

US EPA ARCHIVE DOCUMENT

MARYLAND CONSOLIDATED CHECKLIST C6  
Part 1 of 5 parts

Interim Status Standards for Owners and Operators of  
Hazardous Waste Treatment, Storage, and Disposal Facilities  
40 CFR Part 265, Subparts A-G, as of June 30, 1995  
as published in the July 1, 1995 CFR

Notes:

1) Consolidated Checklist C6 is divided into 5 separate documents/computer files solely for ease of handling its printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and endnotes associated with each part have been placed with the part to which they apply.

2) Several sections of Subparts A, B, and E were revised by the December 6, 1994, final rule published at 59 FR 62896-62953. Its applicable provisions are included in Revision Checklist 154, which is a consolidation of all the rules associated with the organic air emission standards for tanks, surface impoundments, and container requirements (Subpart CC). EPA strongly recommends States wait and adopt Revision Checklist 154 in its entirety (including all rules published through November 25, 1996) rather than adopting the December 6, 1994, final rule as represented on this consolidated checklist. The December 6, 1994, rule is designated as rule 154.1.

**Maryland Attorney General Comment:**

This Consolidated Checklist reflects the Federal code as of June 30, 1995. Maryland, however, is not seeking authorization for all Checklists that made revisions to the Federal code as of June 30, 1995. Specifically, the State is not seeking authorization for the following Revision Checklists which are reflected in the July 1, 1995 CFR:

14, 17B, 17E, 17I, 17K, 17L, 17M, 17N, 17Q, 17S, 19, 25, 34, 39, 44A-G, 50, 62, 63, 66, 77-80, 82, 83, 85, 87, 88, 91-96, 98, 100-103, 106, 109, 111, 112, 114, 116-118, 120-125, 127, 129, 130, 135-137, 140, 142-144, & 154.

Where such checklists are referenced in the "Checklist Reference" column of this Consolidated Checklist, those for which the State is not seeking authorization are set apart by brackets. Any determination of equivalency is made as to the Federal provision as it existed without the changes made by the bracketed Revision Checklists.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART A - GENERAL							
PURPOSE, SCOPE, AND APPLICABILITY							
establish minimum national standards	*,10	265.1(a)	26.13.06.01A(1)	EQ			
persons to whom regulations apply	IV B	265.1(b)	26.13.06.01A(2) & (3)	EQ			
exceptions:	IV B	265.1(c)	26.13.06.01A(4)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
ocean disposal	IV B	265.1(c)(1)	26.13.06.01A(4) (a)	EQ			
reserved	IV B, [44C]	265.1(c)(2)	No analog			MS	

**Attorney General Comment:** Maryland does not have an analog to this Federal Base program provision because the State prohibits disposal of hazardous waste by underground injection. Maryland is more stringent.

POTWs	IV B	265.1(c)(3)	26.13.06.01A(4) (i)	EQ			
1 covered by a program of an authorized State	IV B	265.1(c)(4)	No analog	EQ			
1 unless State's program omits underground injection	*	265.1(c)(4)(i)	No analog	EQ			
1 unless State's authorization not up to date for HSWA requirements	*	265.1(c)(4)(ii)	No analog	EQ			
waste excluded by 261.5	IV B	265.1(c)(5)	26.13.06.01A(4) (b)	EQ			
2 recyclable materials described in 261.6(a)(2)-(4)	IV B, 13, [111], [122]	265.1(c)(6)	26.13.06.01A(4) (c)	EQ			
waste accumulated at site of generation in accordance with 262.34	IV B	265.1(c)(7)	26.13.06.01A(4) (d)	EQ			
farmers complying with 262.70	IV B, 48	265.1(c)(8)	26.13.06.01A(4) (e)	EQ			
	IV B	265.1(c)(9)	26.13.06.01A(4) (f)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
elementary neutralization unit or wastewater treatment unit; compliance with 265.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove characteristic before land disposal	IV B, [124], [137]	265.1(c)(10)	26.13.06.01A(4)(g)			MS	

**Attorney General Comment:** Maryland is more stringent because the State's exemption of elementary neutralization units or wastewater treatment units does not apply to units "used to treat waste from off-site." The Federal code does not differentiate between on-site and off-site waste.

treatment or containment activities in response to an emergency, except as provided by 265.1(c)(11)(ii)	IV B, [156]	265.1(c)(11)(i)	26.13.06.01A(4)(h)	EQ			
		265.1(c)(11)(i)(A)	26.13.06.01A(4)(h)(i)	EQ			
		265.1(c)(11)(i)(B)	26.13.06.01A(4)(h)(ii)	EQ			
		265.1(c)(11)(i)(C)	26.13.06.01A(4)(h)(iii)	EQ			
		265.1(c)(11)(i)(D)	26.13.06.01A(4)(h)(iv)	Maryland has an analog to 40 CFR 265.1(c)(11)(i)(D) which was introduced to the Federal code by Revision Checklist 156, a checklist for which the State is not seeking authorization.			
		265.1(c)(11)(ii)	26.13.06.01A(4)(h)	EQ			
		265.1(c)(11)(iii)	26.13.06.01A(5)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
transporters storing in containers meeting 262.30	IV B	265.1(c)(12)	No analog			MS	

**Attorney General Comment:** There is no State analog to the Federal exemption for transporters storing hazardous waste in containers meeting 40 CFR 262.30 requirements at a transfer facility for 10 days or less. Therefore, Maryland is more stringent.

combination of waste and absorbent material	IV B	265.1(c)(13)	No analog			MS	
---	------	--------------	-----------	--	--	----	--

**Attorney General Comment:** There is no State analog to this Federal exemption for the combining of waste and absorbent material in a container under specified conditions. Therefore, Maryland is more stringent.

universal waste handlers and transporters handling the listed universal wastes are subject to Part 273 rather than Part 265	[142A-D]	265.1(c)(14)	No analog	Maryland is not seeking authorization for universal wastes.			
---	----------	--------------	-----------	---	--	--	--

hazardous wastes not to be managed at facilities regulated under 265	[14]	265.1(d)	26.13.06.01A(6)	Maryland is not seeking authorization for the Dioxin-Containing Waste Listings introduced by Revision Checklist 14.			
		265.1(d)(1)	26.13.06.01A(6)				
		265.1(d)(1)(i)	26.13.06.01A(6)(a)				
		265.1(d)(1)(ii)	26.13.06.01A(6)(b)				
		265.1(d)(1)(iii)	26.13.06.01A(6)(c) & (c)(i)-(ii)				
		265.1(d)(1)(iv)	No analog; see 26.13.06.01A(6)(d)				
		265.1(d)(1)(v)	No analog; see 26.13.06.01A(6)(d)				

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

**Attorney General Comment:** Maryland is not seeking authorization for the dioxin listings at this time. Note, however, that the current regulations at 26.13.06.01A(6) are more stringent because the State does not allow interim status facilities to burn the dioxin wastes in certified incinerators or in certified thermal treatment facilities. Instead, these facilities must be permitted as specified in 26.13.06.01A(6)(d).

applicable to owners or operators of facilities which treat, store or dispose of wastes referred to in 268; 268 standards are considered material requirements of 265 standards	[34],[78]	265.1(e)	No analog	Maryland is not seeking authorization for the land disposal restrictions			
---	-----------	----------	-----------	--	--	--	--

IMMINENT HAZARD ACTION

enforcement actions under RCRA 7003	*	265.4	26.13.06.01C	EQ			
-------------------------------------	---	-------	--------------	----	--	--	--

SUBPART B - GENERAL FACILITY STANDARDS

APPLICABILITY

subpart applies to hazardous waste facilities except as provided in 265.1	*	265.10	26.13.06.02A	EQ			
---	---	--------	--------------	----	--	--	--

IDENTIFICATION NUMBER

EPA identification number required	IV B	265.11	26.13.05.02B 26.13.06.02A	EQ			
------------------------------------	------	--------	------------------------------	----	--	--	--

REQUIRED NOTICES

hazardous waste from foreign source; requirements before ownership transfer	IV B	265.12	26.13.05.02C(1)&(2) 26.13.06.02A	EQ			
hazardous waste from off-site sources	N/A	No analog in 265; see 264.12(b)	26.13.05.02C(3) 26.13.06.02A			MS	

**Attorney General Comment:** Note that 40 CFR 265.12 does not have an analog to 264.12(b); therefore, the State is more stringent in requiring interim status facilities to provide this notification.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
3 analysis required prior to handling any hazardous waste or 265.113(d) non-hazardous waste; what information, at a minimum, the waste analysis must contain	IV B,[34], †64,[102]	265.13(a)(1)	26.13.05.02D(1) (a) 26.13.06.02A	EQ			
inclusion of existing data	IV B,[78]	265.13(a)(2)	26.13.05.02D(1) (b) 26.13.06.02A	EQ			
when analysis must be repeated	IV B	265.13(a)(3)	26.13.05.02D(1) (c) 26.13.06.02A	EQ			
	IV B,†64	265.13(a)(3)(i)	26.13.05.02D(1) (c)(i) 26.13.06.02A	EQ			
	IV B	265.13(a)(3)(ii)	26.13.05.02D(1) (c)(ii) 26.13.06.02A	EQ			
inspect each offsite shipment	IV B	265.13(a)(4)	26.13.05.02D(1) (d) 26.13.06.02A	EQ			
develop and follow written waste analysis plan:	IV B	265.13(b)	26.13.05.02D(2) (a)-(c) 26.13.06.02A	EQ			
parameters which will be analyzed	IV B,†64	265.13(b)(1)	26.13.05.02D(2) (c)(i) 26.13.06.02A	EQ			
test methods	IV B	265.13(b)(2)	26.13.05.02D(2) (c)(ii) 26.13.06.02A	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
	IV B	265.13(b)(3)	26.13.05.02D(2) (c)(iii) 26.13.06.02A	EQ			
		265.13(b)(3)(i)	26.13.05.02D(2) (c)(iii)(aa) 26.13.06.02A	EQ			
		265.13(b)(3)(ii)	26.13.05.02D(2) (c)(iii)(bb) 26.13.06.02A	EQ			
frequency of reviewing or repeating analysis	IV B	265.13(b)(4)	26.13.05.02D(2) (c)(iv) 26.13.06.02A	EQ			
analyses from generators	IV B	265.13(b)(5)	26.13.05.02D(2) (c)(v) 26.13.06.02A	EQ			
meeting of additional waste analysis requirements	IV B, 16, 28, [34], [79], [87], [154.1]	265.13(b)(6)	26.13.06.02B, .02C & .02C(1)-(5)	EQ			
surface impoundments exempted from land disposal restrictions under 268.4(a)	[34], [39], [50]	265.13(b)(7)	No analog	Maryland is not seeking authorization for the land disposal restrictions.			
for owners and operators seeking an exemption to the air emission standards of Subpart CC of this part in accordance with 265.1083	[154.1]	265.13(b)(8)	No analog	Maryland is not seeking authorization for Subpart CC air emission standards.			
analysis plan for off-site facilities:	IV B	265.13(c)	26.13.05.02D(2) (d) & (d)(i) 26.13.06.02A	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
procedures for identifying each waste moved at facility	IV B	265.13(c)(1)	26.13.05.02D(2) (d)(ii) 26.13.06.02A	EQ			
sampling method used to obtain a representative sample	IV B	265.13(c)(2)	26.13.05.02D(2) (d)(iii) 26.13.06.02A	EQ			
procedures owner or operator will use to determine whether biodegradable sorbent has been added to waste in container	[118]	265.13(c)(3)	No analog	Maryland is not seeking authorization for Revision Checklist 118.			
SECURITY							
Security	IV B	265.14	26.13.05.02E 26.13.06.02A & .02F(1)	EQ			
GENERAL INSPECTION REQUIREMENTS							
inspect for malfunctions, deterioration, operator errors, and discharges	IV B	265.15(a)	26.13.05.02F(1) 26.13.06.02A	EQ			
develop and follow written schedule	IV B	265.15(b)(1)	26.13.05.02F(2) (a) 26.13.06.02A	EQ			
keep schedule at facility	IV B	265.15(b)(2)	26.13.05.02F(2) (b) 26.13.06.02A	EQ			
identify items that are to be looked for	IV B	265.15(b)(3)	26.13.05.02F(2) (c) 26.13.06.02A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
frequency of inspection	IV B, 28, [79], [100], [154.1]	265.15(b)(4)	26.13.05.02F(2) (d) 26.13.06.02D & .02E	EQ			
remedy of problems inspection uncovers	IV B	265.15(c)	26.13.05.02F(3) 26.13.06.02A	EQ			
recordkeeping	IV B	265.15(d)	26.13.05.02F(4) 26.13.06.02A	EQ			

PERSONNEL TRAINING

personnel training	IV B	265.16	26.13.05.02G 26.13.06.02A	EQ			
--------------------	------	--------	------------------------------	----	--	--	--

GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES

precautions to prevent waste ignition or reaction	IV B	265.17	26.13.05.02H 26.13.06.02A & .02F(2)	EQ			
---	------	--------	--	----	--	--	--

AISLE SPACE

required aisle space	N/A	No Federal analog	26.13.05.02I 26.13.06.02A & .02F(2)			MS	
----------------------	-----	-------------------	--	--	--	----	--

**Attorney General Comment:** Maryland has additional requirements concerning aisle space which are more stringent than the Federal program.

