearly identify components that constitute draft RAP	270.135(c)	122.135(c)	X			

† WHAT ELSE MUST THE DIRECTOR PREPARE IN ADDITION TO THE DRAFT RAP OR NOTICE OF INTENT TO DENY?

once the Director has prepared draft RAP or NOI to deny, he must:	270.140 intro	122.140 intro	X			
prepare statement of basis briefly describing derivation of draft RAP conditions & reasons for them, or rationale for NOI to deny;	270.140(a)	122.140(a)	X			
compile an administrative record, including:	270.140(b) intro	122.140(b) intro	X			
RAP application & supporting data;	270.140(b)(1)	122.140(b)(1)	X			
draft RAP or NOI to deny;	270.140(b)(2)	122.140(b)(2)	X			
statement of basis & all documents cited therein; and	270.140(b)(3)	122.140(b)(3)	X			
any other documents that support decision; and	270.140(b)(4)	122.140(b)(4)	X			
make information in administrative record available to public	270.140(c)	122.140(c)	X			

† WHAT ARE THE PROCEDURES FOR PUBLIC COMMENT ON THE DRAFT RAP OR NOTICE OF INTENT TO DENY?

Director must:	270.145(a) intro	122.145(a) intro	X			
send notice of intention to approve or deny, and copy of statement of basis;	270.145(a)(1)	122.145(a)(1)	X			
publish notice of intention to approve or deny in major local newspaper;	270.145(a)(2)	122.145(a)(2)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
broadcast intention to approve or deny over local radio station; and	270.145(a)(3)	122.145(a)(3)	X			
send notice of intention to approve or deny to local government and each State agency having authority over any construction or operations at site	270.145(a)(4)	122.145(a)(4)	X			
notice required in 270.145(a) must provide opportunity for public to submit written comment within 45 days	270.145(b)	122.145(b)	X			
notice required in 270.145(a) must include:	270.145(c) intro	122.145(c) intro	X			
name & address of office processing application;	270.145(c)(1)	122.145(c)(1)	X			
name & address of applicant, & if different, site or activity to be regulated;	270.145(c)(2)	122.145(c)(2)	X			
brief description of activity to be regulated;	270.145(c)(3)	122.145(c)(3)	X			
name, address & telephone number of person with further information;	270.145(c)(4)	122.145(c)(4)	X			
brief description of comment procedures & any other public participatory procedures;	270.145(c)(5)	122.145(c)(5)	X			
date, time, location & purpose of hearing, if one is scheduled	270.145(c)(6)	122.145(c)(6)	X			
statement of procedures to request hearing, if one is not scheduled;	270.145(c)(7)	122.145(c)(7)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
location of administrative record & public inspection times; and	270.145(c)(8)	122.145(c)(8)	X			
any additional information considered necessary by Director	270.145(c)(9)	122.145(c)(9)	X			
Director must hold informal public meeting if written notice of opposition is received; Director may also decide an informal hearing is appropriate; hearing must allow for written or oral comments; hearing at convenient location & notice according to 270.145(a) must be given; include 270.145(c) information in notice and:	270.145(d) intro	122.145(d) intro	X			
reference date of any previous public notices;	270.145(d)(1)	122.145(d)(1)	X			
date, time and place of hearing; and	270.145(d)(2)	122.145(d)(2)	X			
brief description of nature & purpose of hearing	270.145(d)(3)	122.145(d)(3)	X			

† HOW WILL THE DIRECTOR MAKE A FINAL DECISION ON MY RAP APPLICATION?

Director must consider & respond to significant comments and revise draft RAP as appropriate	270.150(a)	122.150(a)	X			
if Director determines RAP includes 270.135 requirements, final approval decision will be issued, & notification provided	270.150(b)	122.150(b)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if Director determines RAP does not include 270.135 requirements, final denial decision will be issued, & notification provided	270.150(c)	122.150(c)	X			
if Director decides tentative decision to deny was incorrect, NOI to deny will be withdrawn & preparation of draft RAP will proceed	270.150(d)	122.150(d)	X			
when Director issues final decision, 270.155 procedures for appeal must be referenced	270.150(e)	122.150(e)	X			
before issuing final decision, Director must compile administrative record; materials not physically needed in record; final RAP record must include draft RAP information and:	270.150(f)	122.150(f)	X			
all comments received;	270.150(f)(1)	122.150(f)(1)	X			
tapes or transcripts of hearings;	270.150(f)(2)	122.150(f)(2)	X			
written materials submitted;	270.150(f)(3)	122.150(f)(3)	X			
responses to comments;	270.150(f)(4)	122.150(f)(4)	X			
new material;	270.150(f)(5)	122.150(f)(5)	X			
other supporting documents; and	270.150(f)(6)	122.150(f)(6)	X			
copy of final RAP	270.150(f)(7)	122.150(f)(7)	X			
Director must make administrative record available for public review	270.150(g)	122.150(g)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

† MAY THE DECISION TO APPROVE OR DENY MY RAP APPLICATION BE ADMINISTRATIVELY APPEALED?

any commenter or public hearing participant may appeal decision to approve or deny a RAP application under 124.19; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision; notice of RAP application review will be given under 270.145; notice will include:	270.155(a) intro	122.155(a) intro	X			
briefing schedule;	270.155(a)(1)	122.155(a)(1)	X			
statement that an amicus brief may be filed; and	270.155(a)(2)	122.155(a)(2)	X			
information specified in 270.145(c), as appropriate	270.155(a)(3)	122.155(a)(3)	X			
this appeal is prerequisite to judicial review	270.155(b)	122.155(b)	X			

† WHEN DOES MY RAP BECOME EFFECTIVE?

RAP becomes effective 30 days after approval unless:	270.160 intro	122.160 intro	X			
Director specifies later date;	270.160(a)	122.160(a)	X			
RAP is appealed under 270.155; or	270.160(b)	122.160(b)	X			
no change requested in draft RAP, in which case it becomes effective immediately	270.160(c)	122.160(c)	X			

† WHEN MAY I BEGIN PHYSICAL CONSTRUCTION OF NEW UNITS PERMITTED UNDER THE RAP?

physical construction of newly permitted units must not begin before final RAP is received	270.165	122.165	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

† AFTER MY RAP IS ISSUED, HOW MAY IT BE MODIFIED, REVOKED AND REISSUED, OR TERMINATED?