TRANSPORTATION CERTIFICATION

accept hazardous waste from certified transporters only	N/A	No Federal analog	26.13.05.02J 26.13.06.02A				BIS
---	-----	-------------------	------------------------------	--	--	--	-----

**Attorney General Comment:** Maryland requires that transporters be certified. Interim status facilities can only accept waste from a certified hauler. Transporter certification is beyond the scope of the Federal program.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
LOCATION STANDARDS							
prohibition of waste placement in salt domes, salt bed formations, underground mines, and caves	[17 E]	265.18	26.13.06.02G	Maryland is not seeking authorization for Revision Checklist 17 E. Note, however, that the State currently has an equivalent analog to 40 CFR 265.18.			
CONSTRUCTION QUALITY ASSURANCE PROGRAM							
CQA program	[100]	265.19	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
SUBPART C - PREPAREDNESS AND PREVENTION							
APPLICABILITY							
all HW facilities, except as 265.1 provides	*	265.30	26.13.06.03A	EQ			
MAINTENANCE AND OPERATION OF FACILITY							
requirements to minimize threats to health or environment	IV B	265.31	26.13.06.03B & .03C	EQ			
REQUIRED EQUIPMENT							
what all facilities must be equipped with	*	265.32	26.13.05.03C 26.13.06.03A & .03D	EQ			
TESTING AND MAINTENANCE OF EQUIPMENT							
maintenance and testing requirements	IV B	265.33	26.13.05.03D 26.13.06.03A	EQ			
ACCESS TO COMMUNICATIONS OR ALARM SYSTEM							
immediate access; what equipment must be immediately available	IV B	265.34	26.13.05.03E 26.13.06.03A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
REQUIRED AISLE SPACE							
aisle space required to allow unobstructed movement	IV B	265.35	26.13.05.03F 26.13.06.03A & .03D	EQ			
reserved		265.36	No analog	EQ			
SPECIAL HANDLING FOR IGNITABLE OR REACTIVE WASTE							
special handling for ignitable or reactive waste	N/A	No Federal analog	26.13.05.03G 26.13.06.03A			MS	
<b>Attorney General Comment:</b> Maryland has additional special handling requirements for ignitable or reactive waste not found in Subpart C of 40 CFR Part 265 that are more stringent.							
ARRANGEMENTS WITH LOCAL AUTHORITIES							
specific arrangements which must be made	IV B	265.37(a)	26.13.05.03H(1) 26.13.06.03A	EQ			
		265.37(a)(1)	26.13.05.03H(1) (a) 26.13.06.03A	EQ			
		265.37(a)(2)	26.13.05.03H(1) (b) 26.13.06.03A	EQ			
		265.37(a)(3)	26.13.05.03H(1) (b) 26.13.06.03A	EQ			
		265.37(a)(4)	26.13.05.03H(1) (c) 26.13.06.03A	EQ			
document refusals to enter into arrangement in operating record	IV B	265.37(b)	26.13.05.03H(2) 26.13.06.03A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES

APPLICABILITY

applies to all HW facilities, except as 265.1 provides	*	265.50	26.13.06.04A	EQ			
--	---	--------	--------------	----	--	--	--

PURPOSE AND IMPLEMENTATION OF CONTINGENCY PLAN

contingency plan	*	265.51	26.13.05.04B 26.13.06.04A	EQ			
------------------	---	--------	------------------------------	----	--	--	--

CONTENT OF CONTINGENCY PLAN

contingency plan contents	IV B	265.52	26.13.05.04C 26.13.06.04A	EQ			
---------------------------	------	--------	------------------------------	----	--	--	--

COPIES OF CONTINGENCY PLAN

disposition of copies of plan and all revisions:	IV B	265.53	26.13.05.04D 26.13.06.04A	EQ			
--	------	--------	------------------------------	----	--	--	--

AMENDMENT OF CONTINGENCY PLAN

amendment of contingency plan	*,IV B, †54	265.54	26.13.05.04E 26.13.06.04A & .04B	EQ			
-------------------------------	----------------	--------	--	----	--	--	--

EMERGENCY COORDINATOR

responsibilities	IV B	265.55	26.13.05.04F 26.13.06.04A	EQ			
------------------	------	--------	------------------------------	----	--	--	--

EMERGENCY PROCEDURES

procedures for imminent or actual emergency	IV B	265.56	26.13.05.04G 26.13.06.04A	EQ			
---	------	--------	------------------------------	----	--	--	--

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

subpart applies to both on- and off-site facilities; exceptions	IV B	265.70	26.13.05.05A 26.13.06.05A	EQ			
---	------	--------	------------------------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

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

USE OF MANIFEST SYSTEM

duties of owner or operator when receiving waste accompanied by manifest	IV B	265.71(a)	26.13.05.05B(1) 26.13.06.05A	EQ			
		265.71(a)(1)	26.13.05.05B(1) (a) 26.13.06.05A	EQ			
		265.71(a)(2)	26.13.05.05B(1) (b) 26.13.06.05A	EQ			
		265.71(a)(3)	26.13.05.05B(1) (c) 26.13.06.05A	EQ			
		265.71(a)(4)	26.13.05.05B(1) (d) 26.13.06.05A	EQ			
		No Federal analog	26.13.05.05B(1) (e) 26.13.06.05A			MS	
		265.71(a)(5)	26.13.05.05B(1) (f) 26.13.06.05A	EQ			

**Attorney General Comment:** Maryland is more stringent at 26.13.05.05B(1)(e) because it requires a copy of the manifest to be sent to the State.

duties of owner or operator when receiving waste accompanied by shipping paper	IV B	265.71(b)	26.13.05.05B(2) 26.13.06.05A	EQ			
facility that initiates shipment must comply with 262	*	265.71(c)	26.13.05.05B(3) 26.13.06.05A	EQ			

MANIFEST DISCREPANCIES

manifest discrepancies	IV B	265.72	26.13.05.05C 26.13.06.05A	EQ			
------------------------	------	--------	------------------------------	----	--	--	--



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
OPERATING RECORD							
written operating record at facility	IV B	265.73(a)	26.13.05.05D(1) 26.13.06.05A & .05C	EQ			
information which must be recorded:	IV B	265.73(b)	26.13.05.05D(2) 26.13.06.05A	EQ			
description and quantity of waste; dates of treatment, storage, or disposal	IV B	265.73(b)(1)	26.13.05.05D(2) (a) 26.13.06.05A	EQ			
location of waste and quantity at each location	IV B	265.73(b)(2)	26.13.05.05D(2) (b) 26.13.06.05A	EQ			
records and results of waste analysis, determinations, and trial tests	IV B,16, 28,[34], [79],[87], [154.1]	265.73(b)(3)	26.13.06.05B(1)	EQ			
reports of incidents which require implementing contingency plan	IV B	265.73(b)(4)	26.13.05.05D(2) (d) 26.13.06.05A	EQ			
Records and results of inspections	IV B	265.73(b)(5)	26.13.05.05D(2) (e) 26.13.06.05A	EQ			
notice to generators	N/A	No Federal analog	26.13.05.05D(2) (f) 26.13.06.05A			MS	

**Attorney General Comment:** Maryland requires interim status facilities to maintain in the operating record notices sent to generators as specified in 26.13.05.02C(3) [40 CFR 264.12(b)]. Since the Federal code does not require such notification for interim status facilities, this requirement is more stringent.

monitoring, testing, or analytical data	IV B,28, [79], [100], [154.1]	265.73(b)(6)	26.13.06.05B(3)	EQ			
---	-------------------------------	--------------	-----------------	----	--	--	--



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
closure and post-closure cost estimates	IV B	265.73(b)(7)	26.13.05.05D(2) (g) 26.13.06.05A & .05B(2)	EQ			
quantity records for each shipment; treatment facility requirements; land disposal facility requirements	[34],[50]	265.73(b)(8)-(14)	No analogs	Maryland is not seeking authorization for the land disposal restrictions.			

AVAILABILITY, RETENTION, AND DISPOSITION OF RECORDS

records available for inspection; retention period; copy of records	IV B	265.74	26.13.05.05E 26.13.06.05A	EQ			
---	------	--------	------------------------------	----	--	--	--

BIENNIAL REPORT

when to submit, what form, and what must be reported:	*,†1	265.75	26.13.05.05F(1),(2) ,(3)&(4) 26.13.06.05A	EQ			
EPA identification number	IV B	265.75(a)	26.13.05.05F(4) (a) 26.13.06.05A	EQ			
calendar year covered by report	IV B	265.75(b)	26.13.05.05F(4) (b) 26.13.06.05A	EQ			
EPA identification numbers of generators; name and address for foreign generators	IV B	265.75(c)	26.13.05.05F(4) (c) & (d) 26.13.06.05A	EQ			
description and quantity of wastes received	IV B	265.75(d)	26.13.05.05F(4) (e) & (f) 26.13.06.05A	EQ			
methods of handling	IV B	265.75(e)	26.13.05.05F(4) (g) 26.13.06.05A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
monitoring data, where required	IV B	265.75(f)	26.13.06.05B(4)	EQ			
closure cost estimate; post-closure cost estimate	IV B	265.75(g)	26.13.05.05F(4) (i) 26.13.06.05A & .05B(2)	EQ			
volume and toxicity reduction efforts	30	265.75(h)	26.13.05.05F(4) (j) 26.13.06.05A	EQ			
volume and toxicity reduction achieved	30	265.75(i)	26.13.05.05F(4) (k) & .05F(5) 26.13.06.05A	EQ			
5 signed certification	IV B,30	265.75(j)	26.13.05.05F(4) (h) 26.13.06.05A	EQ			

UNMANIFESTED WASTE REPORT

when an unmanifested report is required; form which must be used; information it must include	*,IVB,1	265.76	26.13.05.05G 26.13.06.05A	EQ			
---	---------	--------	------------------------------	----	--	--	--

ADDITIONAL REPORTS

what else must be reported to Regional Administrator	*,†1	265.77	26.13.05.05H 26.13.06.05A	EQ			
releases, fires, explosions	IV B	265.77(a)	26.13.05.05H(1) 26.13.06.05A	EQ			
ground-water contamination and monitoring data	IV B	265.77(b)	26.13.05.05H(2) 26.13.06.05A	EQ			
facility closure	IV B	265.77(c)	26.13.05.05H(3) 26.13.06.05A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
as otherwise required by Subparts AA, BB, and CC of this part	[79], [154.1]	265.77(d)	26.13.06.05B(4)	Maryland is not seeking authorization for the air emissions standards introduced by Revision Checklists 79 and 154.			

SUBPART F - GROUND-WATER MONITORING

APPLICABILITY

facilities that must implement a ground-water monitoring program	IV B	265.90	26.13.06.06	EQ			
--	------	--------	-------------	----	--	--	--

GROUND-WATER MONITORING SYSTEM

monitoring system	IV B,99	265.91	26.13.06.06	EQ			
-------------------	---------	--------	-------------	----	--	--	--

SAMPLING AND ANALYSIS

sampling and analysis	IV B	265.92	26.13.06.06	EQ			
-----------------------	------	--------	-------------	----	--	--	--

PREPARATION, EVALUATION, AND RESPONSE

preparation, evaluation, and response	IV B	265.93	26.13.06.06	EQ			
---------------------------------------	------	--------	-------------	----	--	--	--

RECORDKEEPING AND REPORTING

recordkeeping and reporting	IV B,†1	265.94	26.13.06.06	EQ			
-----------------------------	---------	--------	-------------	----	--	--	--

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

applicability	*,IV B,24, 28,52, [109]	265.110	26.13.06.07A & .12A	EQ			
---------------	-------------------------------	---------	------------------------	----	--	--	--

CLOSURE PERFORMANCE STANDARD

closure performance standard	*,IV B,24,[ 109]	265.111	26.13.06.07B	EQ			
------------------------------	---------------------	---------	--------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
6 CLOSURE PLAN; AMENDMENT OF PLAN							
written closure plan; furnish upon request	IV B,†24,[ 85]	265.112(a)	26.13.06.08A	EQ			
7  content of closure plan	IV B,24	265.112(b)	26.13.06.08B&C	EQ			
		265.112(b)(1)	26.13.06.08C(1)	EQ			
		265.112(b)(2)	26.13.06.08C(2)	EQ			
		265.112(b)(3)	26.13.06.08C(3), (4) & (5)	EQ			
		265.112(b)(4)	26.13.06.08C(6)	EQ			
	24	265.112(b)(5)	26.13.06.08C(7)	EQ			
	IV B,24	265.112(b)(6)	26.13.06.08C(8) & (9)	EQ			
	†24	265.112(b)(7)	26.13.06.08C (10)	EQ			
8  requirements for amendments of closure plan	IV B,24	265.112(c)	26.13.06.08D(1) & (2)	EQ			
		265.112(c)(1)	26.13.06.08D(3)	EQ			
		265.112(c)(1)(i)	26.13.06.08D(3) (a)	EQ			
		265.112(c)(1)(ii)	26.13.06.08D(3) (b)	EQ			
	24	265.112(c)(1)(iii)	26.13.06.08D(3) (c)	EQ			
	IV B,24	265.112(c)(2)	26.13.06.08D(4), (5) & (6)	EQ			
	24,†54	265.112(c)(3)	26.13.06.08D(7), (8) & (9)	EQ			
		265.112(c)(4)	26.13.06.08D (10)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

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

9 Notification of Partial Closure and Final Closure

9,10,  
11

when notification  
must occur; public  
comment and  
hearing

IV B,†24,[ 85]	265.112(d)(1)	26.13.06.08E(1) & (2)	EQ			
IV B,†24,† 64,[85], [96]	265.112(d)(2)	26.13.06.08E(3)	EQ			
[96]	265.112(d)(2)(i)	26.13.06.08E(3) (a)-(c) & (4)	EQ			
	265.112(d)(2)(ii)	26.13.06.08E(5) & (6)	EQ			
IV B,†24	265.112(d)(3)	26.13.06.08E(7)	EQ			
	265.112(d)(3)(i)	26.13.06.08E(7) (a)	EQ			
	265.112(d)(3)(ii)	26.13.06.08E(7) (b)	EQ			
IV B,†24,[ 109]	265.112(d)(4)	26.13.06.08E(8)- (10)	EQ			

**Attorney General Comment:** Note that the removal of (d)(2)(i) and (ii) by Revision Checklist 85 was reversed by Revision Checklist 96. Maryland has not adopted the changes made by either checklist. Thus, Maryland has analogs to 40 CFR 265.112(d)(2)(i) and (ii). The language of the analogs is equivalent to the Federal code as it existed prior to Revision Checklist 85 and should be included in the authorization.

† remove wastes; decontaminate and dismantle equipment	24	265.112(e)	26.13.06.08E (11)	EQ			
--	----	------------	----------------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
12 CLOSURE; TIME ALLOWED FOR CLOSURE							
11 treat, remove, or dispose of all hazardous wastes within 90 days of receipt of final volume of hazardous waste, or final volume of non-hazardous waste	IV B,24, †64,[85], [96]	265.113(a)	26.13.06.09A & .09B	EQ			
modification and demonstration requirements for extending period	IV B,24	265.113(a)(1)(i)	26.13.06.09B(1)	EQ			
	IV B,24, †64	265.113(a)(1)(ii)(A)	26.13.06.09B(2) (a)	EQ			
	IV B,24	265.113(a)(1)(ii)(B)	26.13.06.09B(2) (b)	EQ			
		265.113(a)(1)(ii)(C)	26.13.06.09B(2) (c)	EQ			
		265.113(a)(2)	26.13.06.09C	EQ			
11 complete partial or final closure within 180 days of receipt of final volume	IV B,24, †64,[85], [96]	265.113(b)	26.13.06.09D & .09E	EQ			
modification and demonstration requirements for extending closure period	IV B,24	265.113(b)(1)(i)	26.13.06.09E(1)	EQ			
	IV B,24, †64	265.113(b)(1)(ii)(A)	26.13.06.09E(2) (a)	EQ			
	IV B,24	265.113(b)(1)(ii)(B)	26.13.06.09E(2) (b)	EQ			
		265.113(b)(1)(ii)(C)	26.13.06.09E(2) (c)	EQ			
		265.113(b)(2)	26.13.06.09F	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
how 265.113(a)(1) & (b)(1) demonstrations must be made	24,†64	265.113(c)	26.13.06.09G	EQ			
		265.113(c)(1)	26.13.06.09G(1)	EQ			
		265.113(c)(2)	26.13.06.09G(2)	EQ			

†.13 Nonhazardous Waste Receipt Conditions

receive nonhazardous wastes after the final receipt of hazardous wastes at specified units	64	265.113(d)	26.13.06.09H	EQ			
submittal of amended Part B application or Part B application and required demonstrations	64	265.113(d)(1)	26.13.06.09H(1)	EQ			
		265.113(d)(1)(i)	26.13.06.09H(2)(a)	EQ			
		265.113(d)(1)(ii)	26.13.06.09H(2)(b)	EQ			
		265.113(d)(1)(iii)	26.13.06.09H(2)(c)	EQ			
		265.113(d)(1)(iv)	26.13.06.09H(2)(d)	EQ			
		265.113(d)(1)(v)	26.13.06.09H(2)(e)	EQ			
		265.113(d)(2)	26.13.06.09H(3) & (4)	EQ			
		265.113(d)(3)	26.13.06.09H(5)	EQ			
		265.113(d)(4)	26.13.06.09H(6)	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Additional Requirements for Surface Impoundments							
special requirements for surface impoundments not in compliance with liner and leachate collection system requirements	64	265.113(e)	26.13.06.09H(7) & .09I	EQ			
plans which must be submitted with the Part B application	64	265.113(e)(1)	26.13.06.09I(1)	EQ			
		265.113(e)(1)(i)	26.13.06.09I(1)(a)	EQ			
		265.113(e)(1)(ii)	26.13.06.09I(1)(b)	EQ			
remove all hazardous wastes	64	265.113(e)(2)	26.13.06.09I(2)	EQ			
removal within 90 days; extension	64	265.113(e)(3)	26.13.06.09I(3)	EQ			
actions to be taken if a release is detected	64	265.113(e)(4)	26.13.06.09I(4)	EQ			
		265.113(e)(4)(i)	26.13.06.09I(4)(a)	EQ			
		265.113(e)(4)(ii)	26.13.06.09I(4)(b)	EQ			
		265.113(e)(4)(iii)	26.13.06.09I(4)(c)	EQ			
semi-annual reports	64	265.113(e)(5)	26.13.06.09I(5)	EQ			
conditions under which Regional Administrator may require closure	64	265.113(e)(6)	26.13.06.09J	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
actions to be taken if owner or operator fails to implement corrective measures or if no substantial progress pursuant to 265.113(e)(6) has been made	64	265.113(e)(7)	26.13.06.09K	EQ			
		265.113(e)(7)(i)	26.13.06.09K(1) & (2)	EQ			
		265.113(e)(7)(ii)	26.13.06.09K(3)	EQ			
		265.113(e)(7)(iii)	26.13.06.09L	EQ			
		265.113(e)(7)(iv)	26.13.06.09M & .09N	EQ			
		265.113(e)(7)(v)	26.13.06.09O	EQ			

DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS

disposal and decontamination requirements during closure; 262 generator requirements	IV B,24, 52	265.114	26.13.06.10	EQ			
--	-------------	---------	-------------	----	--	--	--

CERTIFICATION OF CLOSURE

certification requirements at closure; required signatures; documentation upon request	IV B,24	265.115	26.13.06.11	EQ			
--	---------	---------	-------------	----	--	--	--

SURVEY PLAT

survey plat requirements	24	265.116	26.13.06.12B	EQ			
--------------------------	----	---------	--------------	----	--	--	--

POST-CLOSURE CARE AND USE OF PROPERTY

post-closure care and use of property	IV B,24	265.117	26.13.06.12C	EQ			
---------------------------------------	---------	---------	--------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
POST-CLOSURE PLAN; AMENDMENT OF PLAN							
14 written post-closure plan; submission deadline for surface impoundments closing as landfills	IV B,24	265.118(a)	26.13.06.13A	EQ			
15 availability of plan to Regional Administrator or representative; retention during post-closure	IV B,24	265.118(b)	26.13.06.13B - .13D	EQ			
15, 16  items that must be included in post-closure plan	IV B,24	265.118(c)	26.13.06.13E & .13E(1)-(2)	EQ			
		265.118(c)(1)	26.13.06.13E(2) (a)	EQ			
		265.118(c)(2)	26.13.06.13E(2) (b) & (c)	EQ			
		265.118(c)(2)(i)	26.13.06.13E(2) (b)	EQ			
		265.118(c)(2)(ii)	26.13.06.13E(2) (c)	EQ			
		265.118(c)(3)	26.13.06.13E(2) (d)	EQ			
16, 17 obtaining authorization to change plan	IV B,24	265.118(d)	26.13.06.13F(1) & (2)	EQ			
16  conditions requiring change to plan	IV B,24	265.118(d)(1)	26.13.06.13F(3)	EQ			
		265.118(d)(1)(i)	26.13.06.13F(3) (a)	EQ			
		265.118(d)(1)(ii)	26.13.06.13F(3) (b)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
16 schedule for amending plan	IV B,24	265.118(d)(2)	26.13.06.13F(4)	EQ			
when modified plan must be submitted to Regional Administrator; requirements for surface impoundments or waste piles closing as landfills	IV B,24, †54	265.118(d)(3)	26.13.06.13F(5)-(7)	EQ			
schedule for amending plan at Regional Administrator's request	IV B,24, †54	265.118(d)(4)	26.13.06.13F(8)	EQ			
16, 17 schedule for submitting plan to Regional Administrator	IV B,24	265.118(e)	26.13.06.13G - .13I	EQ			
		265.118(e)(1)	26.13.06.13I(1)	EQ			
		265.118(e)(2)	26.13.06.13I(2)	EQ			
18, 18 Regional Administrator's schedule for review and decision on plan	IV B,24	265.118(f)	26.13.06.13J - .13M	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
19  circumstances for modifying post- closure plan and length of post- closure care period	IV B,24	265.118(g)	26.13.06.13N	EQ			
		265.118(g)(1)	26.13.06.13O	EQ			
		265.118(g)(1)(i)	26.13.06.13P	EQ			
		265.118(g)(1)(i)(A)	26.13.06.13P(1)	EQ			
		265.118(g)(1)(i)(B)	26.13.06.13P(2)	EQ			
		265.118(g)(1)(ii)	26.13.06.13Q(1)- (3)	EQ			
		265.118(g)(1)(iii)	26.13.06.13Q(4)	EQ			
		265.118(g)(2)	26.13.06.13R	EQ			
		265.118(g)(2)(i)	26.13.06.13S & .13T	EQ			
		265.118(g)(2)(ii)	26.13.06.13U	EQ			
19 POST-CLOSURE NOTICES							
post-closure notices	IV B,24	265.119	26.13.06.14	EQ			
20 CERTIFICATION OF COMPLETION OF POST-CLOSURE CARE							
description of certification procedure	IV B,24	265.120	26.13.06.15	EQ			

<sup>1</sup> This subsection was modified by 50 FR 28702, the final rule addressed by Revision Checklists 17 A - 17 S, but was not included in these checklists.

<sup>2</sup> The May 3, 1993 final rule (58 FR 26420, Revision Checklist 122) inadvertently removed a correction made by the August 25, 1992 Federal Register (57 FR 38558, Revision Checklist 111). The August 25, 1992 rule changed "subparts C, D, F, or G" to "subparts C, F, G, or H"; the May 3, 1993 rule listed the old version of these internal references. The correct reference is "subparts C, F, G, or H", as shown in the August 25, 1992 rule.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

- 3 The August 14, 1989 rule (54 FR 33376, Revision Checklist 64) amended the first sentence of 265.13(a)(1). However, because of a misinterpretation of the codification instructions, the second sentence of the provisions at this citation was omitted from the 1990 and 1991 CFRs. Revision Checklist 102 (57 FR 8086; March 6, 1992) corrects the error by restoring the mistakenly deleted language.
- 4 Section 265.19 is considered to be both a HSWA and Non-HSWA provision by Revision Checklist 100. It is Non-HSWA only to the extent that it applies to the final cover requirements for the Construction Quality Assurance Program.
- 5 This requirement was moved from 265.75(h) to 265.75(j) by Revision Checklist 30.
- 6 Revision Checklist 24 significantly revised the 265.112 section. Much of the original code (Base Program Checklist IV B) survived but was modified and also moved to different paragraphs/subparagraphs by Revision Checklist 24. Thus, when IV B appears in the Checklist Reference column for any of the 265.112 citations it, more frequently than not, indicates that the text of those citations is relevant to Checklist IV B while the actual citation number is not. For example, IV B appears as a checklist reference for 265.112(b)(4), (6) and (7), yet paragraph 265.112(b) was not broken down into subparagraphs (1)-(7) in code relevant to Checklist IV B. Footnotes at the paragraph level will indicate where the code appeared under the old formatting as per Base Program Checklist IV B.
- Many of the current requirements of 265.112(b) and (b)(1)-(b)(7), as designated and modified by Revision Checklist 24, were part of the base program at 265.112(a) and (a)(1)-(4). States which do not adopt the optional (less stringent) requirement at 265.112(b)(7) must be careful to retain the closure plan requirement for "an estimate of the expected year of closure" as first introduced into the base program as a portion of 265.112(a)(4).
- 8 Part or all of the text of the following citations was introduced into the code at 265.112(b) as per Base Program Checklist IV B: 265.112(c), (c)(1), (c)(1)(i)-(ii), and (c)(2). Revision Checklist 24 modified this text and moved it from paragraph (b) to paragraph (c).
- 9 Revision Checklist 24 designated the citations within the double lines as optional revisions (265.112(d)(1)-(d)(4)). Similar, more stringent and nonoptional provisions originated in the code at 265.112(c), (c)(1), (c)(2), and (d) as per Base Program Checklist IV B. If States choose to adopt the 265.112(d)(1)-(d)(4) optional provisions as per Revision Checklist 24, they must adopt them as a unit rather than by individual provision. In other words, all or none of the (d)(1)-(d)(4) provisions must be included in a State's code. The only exception for adopting States are the optional revisions subsequently made by Revision Checklist 64. These subsequent changes are less stringent than those addressed by Revision Checklist 24, so States may or may not make those changes. If a State chooses not to adopt the Revision Checklist 24 optional provisions, it must retain code equivalent to that found in the base program at 265.112(c), (c)(1), (c)(2), and (d).

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts A-G, as of June 30, 1995 (cont'd)

- <sup>10</sup> Note that the changes made by Revision Checklist 85 to 265.112(d)(2) and 265.113(a)&(b) were reversed by the August 27, 1991 (56 FR 42524; Revision Checklist 96) technical corrections to the Boilers and Industrial Furnaces rule. The language is, thus, the same as it was before the Revision Checklist 85 changes. Thus, effectively, the technical corrections addressed by Revision Checklist 85 for these citations were nullified by Revision Checklist 96.
- <sup>11</sup> Note that the August 18, 1992 Federal Register (57 FR 37194, Revision Checklist 109) introduced an error into the second-to-last sentence of 265.112(d)(4) by inserting an extraneous "with" between "§§" and "265.111."
- <sup>12</sup> Section 265.113 was erroneously designated as optional by the May 2, 1986 rule (51 FR 16422). The June 26, 1990 (55 FR 25976) amendment corrected this error.
- <sup>13</sup> Citations within the double lines are optional, but if a State chooses to modify its program to adopt requirements equivalent to these provisions, it must adopt such requirements as a unit rather than by individual provision. In other words, all or none of these provisions must be included in a State's code. Subsequent changes to these provisions may or may not be optional for States that have adopted the original unit of provisions. An optional sign appears in front of the subsequent revision checklist number(s) if such subsequent changes are less stringent than or reduce the scope of the original requirements.
- <sup>14</sup> Text from 265.118(a)(1-3) in Base Program Checklist IV B was moved to 265.118(c)(1-3) by Revision Checklist 24.
- <sup>15</sup> Text from 265.118(b) and (e) in Base Program Checklist IV B was moved to 265.118(d)(1-2) by Revision Checklist 24.
- <sup>16</sup> Text from 265.118(c)(1-2) in Base Program Checklist IV B was moved to 265.118(e)(1-2) by Revision Checklist 24.
- <sup>17</sup> Text from 265.118(d) in Base Program Checklist IV B was moved to 265.118(f) by Revision Checklist 24.
- <sup>18</sup> Text from 265.118(f)(1-2) in Base Program Checklist IV B was moved to 265.118(g)(1-2) by Revision Checklist 24.
- <sup>19</sup> Revision Checklist 24 extensively revised 265.119 as per Base Program Checklist IV B, including a new section title. The original code contained no subparagraphs.
- <sup>20</sup> The current text of 265.120 was introduced by Revision Checklist 24, whereas the original text of 265.120 as in the base program was moved to 265.119(b) by Revision Checklist 24.



MARYLAND CONSOLIDATED CHECKLIST C6  
Part 2 of 5 parts

Interim Status Standards for Owners and Operators of  
Hazardous Waste Treatment, Storage, and Disposal Facilities  
40 CFR Part 265, Subparts H-J, as of June 30, 1995  
as published in the July 1, 1995 CFR

Notes:

1) Consolidated Checklist C6 is divided into five separate documents/computer files solely for ease of handling its printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and endnotes associated with each part have been placed with the part to which they apply.