RAP must specify procedures for modifications, revocations and reissuance, or termination; procedures must provide for public review & comment; if RAP is part of traditional RCRA permit, will be modified according to 270.40-270.42, revoked & reissued according to 270.41 & 270.43, or terminated according to 270.43	270.170	122.170	X			
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† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO MODIFY MY FINAL RAP?

final RAP may be modified on Director's initiative for following reasons only; if reasons don't exist, RAP only modified at your request; reasons for modification:	270.175(a) intro	122.175(a) intro	X			
material & substantial alterations or additions were made;	270.175(a)(1)	122.175(a)(1)	X			
new information found that would have justified different conditions at RAP issuance;	270.175(a)(2)	122.175(a)(2)	X			
standards or regulations on which RAP was based have changed;	270.175(a)(3)	122.175(a)(3)	X			
if RAP includes compliance schedules, Director may find reason to modify	270.175(a)(4)	122.175(a)(4)	X			
not in compliance with RAP;	270.175(a)(5)	122.175(a)(5)	X			
all relevant facts not disclosed or were misrepresented;	270.175(a)(6)	122.175(a)(6)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Director determines authorized activity endangers human health or environment; or	270.175(a)(7)	122.175(a)(7)	X			
Director notified of proposed transfer of RAP	270.175(a)(8)	122.175(a)(8)	X			
notwithstanding provisions in 270.175, Director may modify RAP permit as necessary to assure compliance with parts 124, 260-266 and 270	270.175(b)	122.175(b)	X			
suitability of facility location will not be reevaluated unless new information indicates threat to human health or environment	270.175(c)	122.175(c)	X			

† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO REVOKE AND REISSUE MY FINAL RAP?

final RAP may be revoked & reissued on Director's initiative for following reasons only; if reasons don't exist, RAP only revoked & reissued at your request; reasons for revocation and reissuance are same as those for modification in 270.175(a)(5)-(8)	270.180(a)	122.180(a)	X			
suitability of facility location will not be reevaluated unless new information indicates threat to human health or environment	270.180(b)	122.180(b)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO TERMINATE MY FINAL RAP, OR DENY MY RENEWAL APPLICATION?

final RAP may be terminated or renewal application denied on Director's initiative, for same reasons as in 270.175(a)(5)-(7)	270.185	122.185	X			
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† MAY THE DECISION TO APPROVE OR DENY A MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF MY RAP BE ADMINISTRATIVELY APPEALED?

any commenter or public hearing participant may appeal decision to approve RAP modification, revocation & reissuance or termination according to 270.155; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision	270.190(a)	122.190(a)	X			
any commenter or public hearing participant may appeal decision to deny RAP modification, revocation & reissuance or termination; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision	270.190(b)	122.190(b)	X			
informal appeals process:	270.190(c) intro	122.190(c) intro	X			
letter sent to Environmental Appeals Board; briefly set forth facts in letter	270.190(c)(1)	122.190(c)(1)	X			
Environmental Appeals Board has 60 days to act	270.190(c)(2)	122.190(c)(2)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
appeal considered denied if no action taken within 60 days	270.190(c)(3)	122.190(c)(3)	X			
informal appeal is prerequisite to judicial review	270.190(d)	122.190(d)	X			

† WHEN WILL MY RAP EXPIRE?

RAPs issued for fixed term not to exceed 10 years, although up to 10 year renewals are possible; Director must review RAP for LDR 5 years after issuance or reissuance and assure continued compliance with RCRA 3004 & 3005	270.195	122.195	X			
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† HOW MAY I RENEW MY RAP IF IT IS EXPIRING?

to renew expiring RAP, follow application & issuance process in 270 subpart H	270.200	122.200	X			
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† WHAT HAPPENS IF I HAVE APPLIED CORRECTLY FOR A RAP RENEWAL BUT HAVE NOT RECEIVED APPROVAL BY THE TIME MY OLD RAP EXPIRES?

if RAP renewal application has been submitted, but no new RAP has been issued before expiration date, previous RAP conditions continue	270.205	122.205	X			
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† WHAT RECORDS MUST I MAINTAIN CONCERNING MY RAP?

records are required of:	270.210 intro	122.210 intro	X			
data used to complete applications & supplemental information submitted, for at least 3 years; and	270.210(a)	122.210(a)	X			
any operating and/or other records the Director requires	270.210(b)	122.210(b)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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

† HOW ARE TIME PERIODS IN THE REQUIREMENTS IN THIS SUBPART AND MY RAP COMPUTED?

any time period scheduled to begin on occurrence of act or event begins on day after act or event	270.215(a)	122.215(a)	X			
any time period scheduled to begin before occurrence of act or event is computed so period ends on day before act or event	270.215(b)	122.215(b)	X			
if final day of time period falls on weekend or holiday, extend time period to next working day	270.215(c)	122.215(c)	X			
whenever party must act within prescribed period & is served notice by mail, add 3 days to prescribed period	270.215(d)	122.215(d)	X			

† HOW MAY I TRANSFER MY RAP TO A NEW OWNER OR OPERATOR?

when transferring RAP to new owner/operator, follow requirements for RAP modification; not "significant" modifications for purposes of 270.170; revised RAP application submitted by new owner/operator no later than 90 days before change along with transfer of responsibility date	270.220(a)	122.220(a)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
when ownership transfer occurs, old owner/operator must comply with 264 subpart H until new owner/operator demonstrates compliance with 264 subpart H; new owner/operator must demonstrate compliance with 264 subpart H within 6 months; when new owner/operator compliance demonstrated, Director notifies old owner/operator	270.220(b)	122.220(b)	X			
† WHAT MUST THE STATE OR EPA REGION REPORT ABOUT NONCOMPLIANCE WITH RAPs?						
State or EPA Region must report RAP noncompliance according to 270.5	270.225	122.225	X			
† MAY I PERFORM REMEDIATION WASTE MANAGEMENT ACTIVITIES UNDER A RAP AT A LOCATION REMOVED FROM THE AREA WHERE THE REMEDIATION WASTES ORIGINATED?						
remediation waste management RAP may be requested for location removed from area of waste origination if location is more protective	270.230(a)	122.230(a)	X			
if Director determines location removed from area of waste origination is more protective, RAP for alternative location may be approved	270.230(b)	122.230(b)	X			
RAP must be requested and approved or denied, according to 270 subpart H requirements	270.230(c)	122.230(c)	X			
RAP for alternative location must also meet following:	270.230(d) intro	122.230(d) intro	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
issued to person responsible for cleanup from which remediation wastes originated;	270.230(d)(1)	122.230(d)(1)	X			
subject to expanded public participation requirements in 124.31-124.33;	270.230(d)(2)	122.230(d)(2)	X			
subject to public notice requirements in 124.10(c);	270.230(d)(3)	122.230(d)(3)	X			
site may not be within 61 meters or 200 feet of a fault;	270.230(d)(4)	122.230(d)(4)	X			
alternative locations are waste remediation sites and retain following benefits:	270.230(e)	122.230(e)	X			
♦ facility-wide corrective action exclusion under 264.101; and	270.230(e)(1)	122.230(e)(1)	X			
application of 264.1(j) in lieu of 264, subparts B, C, & D	270.230(e)(2)	122.230(e)(2)	X			

† Optional.