2) Several sections of Part 265, Subpart H, were revised by the September 1, 1988 final rule (53 FR 33938, withheld Revision Checklist 51), titled "Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities; Liability Coverage." Subsequently, the September 1, 1988 final rule was amended by the July 1, 1991 (56 FR 30200, withheld Revision Checklist 93) and the September 16, 1992 (57 FR 42832) final rules. The September 1, 1988 final rule was the subject of litigation and its checklist, Revision Checklist 51, was withheld by EPA to encourage States not to adopt those changes until a final settlement agreement could be reached and implemented. The July 1, 1991 and September 16, 1992 rules were promulgated to make the revisions mandated by the settlement agreement. Now that all the requirements of the settlement agreement have been met, the changes addressed by the three rules are included in this version of Consolidated Checklist C6 as Revision Checklist 113.

Revision Checklist 113 is a Consolidated Liability Requirements Checklist that incorporates the September 1, 1988; July 1, 1991; and September 16, 1992 rules. In this version of Consolidated Checklist C6, reference to "113" in the "rule reference" column will signify the Consolidated Liability Requirements as addressed by Revision Checklist 113. There are several instances where multiple rules affected the same sections of code. In some cases, the changes made by one rule may be optional while the changes addressed by a second rule to the same section of code is required. States should refer to Revision Checklist 113 for detailed information to identify which specific rules affected each citation addressing liability requirements.

Note that the September 16, 1992 rule (57 FR 42832) modified the claims reporting requirements (264.147(a)(7)&(b)(7) and 265.147(a)(7)&(b)(7)) and they are less stringent than the claim reporting requirements promulgated in the September 1, 1988 rule (53 FR 33938). Thus, States which have already adopted the September 1, 1988 provisions are not required to adopt the "clarified" reporting requirements of the September 16, 1992 rule, although EPA strongly encourages them to do so. States that have not adopted the September 1, 1988 claims reporting requirements should not do so but should, instead, adopt the clarified September 16, 1992 version included in the 1993 CFR.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

3) Sections 265.178 and 265.202, of Subparts I and J respectively, were added by the December 6, 1994, final rule published at 59 FR 62896-62953. Its applicable provisions are included in Revision Checklist 154 which is a consolidation of all the rules associated with the organic air emission standards for tanks, surface impoundments, and container requirements (Subpart CC). EPA strongly recommends States wait to adopt Revision Checklist 154 in its entirety (including all rules published through November 25, 1996) rather than adopting the December 6, 1994, final rule as represented on this consolidated checklist. The December 6, 1994, rule is designated as rule 154.1.

**Maryland Attorney General Comment:**

**This Consolidated Checklist reflects the Federal code as of June 30, 1995. Maryland, however, is not seeking authorization for all Checklists that made revisions to the Federal code as of June 30, 1995. Specifically, the State is not seeking authorization for the following Revision Checklists which are reflected in the July 1, 1995 CFR:**

**14, 17B, 17E, 17I, 17K, 17L, 17M, 17N, 17Q, 17S, 19, 25, 34, 39, 44A-G, 50, 62, 63, 66, 77-80, 82, 83, 85, 87, 88, 91-96, 98, 100-103, 106, 109, 111, 112, 114, 116-118, 120-125, 127, 129, 130, 135-137, 140, 142-144, & 154.**

**Where such checklists are referenced in the "Checklist Reference" column of this Consolidated Checklist, those for which the State is not seeking authorization are set apart by brackets. Any determination of equivalency is made as to the Federal provision as it existed without the changes made by the bracketed Revision Checklists.**

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART H - FINANCIAL REQUIREMENTS							
APPLICABILITY							
265.142, 265.143, 265.147-265.150 requirements; exceptions	IV B,24	265.140(a)	26.13.06.16A & .16B(1)&(2)	EQ			
265.144 and 265.146 requirements apply to:	IV B,28, [109]	265.140(b)	26.13.06.16A & .16B(1)&(2)	EQ			
		265.140(b)(1)	26.13.06.16A & .16B(1)&(2)	EQ			
		265.140(b)(2)	26.13.06.16A & .16B(1)&(2)	EQ			
	[109]	265.140(b)(3)	No analog per 26.13.06.16B(5)	Maryland is not seeking authorization for Revision Checklist 109.			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
State and Federal government exemptions	IV B	265.140(c)	26.13.06.16A & .16B(1)&(2)	EQ			

DEFINITION OF TERMS AS USED IN THIS SUBPART

definitions	IV B,24	265.141	26.13.06.16A & .16B(1)&(2)	EQ			
-------------	---------	---------	----------------------------	----	--	--	--

COST ESTIMATE FOR CLOSURE

owner or operator must have written cost estimate	IV B,24, [109]	265.142(a)	26.13.06.16A & .16B(1),(2) & (6)	EQ			
1 equal to cost of final closure	24	265.142(a)(1)	26.13.06.16A & .16B(1)&(2)	EQ			
based on costs of hiring third party	24	265.142(a)(2)	26.13.06.16A & .16B(1)&(2)	EQ			
no incorporation of salvage value	24,†64	265.142(a)(3)	26.13.06.16A & .16B(1)&(2)	EQ			
no incorporation of zero cost	24,†64	265.142(a)(4)	26.13.06.16A & .16B(1)&(2)	EQ			
adjust closure cost estimate for inflation	IV B,24	265.142(b)	26.13.06.16A & .16B(1)&(2)	EQ			
first adjustment	IV B	265.142(b)(1)	26.13.06.16A & .16B(1)&(2)	EQ			
subsequent adjustments	IV B	265.142(b)(2)	26.13.06.16A & .16B(1)&(2)	EQ			
revised closure cost estimate	IV B,24	265.142(c)	26.13.06.16A & .16B(1)&(2)	EQ			
cost estimates to be kept at facility	IV B	265.142(d)	26.13.06.16A & .16B(1)&(2)	EQ			

FINANCIAL ASSURANCE FOR CLOSURE

options to establish financial assurance	*	265.143	26.13.06.16A & .16B(1)&(2)	EQ			
--	---	---------	----------------------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
closure trust fund	IV B,24	265.143(a)	26.13.06.16A & .16B(1)&(2)	EQ			
surety bond guaranteeing payment into a closure trust fund	IV B,24	265.143(b)	26.13.06.16A & .16B(1)&(2)	EQ			
closure letter of credit	IV B,24	265.143(c)	26.13.06.16A & .16B(1)&(2)	EQ			
closure insurance	IV B,24	265.143(d)	26.13.06.16A & .16B(1)&(2)	EQ			
financial test and corporate guarantee for closure	IV B,24, †113	265.143(e)	No analog per 26.13.06.16B(3)			MS	

**Attorney General Comment:** Maryland is more stringent because it does not allow the use of the financial test or corporate guarantee to establish financial assurance for closure.

use of multiple financial mechanisms	IV B	265.143(f)	26.13.06.16A & .16B(1)&(2)	EQ			
use of financial mechanism for multiple facilities	IV B	265.143(g)	26.13.06.16A & .16B(1)&(2)	EQ			
release of owner/operator from the requirements of 264.143	IV B,24	265.143(h)	26.13.06.16A & .16B(1)&(2)	EQ			

**COST ESTIMATE FOR POST-CLOSURE CARE**

cost of post-closure monitoring and maintenance	IV B,24	265.144	26.13.06.16A & .16B(1)&(2)	EQ			
---	---------	---------	-------------------------------	----	--	--	--

**FINANCIAL ASSURANCE FOR POST-CLOSURE CARE**

deadline for obtaining financial assurance	*,24	265.145	26.13.06.16A & .16B(1)&(2)	EQ			
post-closure trust fund	IV B,24	265.145(a)	26.13.06.16A & .16B(1)&(2)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
surety bond guaranteeing payment into a post-closure fund	IV B,24	265.145(b)	26.13.06.16A & .16B(1)&(2)	EQ			
post-closure letter of credit	IV B,24	265.145(c)	26.13.06.16A & .16B(1)&(2)	EQ			
post-closure insurance	IV B,24	265.145(d)	26.13.06.16A & .16B(1)&(2)	EQ			
financial test and corporate guarantee for post-closure care	IV B,24,†113	265.145(e)	No analog per 26.13.06.16B(4)			MS	

**Attorney General Comment:** Maryland is more stringent because it does not allow the use of the financial test or corporate guarantee to establish financial assurance for post-closure care.

use of multiple financial mechanisms	IV B	265.145(f)	26.13.06.16A & .16B(1)&(2)	EQ			
use of financial mechanism for multiple facilities	IV B	265.145(g)	26.13.06.16A & .16B(1)&(2)	EQ			
release of the owner or operator from the requirements of 264.145	IV B,24	265.145(h)	26.13.06.16A & .16B(1)&(2)	EQ			

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

financial assurance requirements for both closure and post-closure can be met by specific types of mechanisms which meet 265.143 and 265.145 specifications	IV B	265.146	26.13.06.16A & .16B(1)&(2)	EQ			
---	------	---------	----------------------------	----	--	--	--



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIES			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
LIABILITY REQUIREMENTS							
liability coverage	IV B,24, †27, 113	265.147	26.13.06.16A & .16B(1)&(2)	EQ			
INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS							
incapacity of owner or operator, guarantor, or financial institution	IV B	265.148	26.13.06.16A & .16B(1)&(2)	EQ			
SUBPART I - USE AND MANAGEMENT OF CONTAINERS							
APPLICABILITY							
storage of hazardous waste in containers	IV B	265.170	26.13.06.17	EQ			
CONDITION OF CONTAINERS							
requirements when container is not in good condition	IV B	265.171	26.13.05.09B 26.13.06.17	EQ			
COMPATIBILITY OF WASTE WITH CONTAINERS							
container must be compatible with hazardous waste	IV B	265.172	26.13.05.09C 26.13.06.17	EQ			
MANAGEMENT OF CONTAINERS							
closed container during storage; care in handling	IV B	265.173	26.13.05.09D 26.13.06.17	EQ			
INSPECTIONS							
weekly inspections	IV B	265.174	26.13.05.09E 26.13.06.17	EQ			
reserved		265.175	No analog	EQ			
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
required distance from property line	IV B	265.176	26.13.05.09F 26.13.06.17	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

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

**SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES**

not to be placed in same container	IV B	265.177(a)	26.13.05.09G(1) 26.13.06.17	EQ			
not to be placed in unwashed, previously used container	IV B	265.177(b)	26.13.05.09G(2) 26.13.06.17	EQ			
separation or protection requirements	IV B	265.177(c)	26.13.05.09G(3) 26.13.06.17	EQ			

**CONTAINMENT**

containment	N/A	No Federal analog	26.13.05.09H 26.13.06.17			MS	
-------------	-----	-------------------	-----------------------------	--	--	----	--

**Attorney General Comment:** Maryland is more stringent because it requires interim status facilities to comply with containment requirements for containers.

**CLOSURE**

closure	N/A	No Federal analog	26.13.05.09I 26.13.06.17			MS	
---------	-----	-------------------	-----------------------------	--	--	----	--

**Attorney General Comment:** Maryland is more stringent because it requires interim status facilities to comply with closure requirements specific to containers.

**AIR EMISSION STANDARDS**

owner or operator shall manage all hazardous waste placed in a container in accordance with the requirements of subpart CC of this part	[154.1]	265.178	No analog	Maryland is not seeking authorization for the Subpart CC air emissions standards.			
---	---------	---------	-----------	---	--	--	--

**SUBPART J - TANK SYSTEMS**

**2 APPLICABILITY**

tank systems used for storing or treating hazardous wastes; exceptions	IV B, 28, 52, [82], 126	265.190	26.13.05.10A 26.13.06.18A	EQ			
--	-------------------------	---------	------------------------------	----	--	--	--



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
ASSESSMENT OF EXISTING TANK SYSTEM'S INTEGRITY							
written assessment of tank system's integrity	28	265.191(a)	26.13.05.10-2 B(1), .10-2B(2), & .10-2B(4)(a) 26.13.06.18A	EQ			
adequate design; sufficient structural strength; compatibility with waste(s)	28	265.191(b)	26.13.05.10-2 B(1) & .10-2 B(3) 26.13.06.18A	EQ			
minimum assessment considerations	28	265.191(b)(1)	26.13.05.10-2 B(3)(a) 26.13.06.18A	EQ			
		265.191(b)(2)	26.13.05.10-2 B(3)(b) 26.13.06.18A	EQ			
		265.191(b)(3)	26.13.05.10-2 B(3)(c) 26.13.06.18A	EQ			
		265.191(b)(4)	26.13.05.10-2 B(3)(d) 26.13.06.18A	EQ			
		265.191(b)(5)	26.13.05.10-2 B(3)(e) 26.13.06.18A	EQ			
		265.191(b)(5)(i)	26.13.05.10-2 B(3)(e)(i) 26.13.06.18A	EQ			
		265.191(b)(5)(ii)	26.13.05.10-2 B(3)(e)(ii) 26.13.06.18A	EQ			
12 mos. deadline if materials become hazardous wastes after 7/14/86	28	265.191(c)	26.13.05.10-2 B(4)(b) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER 'N SCOPE
tank systems found to be leaking or unfit for use, compliance with 265.196	28	265.191(d)	26.13.05.10-2 B(5) 26.13.06.18A	EQ			

3 DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS

information to be included in written assessments for new tank systems or components	28	265.192(a)	26.13.05.10-3B(1)-(2) 26.13.06.18A & .18C(3)-(4)	EQ			
design standards	28	265.192(a)(1)	26.13.05.10-3B(2)(a) 26.13.06.18A	EQ			
hazardous characteristics	28	265.192(a)(2)	26.13.05.10-3B(2)(b) 26.13.06.18A	EQ			
contact with soil or water; required determinations	28	265.192(a)(3)	26.13.05.10-3B(2)(c) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIV. ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
factors affecting potential for corrosion	28	265.192(a)(3)(i)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(A)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(B)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(C)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(D)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(E)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(F)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(G)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			
		265.192(a)(3)(i)(H)	26.13.05.10-3 B(2)(c)(i) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIES			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
type and degree of external corrosion protection needed	28	265.192(a)(3)(ii)	26.13.05.10-3 B(2)(c)(ii) 26.13.06.18A	EQ			
		265.192(a)(3) (ii)(A)	26.13.05.10-3 B(2)(c)(ii) 26.13.06.18A	EQ			
		265.192(a)(3) (ii)(B)	26.13.05.10-3 B(2)(c)(ii) 26.13.06.18A	EQ			
		265.192(a)(3) (ii)(C)	26.13.05.10-3 B(2)(c)(ii) 26.13.06.18A	EQ			
protection from traffic for underground components	28	265.192(a)(4)	26.13.05.10-3 B(2)(d) 26.13.06.18A	EQ			
design considerations to ensure protection from environment	28	265.192(a)(5)	26.13.05.10-3 B(2)(e) 26.13.06.18A	EQ			
		265.192(a)(5)(i)	26.13.05.10-3 B(2)(e)(i) 26.13.06.18A	EQ			
		265.192(a)(5)(ii)	26.13.05.10-3 B(2)(e)(ii) 26.13.06.18A & .18C(4)	EQ			
		265.192(a)(5)(iii)	26.13.05.10-3 B(2)(e)(iii) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
new tank installation procedures; inspection requirements	28	265.192(b)	26.13.05.10-3 B(4), .10-3B (4)(a), (b) & (c) 26.13.06.18A	EQ			
		265.192(b)(1)	26.13.05.10-3 B(4)(b)(i) 26.13.06.18A	EQ			
		265.192(b)(2)	26.13.05.10-3 B(4)(b)(ii) 26.13.06.18A	EQ			
		265.192(b)(3)	26.13.05.10-3 B(4)(b)(iii) 26.13.06.18A	EQ			
		265.192(b)(4)	26.13.05.10-3 B(4)(b)(iv) 26.13.06.18A	EQ			
		265.192(b)(5)	26.13.05.10-3 B(4)(b)(v) 26.13.06.18A	EQ			
		265.192(b)(6)	26.13.05.10-3 B(4)(b)(vi) 26.13.06.18A	EQ			
backfilling requirements for new underground tank systems	28	265.192(c)	26.13.05.10-3 B(5) 26.13.06.18A	EQ			
tightness requirement	28	265.192(d)	26.13.05.10-3 B(6) & (7) 26.13.06.18A	EQ			
protection of ancillary equipment	28	265.192(e)	26.13.05.10-3 B(8) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
corrosion protection requirements	28	265.192(f)	26.13.05.10-3 B(10) 26.13.06.18A & .18C(2)	EQ			
written statements and certification statements	28	265.192(g)	26.13.05.10-3 B(11)&(12) 26.13.06.18A	EQ			

3 CONTAINMENT AND DETECTION OF RELEASES

schedule for providing secondary containment for tank systems	28	265.193(a)	26.13.05.10-4A 26.13.06.18A	EQ			
		265.193(a)(1)	26.13.05.10-4 A(1) 26.13.06.18A	EQ			
		265.193(a)(2)	26.13.05.10-4 A(2)-(3) 26.13.06.18A	EQ			
		265.193(a)(3)	26.13.05.10-4 A(4) 26.13.06.18A	EQ			
		265.193(a)(4)	26.13.05.10-4 A(5)-(6) 26.13.06.18A	EQ			
		265.193(a)(5)	26.13.05.10-4 A(7) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
requirements for secondary containment systems	28	265.193(b)	26.13.05.10-4B 26.13.06.18A	EQ			
		265.193(b)(1)	26.13.05.10-4 B(1) 26.13.06.18A	EQ			
		265.193(b)(2)	26.13.05.10-4 B(2) 26.13.06.18A	EQ			
minimum specifications of secondary containment systems	28	265.193(c)	26.13.05.10-4B 26.13.06.18A	EQ			
		265.193(c)(1)	26.13.05.10-4 B(3)&(4) 26.13.06.18A & .18C(5)	EQ			
		265.193(c)(2)	26.13.05.10-4 B(5) 26.13.06.18A	EQ			
		265.193(c)(3)	26.13.05.10-4 B(6) 26.13.06.18A & .18C(6)	EQ			
		265.193(c)(4)	26.13.05.10-4 B(7) & .10-4C 26.13.06.18A & .18C(6)	EQ			
devices that satisfy the secondary containment requirements	28	265.193(d)	26.13.05.10-4D 26.13.06.18A	EQ			
additional requirements for secondary containment systems	28	265.193(e)	26.13.05.10-4E 26.13.06.18A	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
secondary containment requirements for ancillary equipment; exceptions	28	265.193(f)	26.13.05.10-4F 26.13.06.18A	EQ			

†,9 Variance from Section Requirements

general requirements for variance	28	265.193(g)	26.13.05.10-5A - .10-5C 26.13.06.18A	EQ			
considerations in granting variance based on demonstration of equivalent ground water and surface water protection	28	265.193(g)(1)	26.13.05.10-5D 26.13.06.18A	EQ			
factors to be considered in granting a variance	28	265.193(g)(2)	26.13.05.10-5E 26.13.06.18A	EQ			
for tanks granted a variance, requirements if release occurs from primary tank system but no migration beyond zone of engineering control	28,52	265.193(g)(3)	26.13.05.10-6B 26.13.06.18A	EQ			
for tanks granted a variance, requirements if release occurs and migrates beyond zone of engineering control	28	265.193(g)(4)	26.13.05.10-6C 26.13.06.18A	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

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

†,9 Secondary Containment Variance Procedures

procedures for requesting a variance	28	265.193(h)	26.13.05.10-5F 26.13.06.18A	EQ			
		265.193(h)(1)	26.13.05.10-5 F & F(1) 26.13.06.18A	EQ			
		265.193(h)(1)(i)	26.13.05.10-5 F(1)(a) 26.13.06.18A	EQ			
		265.193(h)(1)(ii)	26.13.05.10-5 F(1)(b) 26.13.06.18A	EQ			
		265.193(h)(2)	26.13.05.10-5 F(2) & (3) 26.13.06.18A	EQ			
		265.193(h)(3)	26.13.05.10-5 F(4) 26.13.06.18A	EQ			
		265.193(h)(4)	26.13.06.18B(1)- (3)	EQ			
		265.193(h)(5)	26.13.06.18B(4)- (5)	EQ			
requirements for all tank systems until such time as secondary containment is provided	28	265.193(i)	26.13.06.18A & C(7)	EQ			
		265.193(i)(1)	26.13.06.18A & C(7)	EQ			
		265.193(i)(2)	26.13.06.18A & C(7)	EQ			
		265.193(i)(3)	26.13.05.10-4 G(5) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		265.193(i)(4)	26.13.05.10-4 G(6) 26.13.06.18A	EQ			

3 GENERAL OPERATING REQUIREMENTS

when hazardous waste or treatment reagents must not be placed in tank systems; minimum controls and practices to prevent spills and overflows; 265.196 requirements if a leak or spill occurs in the system	28	265.194(a)	26.13.05.10C(1) 26.13.06.18A	EQ			
minimum controls and practices to prevent spills and overflows	28	265.194(b)	26.13.05.10C(2) 26.13.06.18A	EQ			
		265.194(b)(1)	26.13.05.10C(2) (c) 26.13.06.18A	EQ			
		265.194(b)(2)	26.13.05.10C(2) (a) 26.13.06.18A	EQ			
		265.194(b)(3)	26.13.05.10C(2) (b) 26.13.06.18A	EQ			
265.196 requirements if a leak or spill occurs in the system	28	265.194(c)	26.13.05.10C(3) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
INSPECTIONS							
daily inspection requirements	28	265.195(a)	26.13.05.10D(2) 26.13.06.18A	EQ			
		265.195(a)(1)	26.13.06.18C(1)	EQ			
		265.195(a)(2)	26.13.05.10D(2) (c) 26.13.06.18A	EQ			
		265.195(a)(3)	26.13.05.10D(2) (a) 26.13.06.18A	EQ			
		265.195(a)(4)	26.13.05.10D(2) (d) 26.13.06.18A	EQ			
		No Federal analog	26.13.05.10D(2) (b) 26.13.06.18A			MS	
<b>Attorney General Comment:</b> Maryland is more stringent because it requires that the level of waste in uncovered tanks be inspected daily to ensure that there is sufficient freeboard.							
minimum inspection frequency for cathodic protection systems	28	265.195(b)	26.13.05.10D(3) 26.13.06.18A	EQ			
		265.195(b)(1)	26.13.05.10D(3) (a) 26.13.06.18A	EQ			
		265.195(b)(2)	26.13.05.10D(3) (b) 26.13.06.18A	EQ			
document in operating record	28	265.195(c)	26.13.05.10D(5) 26.13.06.18A	EQ			
development of written schedule	N/A	No Federal analog	26.13.05.10D(4) 26.13.06.18A			MS	

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIES			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**Attorney General Comment:** Maryland also requires that interim status facilities with tanks develop an inspection schedule and procedures for (1) detecting leaks, cracks, corrosion or erosion; and (2) emptying to allow inspection of the tank interior. The frequency of such inspections shall be based on the tank construction materials and type of corrosion and erosion protection used.

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

immediate removal from service of leaking or unfit-for-use tank or secondary containment system	28,52	265.196	26.13.05.10-6 A(1) 26.13.06.18A	EQ			
cessation of use; prevent flow or addition of wastes	28	265.196(a)	26.13.05.10-6 A(2)-(3) 26.13.06.18A	EQ			
schedule for removal of waste from tank system or secondary containment system	28	265.196(b)(1)	26.13.05.10-6 A(4)(a) 26.13.06.18A	EQ			
		265.196(b)(2)	26.13.05.10-6 A(4)(b) 26.13.06.18A	EQ			
containment of visible releases to the environment	28	265.196(c)	26.13.05.10-6 A(5) 26.13.06.18A	EQ			
		265.196(c)(1)	26.13.05.10-6 A(5)(a) 26.13.06.18A	EQ			
		265.196(c)(2)	26.13.05.10-6 A(5)(b) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Required notifications and reports following any release to the environment	28	265.196(d)(1)	26.13.05.10-6 A(6)(a) 26.13.06.18A	EQ			
		265.196(d)(2)	26.13.05.10-6 A(6) 26.13.06.18A	EQ			
		265.196(d)(2)(i)	26.13.05.10-6 A(6) 26.13.06.18A	EQ			
		265.196(d)(2)(ii)	26.13.05.10-6 A(6) 26.13.06.18A	EQ			
		265.196(d)(3)	26.13.05.10-6 A(6)(b) 26.13.06.18A	EQ			
		265.196(d)(3)(i)	26.13.05.10-6 A(6)(b)(i) 26.13.06.18A	EQ			
		265.196(d)(3)(ii)	26.13.05.10-6 A(6)(b)(ii) 26.13.06.18A	EQ			
		265.196(d)(3)(iii)	26.13.05.10-6 A(6)(b)(iii) 26.13.06.18A	EQ			
		265.196(d)(3)(iv)	26.13.05.10-6 A(6)(b)(iv) 26.13.06.18A	EQ			
		265.196(d)(3)(v)	26.13.05.10-6 A(6)(b)(v) 26.13.06.18A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIES			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Provision of secondary containment, repair, or closure	28	265.196(e)(1)	26.13.05.10-6 A(7) & (7)(a) 26.13.06.18A	EQ			
		265.196(e)(2)	26.13.05.10-6 A(7)(b) 26.13.06.18A	EQ			
		265.196(e)(3)	26.13.05.10-6 A(7)(c) 26.13.06.18A	EQ			
		265.196(e)(4)	26.13.05.10-6 A(7)(d) 26.13.06.18A	EQ			
certification of major repairs	28	265.196(f)	26.13.05.10-6 A(8) & (9) 26.13.06.18A	EQ			

3 CLOSURE AND POST-CLOSURE CARE

general closure requirements	28	265.197(a)	26.13.06.18D(1) & (2)	EQ			
specific requirements when contaminated soils cannot practically be removed or decontaminated; closure as a landfill	28	265.197(b)	26.13.06.18D(3)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS.			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Closure plans and financial responsibility requirements for tank systems without secondary containment that fall under 265.193(b)-(f) and are not exempt from secondary containment requirements	28	265.197(c)	26.13.06.18D(4)	EQ			
		265.197(c)(1)	26.13.06.18D(4)(a)-(a)(ii)	EQ			
		265.197(c)(2)	26.13.06.18D(4)(b)	EQ			
		265.197(c)(3)	26.13.06.18D(4)(c)	EQ			
		265.197(c)(4)	26.13.06.18D(4)(d)	EQ			
		265.197(c)(5)	26.13.06.18D(4)(e)	EQ			
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES							
requirements for ignitable or reactive waste in tank systems unless:	IV B,28	265.198	26.13.05.10-1A 26.13.06.18A	EQ			
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
no placement of incompatible wastes in tank system unless compliance with 265.17(b)	IV B,28	265.199(a)	26.13.05.10-1 B(1) 26.13.06.18A	EQ			
no placement in contaminated tank system unless compliance with 265.17(b)	IV B,28	265.199(b)	26.13.05.10-1 B(2) 26.13.06.18A	EQ			
WASTE ANALYSIS AND TRIAL TESTS							
requirements when waste or process is new	28	265.200	26.13.05.10B 26.13.06.18A	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts H - J, as of June 30, 1995 (cont'd)

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

**SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 AND 1,000 KG/MO THAT ACCUMULATE HAZARDOUS WASTE IN TANKS**

special requirements for generators of between 100 and 1,000 kg/mo that accumulate hazardous waste in tanks	28,52	265.201	No analog			MS	
---	-------	---------	-----------	--	--	----	--

**Attorney General Comment:** Maryland does not have reduced requirements for small quantity generators analogous to those at 40 CFR 265.201. The State is more stringent.

**AIR EMISSION STANDARDS**

owner or operator shall manage all hazardous waste placed in a tank in accordance with the requirements of subparts AA, BB, and CC of this part	[154.1]	265.202	No analog	Maryland is not seeking authorization for the Subpart CC organic air emission standards.			
---	---------	---------	-----------	--	--	--	--

Maryland air emission standards	N/A	No Federal analog	26.13.05.10E 26.13.06.18A			MS	
---------------------------------	-----	-------------------	------------------------------	--	--	----	--

**Attorney General Comment:** Maryland has not adopted analogs to the Federal Subpart CC organic air emissions standards for tanks. However, the State does have air emission standards for tanks at 26.13.05.10E that are more stringent than the Federal program as it existed prior to the promulgation of Subpart CC.

- <sup>1</sup> The text of 265.142(a)(1) was originally included in 265.142(a).
- <sup>2</sup> Revision Checklist 28 completely revised this base program (Checklist IV B) section, 265.190.
- <sup>3</sup> Revision Checklist 28 completely reorganized and revised the regulations pertaining to tank systems which originally appeared in Checklist IV B at 265.191 through 265.194 and 265.197.