- ¹ Section 264.1(j) intro is a HSWA provision as it applies to facility-wide corrective action at remediation waste management site and a non-HSWA provision to the extent that it addresses the requirements relative to 40 CFR Part 264, Subparts B, C, and D.
- ² Note that there is a typographical error in this provision; the ending semicolon should be a period.
- ³ There appears to be an omission in 268.50(g). Following "prohibition and requirements in this" should probably be "section" to refer to the 268.50 prohibitions.
- ⁴ In redesignating 270.11(d) as 270.11(d)(1), in the November 30, 1998 rule (63 FR 65941), it appears as though the title of paragraph (d), "Certification", has been removed. It is assumed that 270.11(d) intro remains in the code but only contains the paragraph's title, "Certification".
- ⁵ There appears to be an omission in 270.11(d)(1). Following "paragraph (a) or (b) of this" the word "section" should be reinserted to refer to 270.11(a) & (b).
- ⁶ The November 30, 1998 (64 FR 65874) rule adds a new section at 270.68. There is no § 270.67; therefore, it is assumed to be reserved.

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

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In revising this provision, EPA has replaced the ending “; or” with a period. This appears to be an error as interim status terminates when either 270.73(a) or 270.73(b) occurs. When adopting this Rule, States are advised to leave the ending “; or” intact at 270.73(a).

RCRA REVISION CHECKLIST 176

Universal Waste Rule -- Technical Amendments

63 FR 71225-71230

December 24, 1998

(RCRA Cluster IX, non-HSWA)

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

**PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES
AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES**

SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED

†,1 APPLICABILITY AND REQUIREMENTS

completely revise; if spent lead-acid batteries are generated, collected, transported, stored, or regenerated for reclamation, they may be exempt from certain requirements; use table shown at 63 FR 71230 to determine applicable requirements; alternatively, the part 273 Universal Waste rule may be used to manage spent lead-acid batteries	266.80(a)	266.80(a)	X			
add new table; spent lead-acid batteries exemptions	266.80(a)/Table	266.80(a)/ Table	X			
completely revise; spent lead-acid batteries that are stored prior to being reclaimed through any means except regeneration, are subject to 266.80(b) requirements; requirements differ slightly depending upon RCRA permit status	266.80(b)	266.80(b)	X			

RCRA REVISION CHECKLIST 176: Universal Waste Rule -- Technical Amendments (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
2 Interim Status Facilities must comply with specified requirements	266.80(b)(1) intro	266.80(b)(1) intro	X			
	266.80(b)(1)(i)	266.80(b)(1)(i)	X			
	266.80(b)(1)(ii)	266.80(b)(1)(ii)	X			
	266.80(b)(1)(iii)	266.80(b)(1)(iii)	X			
	266.80(b)(1)(iv)	266.80(b)(1)(iv)	X			
	266.80(b)(1)(v)	266.80(b)(1)(v)	X			
	266.80(b)(1)(vi)	266.80(b)(1)(vi)	X			
	266.80(b)(1)(vii)	266.80(b)(1)(vii)	X			
2 Permitted Facilities must comply with specified requirements	266.80(b)(2) intro	266.80(b)(2) intro	X			
	266.80(b)(2)(i)	266.80(b)(2)(i)	X			
	266.80(b)(2)(ii)	266.80(b)(2)(ii)	X			
	266.80(b)(2)(iii)	266.80(b)(2)(iii)	X			
	266.80(b)(2)(iv)	266.80(b)(2)(iv)	X			
	266.80(b)(2)(v)	266.80(b)(2)(v)	X			
	266.80(b)(2)(vi)	266.80(b)(2)(vi)	X			
	266.80(b)(2)(vii)	266.80(b)(2)(vii)	X			

PART 273 - STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A - GENERAL

†,1 DEFINITIONS

remove "more than" prior to "5,000"; insert "or more" prior to "total"	273.6 "small quantity handler of universal waste"	213.6 "small quantity handler of universal waste"	X			
--	---	---	---	--	--	--

- 1 While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditionally optional.
- 2 EPA is restoring and reorganizing the management rules for storing spent lead-acid batteries before reclamation that were mistakenly deleted in the final Universal Waste Rule (60 FR 25492).

RCRA REVISION CHECKLIST 178

Petroleum Refining Process Wastes -- Leachate Exemption

64 FR 6806

February 11, 1999

(RCRA Cluster IX, HSWA)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE 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; leachate or gas condensate from landfills where certain solid wastes previously disposed, provided:	261.4(b)(15) intro	261.4(b)(15) intro	X			
† solid wastes disposed meet one or more listing descriptions for K169- K172 if wastes generated after effective date of listing (February 8, 1999);	261.4(b)(15)(i)	261.4(b)(15)(i)	X			
† solid wastes in 261.4(b)(15)(i) were disposed prior to effective date of listing;	261.4(b)(15)(ii)	261.4(b)(15)(ii)	X			
† leachate or gas condensate do not exhibit characteristic of hazardous waste nor are derived from any other listed hazardous waste;	261.4(b)(15)(iii)	261.4(b)(15)(iii)	X			
† discharge of leachate or gas condensate subject to 307(b) or 402 of CWA	261.4(b)(15)(iv)	261.4(b)(15)(iv)	X			

RCRA REVISION CHECKLIST 178: Petroleum Refining Process Wastes
-- Leachate Exemption (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† after February 13, 2001, leachate or gas condensate no longer exempt if stored or managed in surface impoundment prior to discharge; exemption if storage is temporary or in response to an emergency	261.4(b)(15)(v)	261.4(b)(15)(v)	X			

RCRA REVISION CHECKLIST 179

Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards

64 FR 25408-25417

May 11, 1999

(RCRA Cluster IX, HSWA/non-HSWA provisions)

Note that the revisions to 262.34(d)(4), 268.2(h), 268.2(k), 268.7(a)(4)/table, 268.7(b)(3)(ii)/Table, 268.7(b)(4)(iv), 268.9(d)(2) intro, 268.9(d)(2)(i), 268.40(i), 268.40(j), 268.40/Table, 268.48(a)/Table, 268.49(c)(3) intro, 268.49(c)(3)(A)&(B) were made pursuant to HSWA. The revisions to 261.2(c)(3), 261.2(c)(4)/Table, 261.2(e)(1)(iii), first paragraph 261.4(a)(16), 261.4(a)(17) introductory paragraph, 261.4(a)(17)(v), and 261.4(b)(7)(iii)&(iii)(A) were made relative to non-HSWA authority. Those provisions designated as HSWA are identified by a "♦" (diamond symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE 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						
replace both references to "40 CFR 261.4(a)(15)" to "40 CFR 261.4(a)(17)"	261.2(c)(3)	261.2(c)(3)	X			
in heading of column 3 of Table 1 replace "261.4(a)(15)" with "261.4(a)(17)"	261.2(c)(4)/Table	261.2(c)(4)/Table	X			
reinsert language at beginning of paragraph: "Returned to the original process....no placement on land; in the existing sentence replace reference to "§ 261.4(a)(15)" with "§ 261.4(a)(17)"	261.2(e)(1)(iii)	261.2(e)(1)(iii)	X			
EXCLUSIONS						
redesignate first paragraph 261.4(a)(16) as 261.4(a)(17)	first paragraph 261.4(a)(16)	261.4(a)(16) first paragraph	X			
insert "or by beneficiation" after "by mineral processing"	261.4(a)(17) intro	261.4(a)(17) intro	X			