MARYLAND CONSOLIDATED CHECKLIST C6  
Part 3 of 5 parts

Interim Status Standards for Owners and Operators of  
Hazardous Waste Treatment, Storage, and Disposal Facilities  
40 CFR Part 265, Subparts K-R, as of June 30, 1995  
as published in the July 1, 1995 CFR

Notes:

1) Consolidated Checklist C6 is divided into five separate documents/computer files solely for ease of handling in printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and endnotes associated with each part have been placed with the part to which they apply.

2) Section 265.231 of Subpart K was added by the December 6, 1994, final rule published at 59 FR 62896-6295. Its applicable provisions are included in Revision Checklist 154 which is a consolidation of all the rules associated with the organic air emission standards for tanks, surface impoundments, and container requirements (Subpart CC). EPA strongly recommends States wait to adopt Revision Checklist 154 in its entirety (including all rules published through November 25, 1996) rather than adopting the December 6, 1994, final rule as represented on this consolidated checklist. The December 6, 1994, rule is designated as rule 154.1.

**Maryland Attorney General Comment:**

This Consolidated Checklist reflects the Federal code as of June 30, 1995. Maryland, however, is not seeking authorization for all Checklists that made revisions to the Federal code as of June 30, 1995. Specifically, the State is not seeking authorization for the following Revision Checklists which are reflected in the July 1, 1995 CFR:

14, 17B, 17E, 17I, 17K, 17L, 17M, 17N, 17Q, 17S, 19, 25, 34, 39, 44A-G, 50, 62, 63, 66, 77-80, 82, 83, 85, 87, 88, 91-96, 98, 100-103, 106, 109, 111, 112, 114, 116-118, 120-125, 127, 129, 130, 135-137, 140, 142-144, & 154

Where such checklists are referenced in the "Checklist Reference" column of this Consolidated Checklist, those for which the State is not seeking authorization are set apart by brackets. Any determination of equivalency is made as to the Federal provision as it existed without the changes made by the bracketed Revision Checklists.

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

SUBPART K - SURFACE IMPOUNDMENTS

APPLICABILITY

surface impoundments used to treat, store, or dispose of hazardous waste	*	265.220	26.13.06.19A	EQ			
--	---	---------	--------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
DESIGN AND OPERATING REQUIREMENTS							
surface impoundment units that must install two or more liners and a leachate collection and removal system between such liners and operate leachate collection and removal systems in accordance with 264.221(c), "construction commences" defined under "existing facility"	17 H, [100]	265.221(a)	26.13.05.11D (4) 26.13.06.19D (1)&(2)	EQ			
notify Regional Administrator; Part B application	17 H	265.221(b)	26.13.06.19E	EQ			
when a replacement surface impoundment unit is exempt from 265.221(a):	17 H, [100]	265.221(c)	26.13.05.11D (5) 26.13.06.19D (1)&(2)	EQ			
constructed in compliance with RCRA 3004(o)(1)(A)(i) and (o)(5) design standards	[100]	265.221(c)(1)	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
no reason to believe liner is not functioning as designed	[100]	265.221(c)(2)	No analog	Maryland is not seeking authorization for Revision Checklist 100.			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

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

†,3 Waiver From Double Liner Requirements

conditions for waiving 265.221(a)	17 H	265.221(d)	26.13.05.11D (6) 26.13.06.19D (1)&(2)	EQ			
	17 H,[74]	265.221(d)(1)	26.13.05.11D (6) 26.13.06.19D (1)&(2)	EQ			
	17 H	265.221(d)(2)(i)(A)	26.13.05.11D (6)(a),(a)(i),(7) &(8) 26.13.06.19D (1)&(2)	EQ			
		265.221(d)(2)(i)(B)	26.13.05.11D (6)(a)(ii) 26.13.06.19D (1)&(2)	EQ			
		265.221(d)(2)(i)(C)	26.13.05.11D (6)(a)(iii) 26.13.06.19D (1)&(2)	EQ			
		265.221(d)(2)(ii)	26.13.05.11D (6)(b) 26.13.06.19D (1)&(2)	EQ			

† first permit must honor  
liner system installed  
pursuant to  
265.221(a), except if  
leaking

4

60 cm of freeboard  
required

17 H	265.221(e)	26.13.06.19F	EQ			
IV B,†15, [100]	265.221(f)	26.13.05.11C (2) 26.13.06.19B & B(1)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†,4 condition for variance from 60 cm of freeboard	15,[100]	265.221(g)	26.13.06.19C	EQ			
surface impoundments newly subject to RCRA §3005(j)(1) must be in compliance with 265.221(a),(c)&(d) no later than 48 months after additional characteristic or listing promulgation; Part 268 land disposal prohibitions or an extension to an effective date, within the 48-month period, shall not cut short compliance period	[109]	265.221(h)	No analog	Maryland is not seeking authorization for Revision Checklist 109.			
4 ACTION LEAKAGE RATE							
action leakage rate	[100]	265.222	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
5 CONTAINMENT SYSTEM							
protective cover required for earthen dikes	IV B	265.223	26.13.05.11D (1) 26.13.06.19B (2)	EQ			
5 RESPONSE ACTIONS							
response actions	[100]	265.223	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
reserved		265.224	No analog	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
WASTE ANALYSIS AND TRIAL TESTS							
waste analyses in addition to 265.13 and the circumstances requiring them	IV B	265.225(a)	26.13.05.11E 26.13.06.19B (3)	EQ			
		265.225(a)(1)	26.13.05.11E 26.13.06.19B (3)	EQ			
		265.225(a)(2)	26.13.05.11E 26.13.06.19B (3)	EQ			
		265.225(a)(2)(i)	26.13.05.11E (1) 26.13.06.19B (3)	EQ			
		265.225(a)(2)(ii)	26.13.05.11E (2) 26.13.06.19B (3)	EQ			
MONITORING AND INSPECTION							
daily and weekly inspection requirements	IV B	265.226(a)	26.13.06.19G	EQ			
		265.226(a)(1)	26.13.06.19G (1),(1)(a)&(b)	EQ			
		265.226(a)(2)	26.13.06.19G (2)	EQ			
leak detection system requirements	[100]	265.226(b)	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
reserved		265.227	No analog	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
CLOSURE AND POST-CLOSURE CARE							
closure requirements	IV B,36	265.228(a)	26.13.05.11G (1) 26.13.06.19B (4)	EQ			
		265.228(a)(1)	26.13.05.11G (1)(a) 26.13.06.19B (4)	EQ			
		265.228(a)(2)	26.13.05.11G (1)(a) 26.13.06.19B (4)	EQ			
		265.228(a)(2)(i)	26.13.05.11G (1)(b) 26.13.06.19B (4)	EQ			
		265.228(a)(2)(ii)	26.13.05.11G (1)(c) 26.13.06.19B (4)	EQ			
		265.228(a)(2)(iii)	26.13.05.11G (1)(d) 26.13.06.19B (4)	EQ			
		265.228(a)(2)(iii) (A)	26.13.05.11G (1)(d)(i) 26.13.06.19B (4)	EQ			
		265.228(a)(2)(iii) (B)	26.13.05.11G (1)(d)(ii) 26.13.06.19B (4)	EQ			
		265.228(a)(2)(iii) (C)	26.13.05.11G (1)(d)(iii) 26.13.06.19B (4)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		265.228(a)(2)(iii) (D)	26.13.05.11G (1)(d)(iv) 26.13.06.19B (4)	X			
		265.228(a)(2)(iii) (E)	26.13.05.11G (1)(d)(v) 26.13.06.19B (4)	X			
7  post-closure requirements	IV B,36	265.228(b)	26.13.05.11G (2) 26.13.06.19B (4)&(4)(a)	X			
		265.228(b)(1)	26.13.05.11G (2)(a) 26.13.06.19B (4)	X			
	[100]	265.228(b)(2)	No analog per 26.13.05.12B (4)(b)	Maryland is not seeking authorization for Revision Checklist 100.			
	IV B,36, [100]	265.228(b)(3)	26.13.05.11G (2)(c) 26.13.06.19B (4)&(4)(c)	X			
		265.228(b)(4)	26.13.05.11G (2)(d) 26.13.06.19B (4)	X			
	IV B,36	265.228(c)	No analog	X			
	removed						



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

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

**SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE**

conditions for placement in a surface impoundment	*,†15, [78]	265.229	26.13.05.11I 26.13.06.19B (5)	EQ			
waste treatment to specific criteria prior to placement	IV B,†15	265.229(a)	26.13.05.11I (1) 26.13.06.19B (5)	EQ			
		265.229(a)(1)	26.13.05.11I (1) 26.13.06.19B (5)	EQ			
		265.229(a)(2)	26.13.05.11I (1) 26.13.06.19B (5)	EQ			
waste management to prevent reaction or ignition	IV B,†15	265.229(b)(1)	26.13.06.19B (5)(a)	EQ			
		265.229(b)(2)	26.13.06.19B (5)(b)	EQ			
		265.229(b)(3)	26.13.06.19B (5)(c)	EQ			
emergency placement	IV B,†15	265.229(c)	26.13.05.11I (2) 26.13.06.19B (5)	EQ			

**SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES**

prohibited co-disposal of incompatible wastes or materials unless compliance with 265.17(b)	IV B	265.230	26.13.05.11J 26.13.06.19B (6)	EQ			
---	------	---------	-------------------------------------	----	--	--	--



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
owner or operator shall manage all hazardous waste placed in a surface impoundment in accordance with the requirements of subpart CC of this part	[154.1]	265.231	No analog	Maryland is not seeking authorization for the Subpart CC air emissions standards.			
SUBPART L - WASTE PILES							
APPLICABILITY							
storage or treatment facilities using waste piles; alternative management under 265, Subpart N	IV B	265.250	26.13.06.20A (1),(2),&(3)	EQ			
PROTECTION FROM WIND							
wind dispersal control	IV B	265.251	26.13.05.12B (6) 26.13.06.20B (1)	EQ			
WASTE ANALYSIS							
additional analyses	IV B	265.252	26.13.05.12C 26.13.06.20B (2)	EQ			
CONTAINMENT							
to control leachate or run-off	IV B	265.253	26.13.06.20C, C(1)&(2)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
place pile on impermeable base with run-on and run-off management	IV B	265.253(a)(1)	26.13.06.20C (1)(a)	EQ			
		265.253(a)(2)	26.13.05.13B (3) 26.13.06.20C (1)(b)(i)	EQ			
		265.253(a)(3)	26.13.05.13B (4) 26.13.06.20C (1)(b)(ii)	EQ			
		265.253(a)(4)	26.13.05.13B (5) 26.13.06.20C (1)(b)(iii)	EQ			
protect pile from precipitation and liquids	IV B	265.253(b)(1)	26.13.06.20C (2)(a)	EQ			
		265.253(b)(2)	26.13.06.20C (2)(b)	EQ			

9 DESIGN AND OPERATING REQUIREMENTS

waste piles which must install two or more liners and a leachate collection and removal system in accordance with 264.251(c) unless exempt under 264.251(d), (e) or (f); compliance with 265.221(b) procedures; "construction commences" defined under "existing facility"	17 H, [100]	265.254	26.13.05.12B 26.13.06.20D	EQ			
--	----------------	---------	------------------------------	----	--	--	--

ACTION LEAKAGE RATES

action leakage rates	[100]	265.255	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
----------------------	-------	---------	-----------	---	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
conditions for placement of ignitable or reactive waste in waste piles	IV B,[78]	265.256(a)	26.13.05.12G 26.13.06.20B (4)	EQ			
	IV B	265.256(a)(1)	26.13.05.12G (1) 26.13.06.20B (4)	EQ			
		265.256(a)(2)	26.13.05.12G (2) 26.13.06.20B (4)	EQ			
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
placement in same pile prohibited unless 265.17(b) is complied with	IV B	265.257(a)	26.13.05.12H (1) 26.13.06.20B (5)	EQ			
waste separation or protection	IV B	265.257(b)	26.13.05.12H (2) 26.13.06.20B (5)	EQ			
base decontamination	IV B	265.257(c)	26.13.05.12H (3) 26.13.06.20B (5)	EQ			
CLOSURE AND POST-CLOSURE CARE							
closure requirements	IV B	265.258(a)	26.13.05.12I (1) 26.13.06.20B (6)	EQ			
post-closure care if not all contaminated subsoils can be practically removed	IV B	265.258(b)	26.13.05.12I (2) 26.13.06.20B (6)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

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

RESPONSE ACTIONS

response action plans	[100]	265.259	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
-----------------------	-------	---------	-----------	---	--	--	--

MONITORING AND INSPECTION

if leak detection system required under 265.254, record amount of liquids removed from each sump, at least weekly during active life and closure period	[100]	265.260	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
Maryland specific inspection and testing requirements	N/A	No Federal analog	26.13.05.12E 26.13.06.20B (3)			MS	

**Attorney General Comment:** Maryland is not seeking authorization for Revision Checklist 100 which introduced inspection and monitoring requirements for waste piles operating under interim status at 40 CFR 265.260. The State, however, subjects waste piles to the inspection requirements at COMAR 26.13.05.12E resulting in a program that is more stringent than the Federal code as it existed prior to Revision Checklist 100.