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†* insert "non" before "land-based units"	261.4(a)(17)(v)	261.4(a)(17)(v)	X			
insert "or with normal mineral processing raw materials" after "beneficiation raw materials"	261.4(b)(7)(iii)	261.4(b)(7)(iii)	X			
insert "or normal mineral processing raw materials" after "beneficiation raw materials"	261.4(b)(7)(iii)(A)	261.4(b)(7)(iii)(A)	X			

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

♦,†* replace reference "40 CFR 268.7(a)(4)" with "40 CFR 268.7(a)(5)"	262.34(d)(4)	262.34(d)(4)	X			
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

DEFINITIONS APPLICABLE IN THIS PART

♦,†* at end of paragraph add "Any deliberate mixing of prohibited hazardous waste with debris that changes its treatment classification (i.e., from waste to hazardous debris) is not allowed under the dilution prohibition in § 268.3."	268.2(h)	268.2(h)	X			
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RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
♦,†★ add "Natural Resources" before "Conservation Service"; at end of paragraph add "Any deliberate mixing of prohibited hazardous waste with soil that changes its treatment classification (i.e., from waste to contaminated soil) is not allowed under the dilution prohibition in Sec. 268.3."	268.2(k)	268.2(k)	X			
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
♦,†★ in the "Generator Paperwork Requirements Table" revise entry 1. by adding a "✓" in columns 1, 2 and 4; revise entry 3. by adding a "✓" in column 2; and revise entry 8. by adding a "✓" in column 2	268.7(a)(4)/Table	268.7(a)/ Table	X			
♦ in the "Treatment Facility Paperwork Requirements Table" revise entry 1. by placing a "✓" in the column titled § 268.7(b)	268.7(b)(3)(ii)\Table	268.7(b)(3)(ii)/ Table	X			

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
♦,†★ remove "required" from before "method of treatment"; insert ", or § 268.49, and," after "method of treatment"; remove "are reasonably expected to" before "contain underlying"; insert "if these wastes" before "are treated on-site"; insert "or 268.49" after "40 CFR 268.40"; remove "universal" from before "treatment standards."	268.7(b)(4)(iv)	268.7(b)(4)(iv)	X			

SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC

♦,†★ replace reference to "§268.7(b)(5)" with "§268.7(b)(4)"	268.9(d)(2) intro	268.9(d)(2) intro	X			
♦,†★ replace "but does not treat" with "but does not meet standards applicable to"; replace reference to "§ 268.7(b)(5)(iv)" with "268.7(b)(4)(iv)"	268.9(d)(2)(i)	268.9(d)(2)(i)	X			

APPLICABILITY OF TREATMENT STANDARDS

♦,4 revise first 268.40(i); replace "Zinc-containing fertilizers" with "Zinc micronutrient fertilizers"	first 268.40(i)	first 268.40(i)	X			
♦,4 redesignate second 268.40(i) as 268.40(j)	second 268.40(i)	second 268.40(i)	X			
♦,4 redesignated from second 268.40(i)	268.40(j)	268.40(j)	X			

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections and Clarifications to Treatment Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
♦ revise the entries for K088, K156, K159, P194, U404 and U408, and footnotes 8 and 11 to read as follows:	268.40/Table	268.40/ Table	X			

TREATMENT STANDARDS FOR HAZARDOUS WASTES

[Note: NA means not applicable]

Waste Code	Waste Description and Treatment/Regulatory Subcategory ¹	Regulated Hazardous Constituent		Wastewaters	Nonwastewaters
		Common Name	CAS ² No.	Concentration in mg/l ³ , or Technology Code ⁴	Concentration in mg/kg ⁵ unless noted as "mg/l TCLP"; or Technology Code
K088	Spent potliners from primary aluminum reduction.	Acenaphthene	83-32-9	0.059	3.4
		Anthracene	120-12-7	0.059	3.4
		Benz(a)anthracene	56-55-3	0.059	3.4
		Benzo(a)pyrene	50-32-8	0.061	3.4
		Benzo(b)fluoranthene	205-99-2	0.11	6.8
		Benzo(k)fluoranthene	207-08-9	0.11	6.8
		Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
		Chrysene	218-01-9	0.059	3.4
		Dibenz(a,h)anthracene	53-70-3	0.055	8.2
		Fluoranthene	206-44-0	0.068	3.4
		Indeno(1,2,3,-c,d)pyrene	193-39-5	0.0055	3.4
		Phenanthrene	85-01-8	0.059	5.6
		Pyrene	129-00-0	0.067	8.2
		Antimony	7440-36-0	1.9	1.15 mg/l TCLP
		Arsenic	7440-38-2	1.4	26.1 mg/l TCLP
		Barium	7440-39-3	1.2	21 mg/l TCLP
		Beryllium	7440-41-7	0.82	1.22 mg/l TCLP
		Cadmium	7440-43-9	0.69	0.11 mg/l TCLP
		Chromium (Total)	7440-47-3	2.77	0.60 mg/l TCLP
		Lead	7439-92-1	0.69	0.75 mg/l TCLP
		Mercury	7439-97-6	0.15	0.025 mg/l TCLP
		Nickel	7440-02-0	3.98	11 mg/l TCLP
		Selenium	7782-49-2	0.82	5.7 mg/l TCLP
		Silver	7440-22-4	0.43	0.14 mg/l TCLP
		Cyanide (Total) ⁷	57-12-5	1.2	590
		Cyanide (Amenable) ⁷	57-12-5	0.86	30
		Fluoride	16984-48-8	35	NA

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections and Clarifications to Treatment Standards (cont'd)

TREATMENT STANDARDS FOR HAZARDOUS WASTES

[Note: NA means not applicable]