SUBPART M - LAND TREATMENT

APPLICABILITY

facilities that treat or dispose of hazardous waste in land treatment units	*	265.270	26.13.06.21A, B(1)&(2)	EQ			
reserved		265.271	26.13.06.21A, B(1)&(2)	EQ			

GENERAL OPERATING REQUIREMENTS

general operating requirements	IV B,+15	265.272	26.13.06.21A, B(1)&(2),(5)			MS	
--------------------------------	----------	---------	-------------------------------	--	--	----	--

**Attorney General Comment:** Maryland is more stringent because the State requires the owner or operator to operate and maintain the treatment zone to minimize run-off of hazardous constituents during the active life of the land treatment unit.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
WASTE ANALYSIS							
waste analysis	*,IV B, [74]	265.273	26.13.06.21A, B(1)&(2)	EQ			
reserved		265.274 & 265.275	26.13.06.21A, B(1)&(2)	EQ			
FOOD-CHAIN CROPS							
food chain crops	IV B	265.276	26.13.06.21A, B(1)&(2)	EQ			
reserved		265.277	26.13.06.21A, B(1)&(2)	EQ			
UNSATURATED ZONE (ZONE OF AERATION) MONITORING							
written unsaturated zone monitoring plan required and implemented; what plan must be designed to do	IV B	265.278	26.13.06.21A, B(1)&(2)	EQ			
RECORDKEEPING							
recordkeeping	IV B	265.279	26.13.06.21A, B(1)&(2)	EQ			
CLOSURE AND POST-CLOSURE							
closure and post- closure	IV B	265.280	26.13.06.21A &B(1)-(3)	EQ			
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
conditions for applying ignitable or reactive wastes to treatment zone	*,[78]	265.281	26.13.06.21A &B(1),(2),&(4)	EQ			
immediate incorporation of waste into soil	IV B	265.281(a)	26.13.06.21A, B(1)&(2)	EQ			
		265.281(a)(1)	26.13.06.21A, B(1)&(2)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		265.281(a)(2)	26.13.06.21A, B(1)&(2)	EQ			
protective management so no reaction or ignition	IV B	265.281(b)	26.13.06.21A, B(1)&(2)	EQ			

SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

conditions for disposal of incompatible wastes or materials	IV B	265.282	26.13.06.21A, B(1)&(2)	EQ			
---	------	---------	---------------------------	----	--	--	--

SUBPART N – LANDFILLS

APPLICABILITY

apply to hazardous waste disposal facilities using landfills	IV B	265.300	26.13.06.22A	EQ			
--	------	---------	--------------	----	--	--	--

DESIGN AND OPERATING REQUIREMENTS

10	landfills which must install two or more liners and a leachate collection and removal system above and between such liners, and operate in accordance with 264.301(d), (e) or (f); "construction commences" defined under "existing facility"	17 H, [100]	265.301(a)	26.13.05.14B (3) 26.13.06.22C (1)&(2)	EQ		
	notify Regional Administrator	17 H	265.301(b)	26.13.06.22D (1)&(2)	EQ		
†,11	when a landfill owner/operator is exempt from 265.301(a)	17 H, [100]	265.301(c)	26.13.05.14B (4) 26.13.06.22C (2)	EQ		
	meets RCRA 3004(o)(1)(A)(i) and (o)(5) design standards	[100]	265.301(c)(1)	No analog	Maryland is not seeking authorization for Revision Checklist 100.		

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
no reason to believe liner is not functioning as designed	[100]	265.301(c)(2)	No analog	Maryland is not seeking authorization for Revision Checklist 100.			

†,3 Waiver From Double Liner Requirements

12    waiver for monofills	17 H	265.301(d)	26.13.05.14B (5) 26.13.06.22C (2)	EQ			
	17 H,108	265.301(d)(1)	26.13.05.14B (5)(a) 26.13.06.22C (2)	EQ			
	17 H	265.301(d)(2)(i)(A)	26.13.05.14B (5)(b)(i) 26.13.06.22C (2)	EQ			
		265.301(d)(2)(i)(B)	26.13.05.14B (5)(b)(i) 26.13.06.22C (2)	EQ			
		265.301(d)(2)(i)(C)	26.13.05.14B (5)(b)(i) 26.13.06.22C (2)	EQ			
		265.301(d)(2)(ii)	26.13.05.14B (5)(b)(ii) 26.13.06.22C (2)	EQ			

† liner systems installed pursuant to 265.301(a) will be honored, unless leaking	17 H	265.301(e)	26.13.06.22E	EQ			
13 run-on control	IV B, [100]	265.301(f)	26.13.05.14B (6) 26.13.06.22B (1)	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
13 run-off control	IV B, [100]	265.301(g)	26.13.05.14B (7) 26.13.06.22B (1)	EQ			
13 collection and holding facilities	IV B, [100]	265.301(h)	26.13.05.14B (8) 26.13.06.22B (1)	EQ			
13 wind dispersal control	IV B, [100]	265.301(i)	26.13.05.14B (9) 26.13.06.22B (1)	EQ			
13 ACTION LEAKAGE RATE							
action leakage rate	[100]	265.302	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
RESPONSE ACTIONS							
response action plan	[100]	265.303	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
MONITORING AND INSPECTION							
monitoring and inspection	[100]	265.304	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
reserved		265.305-265.308	No analog	EQ			
SURVEYING AND RECORDKEEPING							
items which must be in operating record	*	265.309	26.13.05.14I 26.13.06.22B (2)	EQ			
location and dimensions of landfill to be shown on maps	IV B	265.309(a)	26.13.05.14I (1) 26.13.06.22B (2)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Contents of each cell and location of each hazardous waste type in each cell	IV B	265.309(b)	26.13.05.14I (2) 26.13.06.22B (2)	EQ			
CLOSURE AND POST-CLOSURE CARE							
cover requirements at final closure	IV B,15	265.310(a)	26.13.05.14J (1) 26.13.06.22B (3)	EQ			
		265.310(a)(1)	26.13.05.14J (1)(a) 26.13.06.22B (3)	EQ			
		265.310(a)(2)	26.13.05.14J (1)(b) 26.13.06.22B (3)	EQ			
		265.310(a)(3)	26.13.05.14J (1)(c) 26.13.06.22B (3)	EQ			
		265.310(a)(4)	26.13.05.14J (1)(d) 26.13.06.22B (3)	EQ			
		265.310(a)(5)	26.13.05.14J (1)(e) 26.13.06.22B (3)	EQ			
post-closure requirements	IV B,15	265.310(b)	26.13.05.14J (2) 26.13.06.22B (3)&(3)(a)	EQ			
final cover requirements	IV B,15	265.310(b)(1)	26.13.05.14J (2)(a) 26.13.06.22B (3)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
14 maintain and monitor the leak detection system in accordance with 264.301(c)(3)(iv) & (4), and 265.304(b); comply with other applicable Part 265 leak detection system requirements	[100]	265.310(b)(2)	No analog	Maryland is not seeking authorization for Revision Checklist 100.			
continue to operate leachate collection and removal system	N/A	No analog in Part 265	26.13.05.14J (2)(b) 26.13.06.22B (3)			MS	

**Attorney General Comment:** Maryland is more stringent because the State requires that owners and operators of interim status facilities continue to operate the leachate collection and removal system during the post-closure period.

14	ground-water monitoring system requirements	IV B,15,[ 100]	265.310(b)(3)	26.13.05.14J (2)(c) 26.13.06.22B (3)&(3)(b)	EQ			
14	run-on and run-off control requirements	IV B,15, [100]	265.310(b)(4)	26.13.05.14J (2)(d) 26.13.06.22B (3)	EQ			
14	protect and maintain surveyed benchmarks	IV B,15, [100]	265.310(b)(5)	26.13.05.14J (2)(e) 26.13.06.22B (3)	EQ			
15	removed	IV B,15	265.310(c)	No analog	EQ			
			265.310(d)	No analog	EQ			
	reserved		265.311	No analog	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

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

**SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE**

placement prohibited unless waste and landfill meet Part 268 requirements and waste is no longer ignitable or reactive and 265.17(b) is complied with	IV B,[78]	265.312(a)	26.13.05.14L 26.13.06.22B (4)	EQ			
	IV B	265.312(a)(1)	26.13.05.14L (1) 26.13.06.22B (4)	EQ			
		265.312(a)(2)	26.13.05.14L (1) 26.13.06.22B (4)	EQ			
containerized wastes	IV B,[78]	265.312(b)	26.13.06.22B (4)(a)-(c)	EQ			

**SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES**

conditions for disposal in landfill	IV B	265.313	26.13.05.14M 26.13.06.22B (6)	EQ			
-------------------------------------	------	---------	-------------------------------------	----	--	--	--

**16 SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS**

bulk liquid disposal prior to May 8, 1985 only if:	IV B, 17 F	265.314(a)	26.13.06.22F (1)			MS	
--	---------------	------------	---------------------	--	--	----	--

**Attorney General Comment:** Maryland is more stringent; the State has a complete ban on the disposal of bulk or non-containerized waste containing free liquids.

liner and leachate system requirements	IV B	265.314(a)(1)	No analog			MS	
liquids must be stabilized	IV B, [118]	265.314(a)(2)	No analog			MS	
May 8, 1985 free liquids ban	IV B, 17 F, [118]	265.314(b)	26.13.06.22F (1)			MS	

**Attorney General Comment:** Maryland is more stringent; the State has a complete ban on the disposal of containers holding free liquids.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
conditions for placement of containers holding free liquids in a landfill	IV B, †17 F	265.314(c)	No analog			MS	

**Attorney General Comment:** Maryland is more stringent; the State has a complete ban on the disposal of containers holding free liquids.

paint filter test	16, †17 F, 25,126	265.314(d)	26.13.06.22F (2)	EQ			
compliance date	IV B, †17 F	265.314(e)	No analog			MS	

**Attorney General Comment:** Maryland is more stringent; the State has a complete ban on the disposal of containers holding free liquids.

17 sorbents used to treat free liquids disposed in landfills must be nonbiodegradable; definition of nonbiodegradable sorbents	[118]	265.314(f)	No analog	Maryland is not seeking authorization for Revision Checklist 118.			
17 nonhazardous liquids ban effective November 8, 1985; what must be demonstrated to Regional Administrator for exemption	17 F, [118]	265.314(g)	26.13.06.22F (1)			MS	

**Attorney General Comment:** Maryland is more stringent; the State has a complete ban on the disposal of containers holding free liquids.

18 SPECIAL REQUIREMENTS FOR CONTAINERS

requirements if containers not very small	15	265.315	26.13.05.14O 26.13.06.22B (6)	EQ			
at least 90% full	IV B,15	265.315(a)	26.13.05.14O (1) 26.13.06.22B (6)	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Crushed, shredded or reduced in volume before burial	IV B,15	265.315(b)	26.13.05.14O (2) 26.13.06.22B (6)	EQ			

DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)

conditions for placement of overpacked drums in landfills	*	265.316	26.13.06.22F (3)	EQ			
lab pack does not hold any waste which contains free liquids	N/A	No federal analog	26.13.06.22F (3)(a)			MS	

**Attorney General Comment:** Maryland is more stringent; the State has a complete ban on the disposal of containers holding free liquids.

inside container requirements including DOT requirements	IV B	265.316(a)	26.13.06.22F (3)(b)	EQ			
overpacking--DOT requirements; outer container	IV B, [118]	265.316(b)	26.13.06.22F (3)(c)	EQ			
19 absorbent material	IV B, [118]	265.316(c)	26.13.06.22F (3)(d)	EQ			
incompatible wastes	IV B	265.316(d)	26.13.06.22F (3)(e)	EQ			
reactive wastes	IV B	265.316(e)	26.13.06.22F (3)(f)	EQ			
†, 20 disposal in compliance with Part 268; fiber drums allowed for incineration of lab packs	[78]	265.316(f)	No analog	Maryland is not seeking authorization for Revision Checklist 78.			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART O – INCINERATORS							
APPLICABILITY							
regulations apply to owners and operators of hazardous waste incinerators (as defined in 260.10), except as 265.1 provides otherwise)	IV B,13, [19],[85]	265.340(a)	26.13.06.23A	EQ			
exemptions	IV B	265.340(b)	26.13.06.23B	EQ			
WASTE ANALYSIS							
analyze wastes not previously burned; factors which at a minimum must be analyzed	*,IV B	265.341	26.13.06.23B	EQ			
reserved		265.342-265.344	26.13.06.23B	EQ			
GENERAL OPERATING REQUIREMENTS							
during start-up and shut-down, limit waste feed to steady state	IV B	265.345	26.13.06.23B	EQ			
reserved		265.346	26.13.06.23B	EQ			
MONITORING AND INSPECTIONS							
monitoring and inspection requirement	*,IV B	265.347	26.13.06.23B	EQ			
reserved		265.348-265.350	26.13.06.23B	EQ			
CLOSURE							
remove all hazardous wastes and residues	IV B	265.351	26.13.06.23B	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

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

INTERIM STATUS INCINERATORS BURNING PARTICULAR HAZARDOUS WASTES

certification to burn dioxins; certification standards and procedures	[14]	265.352	26.13.06.23C	Maryland is not seeking authorization for the Dioxin-Containing Waste Listings.			
---	------	---------	--------------	---	--	--	--

**Attorney General Comment:** Maryland is not seeking authorization for Revision Checklist 14 at this time. Note, however, that the State is more stringent in that it prohibits the burning of dioxins.

SUBPART P - THERMAL TREATMENT

OTHER THERMAL TREATMENT

treatment in other than enclosed devices using controlled flame combustion; which subparts the unit is subject to	IV B, 13, [94]	265.370	26.13.06.24A & B(2)	EQ			
reserved		265.371-265.372	26.13.06.24A	EQ			

GENERAL OPERATING REQUIREMENTS

waste feed limited to steady state conditions of operation, unless process is non-continuous	IV B	265.373	26.13.06.24A	EQ			
reserved		265.374	26.13.06.24A	EQ			

WASTE ANALYSIS

analyze wastes not previously treated to establish steady state or other appropriate operating conditions; factors which at a minimum must be analyzed	*,IV	265.375	26.13.06.24A	EQ			
reserved		265.376	26.13.06.24A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
MONITORING AND INSPECTIONS							
items requiring monitoring and inspections	IV B	265.377	26.13.06.24A	EQ			
reserved		265.378-265.380	26.13.06.24A	EQ			

**CLOSURE**

remove all hazardous waste and residues	IV B	265.381	26.13.06.24A	EQ			
---	------	---------	--------------	----	--	--	--

**OPEN BURNING; WASTE EXPLOSIVES**

prohibition on open burning of hazardous wastes except for open burning and detonation of waste explosives; definitions	IV B	265.382	26.13.06.24A	EQ			
---	------	---------	--------------	----	--	--	--

**INTERIM STATUS THERMAL TREATMENT DEVICES BURNING PARTICULAR HAZARDOUS WASTE**

certification to burn dioxins; certification standards and procedures	[14]	265.383	26.13.06.24B (1)	Maryland is not seeking authorization for the Dioxin-Containing Waste Listings.			
---	------	---------	---------------------	---	--	--	--

**Attorney General Comment:** Maryland is not seeking authorization for Revision Checklist 14 at this time. Note, however, that the State is more stringent in that it prohibits the burning of dioxins.