Waste Code	Waste Description and Treatment/Regulatory Subcategory ¹	Regulated Hazardous Constituent		Wastewaters	Nonwastewaters
		Common Name	CAS ² No.	Concentration in mg/l ³ ; or Technology Code ⁴	Concentration in mg/kg ⁵ unless noted as "mg/l TCLP"; or Technology Code
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes. ¹⁰	Acetonitrile	75-05-8	5.6	18
		Acetophenone	96-86-2	0.010	9.7
		Aniline	62-53-3	0.81	14
		Benomyl	17804-35-2	0.056	1.4
		Benzene	71-43-2	0.14	10
		Carbaryl	63-25-2	0.006	0.14
		Carbenzadim	10605-21-7	0.056	1.4
		Carbofuran	1563-66-2	0.006	0.14
		Carbosulfan	55285-14-8	0.028	1.4
		Chlorobenzene	108-90-7	0.057	6.0
		Chloroform	67-66-3	0.046	6.0
		o-Dichlorobenzene	95-50-1	0.088	6.0
		Methomyl	16752-77-5	0.028	0.14
		Methylene chloride	75-09-2	0.089	30
		Methyl ethyl ketone	78-93-3	0.28	36
		Naphthalene	91-20-3	0.059	5.6
		Phenol	108-95-2	0.039	6.2
		Pyridine	110-86-1	0.014	16
		Toluene	108-88-3	0.080	10
		Triethylamine	121-44-8	0.081	1.5
*	*	*	*	*	*
K159	Organics from the treatment of thiocarbamate wastes. ¹⁰	Benzene	71-43-2	0.14	10
		Butylate	2008-41-5	0.042	1.4
		EPTC (Eptam)	759-94-4	0.042	1.4
		Molinate	2212-67-1	0.042	1.4
		Pebulate	1114-71-2	0.042	1.4
		Vernolate	1929-77-7	0.042	1.4
*	*	*	*	*	*
P194	Oxamyl	Oxamyl	23135-22-0	0.056	0.28
*	*	*	*	*	*
U404	Triethylamine	Triethylamine	121-44-8	0.081	1.5
*	*	*	*	*	*
U408	2,4,6-Tribromophenol	2,4,6-Tribromophenol	118-79-6	0.035	7.4
*	*	*	*	*	*

¹ The waste descriptions provided in this table do not replace waste descriptions in 40 CFR 261. Descriptions of Treatment/Regulatory Subcategories are provided, as needed, to distinguish between applicability of different standards.

² CAS means Chemical Abstract Services. When the waste code and/or regulated constituents are described as a combination of a chemical with its salts and/or esters, the CAS number is given for the parent compound only.

³ Concentration standards for wastewaters are expressed in mg/l and are based on analysis of composite samples.

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections and Clarifications to Treatment Standards (cont'd)

⁴ All treatment standards expressed as a Technology Code or combination of Technology Codes are explained in detail in § 268.42 Table 1--Technology Codes and Descriptions of Technology-Based Standards.

⁵ Except for Metals (EP or TCLP) and Cyanides (Total and Amenable) the nonwastewater treatment standards expressed as a concentration were established, in part, based upon incineration in units operated in accordance with the technical requirements of 40 CFR Part 264, Subpart O, or Part 265, Subpart O, or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in § 268.40(d). All concentration standards for nonwastewaters are based on analysis of grab samples.

⁷ Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846, as incorporated by reference in 40 CFR 260.11, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.

⁸ These wastes, when rendered nonhazardous and then subsequently managed in CWA, or CWA-equivalent systems are not subject to treatment standards. (See § 268.1(c) (3) and (4)).

¹⁰ The treatment standard for this waste may be satisfied by either meeting the constituent concentrations in this table or by treating the waste by the specified technologies: combustion, as defined by the technology code CMBST at §268.42 Table 1 of this Part, for nonwastewaters; and, biodegradation as defined by the technology code BIODG, carbon adsorption as defined by the technology code CARBN, chemical oxidation as defined by the technology code CHOXD, or combustion as defined as technology code CMBST at § 268.42 Table 1 of this part, for wastewaters.

¹¹ For these wastes, the definition of CMBST is limited to: (1) combustion units operating under 40 CFR 266, (2) combustion units permitted under 40 CFR Part 264, Subpart O, or (3) combustion units operating under 40 CFR 265, Subpart O, which have obtained a determination of equivalent treatment under 268.42(b).

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)

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

UNIVERSAL TREATMENT STANDARDS

- ♦,5 add footnote number 6 in column one, under the heading Regulated Constituents/Common Name, after the following chemical names:
 "Aldicarb sulfone",
 "Barban," "Bendiocarb,"
 "Benomyl," "Butylate,"
 "Carbaryl," "Carbenzadim,"
 "Carbofuran," "Carbofuran-phenol," "Carbosulfan,"
 "m-Cumenyl-methylcarbamate,"
 "Dithiocarbamates (total),"
 "EPTC," "Formetanate hydrochloride,"
 "Methiocarb," "Methomyl,"
 "Metolcarb," "Mexacarbate,"
 "Molinate," "Oxamyl,"
 "Pebulate," "Physostigmine,"
 "Physostigmine salicylate,"
 "Promecarb," "Propham,"
 "Propoxur," "Prosulfocarb,"
 "Thiodicarb,"
 "Thiophanate-methyl,"
 "Triallate," "Triethylamine,"
 and "Vernolate"; add footnote 6 "6. Between August 26, 1998 and March 4, 1999, these constituents are not "underlying hazardous constituents" as defined in Sec. 268.2(i) of this part."

268.48(a)/Table

268.48(a)/
Table

✓

ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL

- ♦,†★ no revision made

268.49(c)(3) intro

268.49(c)(3) intro

✓

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
♦,†★ replace "also contains analyzable constituents," with "contains only analyzable and nonanalyzable organic constituents,"; replace "treatment of those analyzable constituents" with "treatment of the analyzable organic constituents"	268.49(c)(3)(A)	268.49(c)(3)(A)	X			
♦,†★ replace "method specified" with "method(s) specified"	268.49(c)(3)(B)	268.49(c)(3)(B)	X			

†★ Conditionally optional. While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditionally optional.

OK. 1 The May 26, 1998 (CL 167D) rule inadvertently removed the provision language at § 261.2(e)(1)(iii) and replaced it with the additional language which was intended to be added at the end of the paragraph. The original language has been reinserted by Revision Checklist 179 at the beginning of the paragraph, and the May 26, 1998 (CL 167D) addition (now the last sentence of the provision) has been revised to indicate the correct internal reference.

✓ 2 Paragraph 261.4(a)(16) was added by 63 FR 28556 (May 26, 1998, Revision Checklist 167). A second paragraph 261.4(a)(16) was added in error by the 63 FR 33782 (June 19, 1998, Revision Checklist 168) rule. The first paragraph 261.4(a)(16) was redesignated by the May 11, 1999 (64 FR 25408, Revision Checklist 179) rule as 261.4(a)(17).

3 A typographical error exists at the redesignated § 261.4(a)(17)(iii). The internal reference "paragraph (a)(15)(iv)" should be "paragraph (a)(17)(iv)".

4 Paragraph 268.40(i) was added by 63 FR 46332-46334 (August 31, 1998, Revision Checklist 170) and a second paragraph 268.40(i) was added 63 FR 47410-47418 (September 4, 1998, Revision Checklist 171). While the instructions for the 64 FR 25408 rule (May 11, 1999, Revision Checklist 179) indicate that the first paragraph should be redesignated as 268.40(j), the revisions made by this rule to 268.40(i) are made to the language introduced by the first paragraph; therefore, it is assumed that the second paragraph 268.40(i) should be redesignated as 268.40(j), and the first paragraph 268.40(i) revised as indicated in the rule.

OK 5 63 FR 47410-47418 (September 4, 1998, Revision Checklist 171) incorrectly removed footnote 6 from 268.48(a)/table. The footnote has been reinserted by Revision Checklist 179 (May 11, 1999, 64 FR 25408).

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RCRA REVISION CHECKLIST 180

Test Procedures for the Analysis
of Oil and Grease and Non-Polar Material

64 FR 26315-26327

May 14, 1999

(RCRA Cluster IX, Non-HSWA)

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

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS.

REFERENCES

revise reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" by inserting "dated" before "July 1992", "September 1994", August 1993", "January 1995", and "December 1996"; add new reference to Update IIIA; insert new sentence regarding the availability of Update IIIA; insert "all of" before "its updates"; revise phone numbers for NTIS; add address of the Office of the Federal Register	260.11(a)(11)	260.11(a)(11)	X			
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RCRA REVISION CHECKLIST 180: Test Procedures for the Analysis of
Oil and Grease and Non-Polar Material (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add to the list of publications incorporated by reference, new Method 1664, Revision A, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Non-polar Material) by Extraction and Gravimetry	260.11(a)(16)	260.11(a)(16)	x			

RCRA REVISION CHECKLIST 181

Universal Waste Rule: Specific Provisions for Hazardous Waste Lamps

64 FR 36466-36490

July 6, 1999

(RCRA Cluster X, Non-HSWA)

Note: In order for a state to receive authorization for this checklist, which adds spent hazardous waste lamps to the list of universal wastes, it must first have authorization for Revision Checklist 142 A (universal waste).

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

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

† add "Lamp" in alphabetical order	260.10	260.10	X			
1,† in definition of "universal waste", introduction, replace "40 CFR part 273" with "part 273 of this chapter"; subparagraph (1), replace "40 CFR 273.2" with "§ 273.2 of this chapter"; subparagraph (2), replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"; subparagraph (3), replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"; add subparagraph (4) addressing lamps	260.10	260.10	X			

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

REQUIREMENTS FOR UNIVERSAL WASTE

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	261.9(b)	261.4(b)	X			
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**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	261.9(c)	261.9(c)	X			
† add paragraph addressing lamps	261.9(d)	261.9(d)	X			

**PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE
TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	264.1(g)(11)(ii)	264.1(g)(11)(ii)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	264.1(g)(11)(iii)	264.1(g)(11)(iii)	X			
† add subparagraph addressing lamps	264.1(g)(11)(iv)	264.1(g)(11)(iv)	X			

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

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	265.1(c)(14)(ii)	265.1(c)(14)(ii)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	265.1(c)(14)(iii)	265.1(c)(14)(iii)	X			
† add subparagraph addressing lamps	265.1(c)(14)(iv)	265.1(c)(14)(iv)	X			

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

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

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	268.1(f)(2)	268.1(f)(2)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	268.1(f)(3)	268.1(f)(3)	X			
† add subparagraph addressing lamps	268.1(f)(4)	268.1(f)(4)	X			

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

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	270.1(c)(2)(viii)(B)	122.1(c)(2)(viii)(B)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	270.1(c)(2)(viii)(C)	122.1(c)(2)(viii)(C)	X			
† add subparagraph addressing lamps	270.1(c)(2)(viii)(D)	122.1(c)(2)(viii)(D)	X			

PART 273 - STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A - GENERAL

SCOPE

† replace "40 CFR 273.3; and" with "§ 273.3;"	273.1(a)(2)	273.1(a)(2)	X			
† replace "40 CFR 273.4." with "§ 273.4; and"	273.1(a)(3)	273.1(a)(3)	X			
† add subparagraph addressing lamps	273.1(a)(4)	273.1(a)(4)	X			

RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
APPLICABILITY - BATTERIES						
replace "§ 273.6" with "§ 273.9"	273.2(a)(1)	273.2(a)(1)	X			
replace "§ 273.6" with "§ 273.9"	273.2(b)(2)	273.2(b)(2)	X			
replace "§ 273.6" with "§ 273.9"; remove "40 CFR" before "part 261" and insert "of this chapter" after "subpart C"	273.2(b)(3)	273.2(b)(3)	X			
APPLICABILITY - PESTICIDES						
replace "40 CFR" with "this"; replace "§ 273.6" with "§ 273.9"	273.3(a)	273.3(a)	X			
APPLICABILITY - MERCURY THERMOSTATS						
replace "40 CFR" with "this"; replace "§ 273.6" with "§ 273.9"	273.4(a)	273.4(a)	X			
APPLICABILITY - LAMPS						
redesignate old 273.5 as 273.8; add new paragraph; lamps covered under part 273	273.5(a)	273.5(a)	X			
add new paragraph; lamps not covered under part 273	273.5(b)	273.5(b)	X			
	273.5(b)(1)	273.5(b)(1)	X			
	273.5(b)(2)	273.5(b)(2)	X			

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraphs; generation of waste lamps	273.5(c)	273.5(c)	X			
	273.5(c)(1)	273.5(c)(1)	X			
	273.5(c)(2)	273.5(c)(2)	X			
RESERVED						
† redesignate old 273.6 as 273.9 and reserve	273.6	273.6	X			
† add and reserve	273.7	273.7	X			
APPLICABILITY - HOUSEHOLD AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR WASTE						
† redesignated from 273.5; unchanged	273.8(a)	273.8(a)	X			
† replace "40 CFR 261.4(b)(1)" with "§ 261.4(b)(1) of this chapter"; replace "40 CFR 273.6" with "§ 273.9"	273.8(a)(1)	273.8(a)(1)	X			
† replace "40 CFR 261.5" with "§ 261.5 of this chapter"; replace "40 CFR 273.6" with "§ 273.9"	273.8(a)(2)	273.8(a)(2)	X			
† unchanged	273.8(b)	273.8(b)	X			
DEFINITIONS						
† newly designated 273.9 from 273.6, is amended by adding the definition of "Lamp"	273.9	273.9	X			
† in definition of "large quantity handler of universal waste" replace "or thermostats," with "thermostats, or lamps,"	273.9	273.9	X			

RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† in definition of "small quantity handler of universal waste" replace "more than 5,000 kilograms" with "5,000 kilograms or more"; replace "or thermostats," with "thermostats, or lamps,"	273.9	273.9	x			
2,3† in definition of "universal waste", introduction, replace "40 CFR" with "this"; subparagraph (1), replace "40 CFR" with "§"; subparagraph (2), replace "40 CFR 273.3; and" with "§ 273.3;"; subparagraph (3), replace "40 CFR 273.4." with "§ 273.4; and"; add subparagraph (4) addressing lamps	273.9	273.9	x			

SUBPART B - STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE

APPLICABILITY

† replace "273.6" with "273.9"	273.10	273.10	x			
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WASTE MANAGEMENT

† add new paragraph; small quantity handlers of universal waste must manage lamps to prevent releases	273.13(d)	273.13(d)	x			
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**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† lamp must be in containers that are structurally sound, adequate to prevent breakage & compatible; containers must remain closed & lack evidence of leakage, spillage or damage that could cause leakage	273.13(d)(1)	273.13(d)(1)	x			
† immediately clean up & place in a container any broken lamp or lamp with evidence of breakage, leakage, or damage that could cause a leak; containers must be closed, structurally sound, compatible, & lack evidence of leakage, spillage or damage that could cause a leak	273.13(d)(2)	273.13(d)(2)	x			
LABELING/MARKING						
† add new paragraph; each lamp or container in which lamps are contained must be clearly labeled or marked with "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"	273.14(e)	273.14(e)	x			
SUBPART C - STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE						
APPLICABILITY						
† replace "40 CFR 273.6" with "§ 273.9"	273.30	273.30	x			
NOTIFICATION						
† insert ", lamps" after "thermostats"	273.32(b)(4)	273.32(b)(4)	x			

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† replace "kilograms" with "kg"; insert ", and lamps" after "thermostats"	273.32(b)(5)	273.32(b)(5)	X			

MANAGEMENT

† add new paragraph; large quantity handlers of universal waste must manage lamps to prevent releases	273.33(d)	273.33(d)	X			
† lamp must be in containers that are structurally sound, adequate to prevent breakage & compatible; containers must remain closed & lack evidence of leakage, spillage or damage that could cause leakage	273.33(d)(1)	273.33(d)(1)	X			
† immediately clean up & place in a container any broken lamp or lamp with evidence of breakage, leakage, or damage that could cause a leak; containers must be closed, structurally sound, compatible, & lack evidence of leakage, spillage or damage that could cause a leak	273.33(d)(2)	273.33(d)(2)	X			

LABELING/MARKING

† add new paragraph; each lamp or container in which lamps are contained must be clearly labeled or marked with "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"	273.34(e)	273.34(e)	X			
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**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

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

SUBPART D - STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

APPLICABILITY

† replace "40 CFR 273.6" with "§ 273.9"	273.50	273.50	X			
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SUBPART E - STANDARDS FOR DESTINATION FACILITIES

APPLICABILITY

† replace "40 CFR 273.6" with "§ 273.9"; replace ending semicolon with a period	273.60(a)	273.60(a)	X			
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SUBPART G - PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273

FACTORS FOR PETITIONS TO INCLUDE OTHER WASTES UNDER THIS PART 273

† replace both occurrences of "40 CFR part 273" with "this part 273"; replace "40 CFR 260.10" with "§ 260.10 of this chapter"; replace "273.6" with "§ 273.9"	273.81(a)	273.81(a)	X			
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- ✓¹ There is a typographical error in the Federal Register: "part § 273 of this chapter" should be "part 273 of this chapter" (there should not be a section (§) symbol).
- ² There is a typographical error in the Federal Register for the revised definition of "universal waste": "hazardous waste that are" should be "hazardous wastes that are".
- ³ There appears to be an error in the Federal Register in the first two subparagraphs for the revised definition of "universal waste". It appears that the ending colons were inadvertently removed. Thus, subparagraph (1) should end "in § 273.2;" and subparagraph (2) should end "in § 273.3;".

RCRA REVISION CHECKLIST 183

Land Disposal Restrictions Phase IV -- Technical Corrections

64 FR 56469-56472

October 20, 1999

(RCRA Cluster X, HSWA/Non-HSWA)

Note that the revisions to 262.34(a)(4), 268.7(a)(3)(iii), 268.40(j), 268.40 Table, 268.49(c)(1)(A) and 268.49(c)(1)(B) were made pursuant to HSWA. The revisions to 261.32 were made relative to non-HSWA authority. Those provisions designated as HSWA are identified by a "•" (diamond symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART D – LISTS OF HAZARDOUS WASTES						
HAZARDOUS WASTES FROM SPECIFIC SOURCES						
remove entries for K064, K065, K066, K090 and K091	261.32	261.32	X			
PART 262 – STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE						
SUBPART C – PRE-TRANSPORT REQUIREMENTS						
ACCUMULATION TIME						
replace “268.7(a)(4)” with “268.7(a)(5)”	262.34(a)(4)	262.34(a)(4)	X			
PART 268 – LAND DISPOSAL RESTRICTIONS						
SUBPART A – GENERAL						
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
add new paragraph; if waste changes, generator must send new notice & certification to receiving facility, & place copy in files; generators excluded under 261.3(f) are not subject to these requirements	268.7(a)(3)(iii)	268.7(a)(3)(iii)	X			

RCRA REVISION CHECKLIST 183: Land Disposal Restrictions **DRAFT SPA 21**
Phase IV – Technical Corrections (cont'd)

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

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

• replace old 268.40(j) with new paragraph; effective September 4, 1998, treatment standards for certain "P" and "U" wastes specified in 261.33 may be satisfied by either meeting constituent concentrations in "Treatment Standards for Hazardous Wastes" table, or by treating the waste by technologies specified	268.40(j)	268.40(j)	X			
2. • revise K088 entry as shown at 64 FR 56471	268.40/Table	268.40/ Table	X			

ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL

† • add "except carbon disulfide, cyclohexanone, and methanol" after "non-metals"	268.49(c)(1)(A)	268.49(c) (1)(A)	X			
† • add "and carbon disulfide, cyclohexanone, and methanol" after "metals"	268.49(c)(1)(B)	268.49(c) (1)(B)	X			

- † • These changes are conditionally optional. If the State has adopted the optional revisions to the recordkeeping and paperwork requirements in Revision Checklist 157, then the State is required to adopt the change to 262.34(a)(4) in this checklist. Also, if the State has adopted the optional treatment standards for contaminated soils in Revision Checklists 167 B, then the State is required to adopt the changes to 268.7(a)(3) and 268.49(c)(1) in this checklist.

¹ The listings of K064, K065, K066, K090, and K091 were initially added to the Federal code by the September 12, 1988 final rule addressed by Revision Checklist 53 (53 FR 35412). However, the listings were remanded by the U.S. Court of Appeals for the D.C. Circuit in American Mining Congress v. EPA, 907 F.2d 1179 (D.C. Cir. 1990). As such, Revision Checklist 53 was modified to not include the addition of these listings. Therefore, States may never have added these listings to their regulations.

² There are typographical errors in the K088 entry at 64 FR 56471. "Benz(a)anthracene" should be "Benzo(a)anthracene" and "Indeno(1,2,3,-c,d)pyrene" should be "Indeno(1,2,3-cd)pyrene". The second error was in the Federal code prior to this checklist.

RCRA REVISION CHECKLIST 183: Land Disposal Restrictions **DRAFT SPA 21**
Phase IV – Technical Corrections (cont'd)

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 184

Accumulation Time for Waste Water Treatment Sludges

65 FR 12378-12398

March 8, 2000

(RCRA Cluster X, Non-HSWA)

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

PART 262 – STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C – PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

1,† no change even though included in this rule	262.34(a)(4)	262.34(a)(4)	X			
† add new paragraph; generators who generate 1,000 kilograms or greater of hazardous waste per month who also generate F006 wastes, may accumulate F006 waste on-site for up to 180 days without permit or interim status provided:	262.34(g) intro	262.34(g) intro	X			
† generator implements pollution prevention practices;	262.34(g)(1)	262.34(g)(1)	X			
† waste is legitimately recycled through metals recovery;	262.34(g)(2)	262.34(g)(2)	X			

RCRA REVISION CHECKLIST 184:
Accumulation Time for Waste Water Treatment Sludges (cont'd)

DRAFT SPA 21

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† no more than 20,000 kilograms is accumulated on-site at any one time; and	262.34(g)(3)	262.34(g)(3)	X			
† waste is managed in accordance with practices specified	262.34(g)(4) intro	262.34(g)(4) intro	X			
	262.34(g)(4)(i) intro	262.34(g)(4)(i) intro	X			
	262.34(g)(4)(i)(A)	262.34(g)(4)(i)(A)	X			
	262.34(g)(4)(i)(B)	262.34(g)(4)(i)(B)	X			
	262.34(g)(4)(i)(C) intro	262.34(g)(4)(i)(C) intro	X			
	262.34(g)(4)(i)(C) (1)&(2)	262.34(g)(4)(i)(C) (1)+(2)	X			
	262.34(g)(4)(ii)	262.34(g)(4)(ii)	X			
	262.34(g)(4)(iii)	262.34(g)(4)(iii)	X			
	262.34(g)(4)(iv)	262.34(g)(4)(iv)	X			
	262.34(g)(4)(v)	262.34(g)(4)(v)	X			
† add new paragraph; generators who generate 1,000 kilograms or greater of hazardous waste per month who also generate F006 wastes, & must transport 200 miles or more for off-site metals recovery, may accumulate F006 waste on-site for up to 270 days without permit or interim status if complies with 262.34(g)(1)-(4)	262.34(h)	262.34(h)	X			

RCRA REVISION CHECKLIST 184:
Accumulation Time for Waste Water Treatment Sludges (cont'd)

DRAFT SPA 21

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraph; generators accumulating in accordance with 262.34(g) & (h) who accumulate for more than 180 days, or accumulate more than 20,000 kilograms are operators of storage facilities subject to 40 CFR parts 264 & 265, & permit requirements of part 270, unless extension or exception granted; reasons for extensions & exceptions granted; Regional Administrator may grant extensions & exceptions on case-by-case basis	262.34(i)	262.34(i)	✓			

¹ While the March 8, 2000 rule includes instructions to revise 40 CFR 262.34(a)(4) by replacing the internal reference "268.7(a)(4)" with "268.7(a)(5)", this revision was already made in the October 20, 1999 rule (64 FR 56469; Revision Checklist 183). The end result is no change to 40 CFR 262.34(a)(4) in this checklist.

RCRA REVISION CHECKLIST 185

Organobromine Production Wastes Vacatur

65 FR 14472-14475

March 17, 2000

(RCRA Cluster X, HSWA)

Notes: 1) The rule addressed by this checklist also makes changes to 40 CFR Part 148 (addressing Underground Injection Programs) and 40 CFR Part 302 (addressing Reportable Quantities under CERCLA). These changes are outside the RCRA Subtitle C program and are not addressed by this revision checklist.

2) The rule addressed by this checklist vacates the May 4, 1998 listing of K140 and U408 wastes (64 FR 24596; Revision Checklist 165) to conform with an order issued by the U.S. Court of Appeals for the D.C. Circuit in *Great Lakes Chemical Corporation v. EPA* (Docket No. 98-1312). States that have not adopted Revision Checklist 165, do not need to adopt Revision Checklist 185. For States that have adopted Revision Checklist 165, Revision Checklist 185 is optional. A State may decide to be broader in scope than the Federal program..

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM SPECIFIC SOURCES

† revise table by removing the K140 entry in the "Organic Chemicals" subgroup	261.32/table	261.32/table	X			
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DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF

† revise table by removing the U408 (2,4,6-Tribromophenol) entry	261.33(f)/table	261.33(f)/table	X			
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PART 261 - APPENDIX VII

BASIS FOR LISTING HAZARDOUS WASTE

† revise appendix by removing the K140 entry	261 Appendix VII	261 Appendix VII	X			
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PART 261 - APPENDIX VIII

HAZARDOUS CONSTITUENTS

† revise appendix by removing the 2,4,6-Tribromophenol entry	261 Appendix VIII	261 Appendix VIII	X			
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RCRA REVISION CHECKLIST 185: Organobromine Production **DRAFT SPA 21**
Wastes Vacature (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE 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-ORGANOBROMINE WASTES

† remove and reserve	268.33	268.33	X			
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SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

† revise table by removing the K140 and U408 entries	268.40/table	268.40/table	X			
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UNIVERSAL TREATMENT STANDARDS

† revise table by removing the 2,4,6-Tribromophenol entry	268.48(a)/table	268.48(a)/table	X			
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RCRA REVISION CHECKLIST 187

Petroleum Refining Process Wastes – Clarification

64 FR 36365-36367

June 8, 2000

(RCRA Cluster X, HSWA provisions)

Note: The rule addressed by this checklist makes changes to 40 CFR Part 148 addressing Hazardous Waste Injection Restrictions. These changes are outside the RCRA Subtitle C program and are not addressed by this revision checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE		
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE								
SUBPART D - LISTS OF HAZARDOUS WASTES								
HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES								
†• revise the entry for F037 by replacing in the second sentence "flow, sludge" with "flow. Sludge"	261.31(a)/table	261.31(a)/table	X					
PART 268 - LAND DISPOSAL RESTRICTIONS								
APPENDIX VII TO PART 268								
LDR EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES								
1 unchanged	268 Appendix VII	Not Adopted per Note 1	X					

†• This change is conditionally optional. If the State has adopted the optional revised description of waste F037 in Revision Checklist 169, then the State is required to adopt the change to F037 in 261.31(a)/table in this checklist.

¹ Note that in the preamble to the June 8, 2000 rule, it states that the Agency neglected to delete the reference to U408 in Appendix VII of 40 CFR Part 268 in the March 17, 2000 rule (65 FR 14472; Revision Checklist 185). However, there was no entry for U408 in that Appendix. The actual amendment for the rule incorrectly removes the entry for U048 from Appendix VII to 40 CFR Part 268. Therefore, States should adopt any changes to this Appendix.