**SUBPART Q - CHEMICAL, PHYSICAL, AND BIOLOGICAL TREATMENT**

**APPLICABILITY**

applies to owners/operators of facilities which treat by chemical, physical, or biological methods in other than tanks, surface impoundments and land treatment facilities, except as 265.1 provides otherwise	IV B	265.400	26.13.06.25A 26.13.06.25B	EQ			
--	------	---------	------------------------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
GENERAL OPERATING REQUIREMENTS							
comply with 265.17(b); placement of wastes; cut-off for continuous feed	IV B	265.401	26.13.06.25A	EQ			
WASTE ANALYSIS AND TRIAL TESTS							
requirements in addition to 265.13	IV B	265.402	26.13.06.25A	EQ			
INSPECTIONS							
items to be inspected and frequency of inspection	IV B	265.403	26.13.06.25A	EQ			
CLOSURE							
remove all hazardous wastes and residues	IV B	265.404	26.13.06.25A	EQ			
SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE							
ignitable or reactive waste must not be placed in treatment process or equipment unless certain conditions are met	IV B	265.405	26.13.06.25A	EQ			
SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES							
no treatment of incompatible wastes unless 265.17(b) compliance; no hazardous waste placed in unwashed treatment equipment unless 265.17(b) compliance	IV B	265.406	26.13.06.25A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART R - UNDERGROUND INJECTION							

APPLICABILITY

except as 265.1 provides otherwise; owner/operator exclusion; Class I and Class IV wells

\*,IV B

265.430

26.13.06.27

MS

**Attorney General Comment:** Maryland prohibits the disposal of hazardous waste by underground injection; the State is more stringent.

- 1 265.221(a) was originally introduced by Revision Checklist 17H and was completely revised by Revision Checklist 100.
- 2 265.221(c) was originally introduced by Revision Checklist 17H. It was revised and restructured to include subparagraphs (c)(1)&(2) by Revision Checklist 100.
- 3 Citations within the double lines are optional, but if a State chooses to modify its program to adopt requirements equivalent to these provisions, it must adopt such requirements as a unit rather than by individual provision. In other words, all or none of these provisions must be included in a State's code. Subsequent changes to these provisions may or may not be optional for States that have adopted the original unit of provisions. An optional sign appears in front of the subsequent revision checklist number(s) if such subsequent changes are less stringent than or reduce the scope of the original requirements.
- 4 Revision Checklist 100 transferred the text of 265.222(a)&(b) as originally introduced by Checklist IV B to 265.221 and redesignated them as 265.221(f)&(g). Then, 265.222 was amended by Revision Checklist 100 by revising the section heading and adding paragraphs (a),(b)&(c).
- 5 Note that there are two sections designated as 265.223 in this consolidated checklist and in the CFR beginning with the July 1, 1992 edition. Revision Checklist 100 (57 FR 3462; January 29, 1992) added a new 265.223 ("Response actions") when 265.223 ("Containment systems") was already in the code as introduced by Checklist IV B. A technical correction will be published in the near future to correct this error.
- 6 Revision Checklist 100 amended this section by revising the section heading and adding a new paragraph (b).
- 7 Revision Checklist 100 amended this section by redesignating the old paragraphs 265.228(b)(2)&(3) as 265.228(b)(3)&(4) and adding a new paragraph (b)(2). Note that there is an error in the Federal Register addressed by Revision Checklist 100; the internal reference "265.221(c)(2)(iv)" should be "264.221(c)(2)(iv)."

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

- 8 There is a printing error in the CFR beginning with the July 1, 1992 edition. Paragraph 265.229(b) does not contain a subparagraph (4). Refer to the July 1, 1991 CFR for the correct version of this paragraph.
- 9 This section was completely revised by Revision Checklist 100, including the section heading.
- 10 265.301(a) was originally introduced by Revision Checklist 17H and was completely revised by Revision Checklist 100.
- 11 265.301(c) was originally introduced by Revision Checklist 17H. It was revised and restructured to include subparagraphs (c)(1) and (c)(2) by Revision Checklist 100.
- 12 There are several errors in the Federal Register addressed by Revision Checklist 108 (57 FR 30657; July 10, 1992) for 265.301(d)(1). First, "such waste does not" should read "such wastes do not" and "261.4 of this chapter" should be "261.24 of this chapter" as found in the July 15, 1985 Federal Register at 50 FR 28750 (Revision Checklist 17 H) and in the 1992 CFR. Second, "Waste Number" should be "Waste Numbers".
- 13 Revision Checklist 100 transferred the text of 265.302(a),(b),(c)&(d) as originally introduced by Checklist IV B to 265.301 and redesignated them as 265.301(f),(g),(h)&(i). 265.302 was then amended by Revision Checklist 100 by revising the section heading and adding paragraphs (a),(b)&(c).
- 14 Revision Checklist 100 amended this section by redesignating the original 265.310(b)(2),(3)&(4) as 265.310(b)(3),(4)&(5) and adding a new paragraph (b)(2).
- 15 Paragraphs 265.310(c)&(d) were removed by the final rule addressed by Revision Checklist 15; however, these removals were not included on Revision Checklist 15.
- 16 Revision Checklist 17 F made extensive changes to this section of code, including redesignating the original paragraphs 265.314(b)&(c) to 265.314(c)&(e), reserving 265.314(d), and adding new paragraphs 265.314(b)&(f).
- 17 Revision Checklist 17 F (50 FR 28702; July 15, 1985) introduced the original 265.314(f), 265.314(f)(1) and 265.314(f)(2) into the code. Revision Checklist 118 (57 FR 54452; November 18, 1992) redesignated these paragraphs as 265.314(g), 265.314(g)(1), and 265.314(g)(2) and introduced a new 265.314(f) and subparagraphs.
- 18 Revision Checklist 15 completely revised the regulations at 264.315.
- 19 Note that there is a typographical error in the November 18, 1992 Federal Register article (57 FR 54452, Revision Checklist 118); "container's" should be "containers,".
- 20 This code is part of the optional requirements for the alternate treatment standards for lab packs under the

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts K-R, as of June 30, 1995 (cont'd)

---

Third Third Scheduled Waste Rule. If adopted, all of the requirements (i.e., 264.316(f), 265.316(f), 268.7(a)(7), 268.7(a)(8), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268) related to these alternate treatment standards must be adopted.



## MARYLAND CONSOLIDATED CHECKLIST C6

### Part 4 of 5 parts

Interim Status Standards for Owners and Operators of  
Hazardous Waste Treatment, Storage, and Disposal Facilities  
40 CFR PART 265, Subparts W-BB, as of June 30, 1995  
as published in the July 1, 1995 CFR

#### Notes:

- 1) Consolidated Checklist C6 is divided into five separate documents/computer files solely for ease of handling its printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and endnotes associated with each part have been placed with the part to which they apply.
- 2) Section 265.1033 of Subpart AA was revised by the December 6, 1994, final rule published at 59 FR 62896-62953. Its applicable provisions are included in Revision Checklist 154, which is a consolidation of all the rules associated with the organic air emission standards for tanks, surface impoundments, and container requirements (Subpart CC). EPA strongly recommends States wait to adopt Revision Checklist 154 in its entirety (including all rules published through November 25, 1996) rather than adopting the December 6, 1994, final rule as represented on this consolidated checklist. The December 6, 1994, rule is designated as rule 154.1.

#### Maryland Attorney General Comment:

This Consolidated Checklist reflects the Federal code as of June 30, 1995. Maryland, however, is not seeking authorization for all Checklists that made revisions to the Federal code as of June 30, 1995. Specifically, the State is not seeking authorization for the following Revision Checklists which are reflected in the July 1, 1995 CFR:

14, 17B, 17E, 17I, 17K, 17L, 17M, 17N, 17Q, 17S, 19, 25, 34, 39, 44A-G, 50, 62, 63, 66, 77-80, 82, 83, 85, 87, 88, 91-96, 98, 100-103, 106, 109, 111, 112, 114, 116-118, 120-125, 127, 129, 130, 135-137, 140, 142-144, & 154.

Where such checklists are referenced in the "Checklist Reference" column of this Consolidated Checklist, those for which the State is not seeking authorization are set apart by brackets. Any determination of equivalency is made as to the Federal provision as it existed without the changes made by the bracketed Revision Checklists.



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

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

SUBPART W - DRIP PADS

Subpart W drip pad requirements	[82],[91], [92], [101], [120]	265.440 – 265.445	26.13.05.17-1 - .17-4 26.13.06.26	Although Maryland currently has analogs to these provisions, the State is not seeking authorization for the drip pad requirements at this time.			
---------------------------------	--	-------------------	---	---	--	--	--

SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

air emission standards for process vents	[79],[87], [154.1]	265.1030- 265.1049	No analogs	Maryland is not seeking authorization for Air Emission Standards for Process Vents			
--	-----------------------	-----------------------	------------	--	--	--	--

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY

air emission standards for equipment leaks	[79],[87]	265.1050- 265.1079	No analog	Maryland is not seeking authorization for Air Emission Standards for Equipment Leaks			
--	-----------	-----------------------	-----------	--	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
owner or operator maintains and complies with a written contingency plan describing how owner or operator will respond to discharge of infrequent and incidental drippage; at a minimum, what the contingency plan must describe	120	265.440(c)(1)	26.13.05.17-1A(5)(a),(b)&(c) 26.13.06.26A	EQ			
		265.440(c)(1)(i)	26.13.05.17-1A(5)(c)(i) 26.13.06.26A	EQ			
		265.440(c)(1)(ii)	26.13.05.17-1A(5)(c)(ii) 26.13.06.26A	EQ			
		265.440(c)(1)(iii)	26.13.05.17-1A(5)(c)(iii) 26.13.06.26A	EQ			
		265.440(c)(1)(iv)	26.13.05.17-1A(5)(c)(iv) 26.13.06.26A	EQ			

ASSESSMENT OF EXISTING DRIP PAD INTEGRITY

evaluation of existing drip pads; by June 6, 1991, written assessment obtained and kept on file; annual review, update and recertification required until 265.443 standards are met, except for 265.443(b) standards for liners and leak detection systems	82,120	265.441(a)	26.13.05.17-1B(1) 26.13.06.26A	EQ			
--	--------	------------	-----------------------------------	----	--	--	--

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
1 development of written plan for upgrading, repairing and modifying drip pad to meet 265.443(b) requirements; submittal of plan to Regional Administrator no later than 2 years before completion of modifications; written plan documentation, review and certification requirements	82,120	265.441(b)	26.13.05.17-1B(2) 26.13.06.26A	EQ			
1 removed	82,120	265.441(b)(1)	No analog	EQ			
		265.441(b)(2)	No analog	EQ			
		265.441(b)(3)	No analog	EQ			
submittal of required drawings and certification to Regional Administrator or State Director upon completion of all repairs and modifications	82	265.441(c)	26.13.05.17-1B(3) 26.13.06.26A	EQ			
if drip pad found to be leaking or unfit for use, compliance with 265.443(m) provisions or close drip pad in accordance with 265.445	82	265.441(d)	26.13.05.17-1B(4) 26.13.06.26A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

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

**DESIGN AND INSTALLATION OF NEW DRIP PADS**

owners and operators of new drip pads must ensure that the pads are designed, installed and operated in accordance with one of the following:	82, 120	265.442	26.13.05.17-1C(1),C(2),&D 26.13.06.26A	EQ			
all of the applicable requirements of 265.443 (except 265.443(a)(4)), 265.444 and 265.445	120	265.442(a)	26.13.05.17-1C(2)(a)&D(1) 26.13.06.26A	EQ			
all of the applicable requirements of 265.443 (except 265.443(b)), 265.444 and 265.445	120	265.442(b)	26.13.05.17-1C(2)(b)&D(2) 26.13.06.26A	EQ			

**DESIGN AND OPERATING REQUIREMENTS**

drip pads must:	82	265.443(a)	26.13.05.17-2A&A(1) 26.13.06.26A	EQ			
be constructed of non-earthen materials, excluding wood and non-structurally supported asphalt	82	265.443(a)(1)	26.13.05.17-2A(1)(a) 26.13.06.26A	EQ			
be sloped for free-drainage to the associated collection system	82	265.443(a)(2)	26.13.05.17-2A(1)(b) 26.13.06.26A	EQ			
have a curb or berm around the perimeter	82	265.443(a)(3)	26.13.05.17-2A(1)(c) 26.13.06.26A	EQ			
2, hydraulic conductivity 3 requirements; maintain surface free of cracks	82,120	265.443(a)(4)(i)	26.13.05.17-2A(2) 26.13.06.26A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
and gaps; surface material must be chemically compatible with preservatives that contact pad; requirements apply to existing drip pads and drip pads of owners/operators electing to comply with 265.442(a)							
2 owner or operator must obtain and keep at the facility a written assessment of drip pad certified by independent qualified registered engineer; assessment must attest to results of evaluation; assessment must be reviewed, updated and recertified annually; evaluation must document extent to which drip pad meets 265.443 (except 265.443(b)) design and operating standards	120	265.443(a)(4)(ii)	26.13.05.17-2B 26.13.06.26A	EQ			
4 remove notes regarding administrative stays for new and existing drip pads	†91, †101,120	265.443(a)(4)/ notes	No analog	EQ			
be of sufficient structural strength and thickness to meet specified conditions	82	265.443(a)(5)	26.13.05.17-2A(3) 26.13.06.26A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
5 if an owner/operator elects to comply with § 265.442(b) instead of § 265.442(a), the drip pad must have:	82,120	265.443(b)	26.13.05.17-2C 26.13.06.26A	EQ			
a synthetic liner that meets certain specifications	82	265.443(b)(1)	26.13.05.17-2C(1)&(2) 26.13.06.26A	EQ			
specific requirements for liner construction materials	82	265.443(b)(1)(i)	26.13.05.17-2C(3)(a) 26.13.06.26A	EQ			
foundation or base requirements	82	265.443(b)(1)(ii)	26.13.05.17-2C(3)(b) 26.13.06.26A	EQ			
liner must cover all surrounding earth that could come into contact with the waste or leakage	82	265.443(b)(1)(iii)	26.13.05.17-2C(3)(c) 26.13.06.26A	EQ			
leakage detection system immediately above the liner; detection system must be:	82	265.443(b)(2)	26.13.05.17-2C(4)&(5) 26.13.06.26A	EQ			
constructed of materials that are:	82	265.443(b)(2)(i)	26.13.05.17-2C(5)(a) 26.13.06.26A	EQ			
chemically resistant to relevant waste and leakage	82	265.443(b)(2)(i)(A)	26.13.05.17-2C(5)(a)(i) 26.13.06.26A	EQ			
of sufficient strength and thickness to prevent collapse	82	265.443(b)(2)(i)(B)	26.13.05.17-2C(5)(a)(ii) 26.13.06.26A	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
6 design and operation to function without clogging through scheduled drip pad closure	92	265.443(b)(2)(ii)	26.13.05.17-2C(5)(b) 26.13.06.26A	EQ			
6 designed to detect the failure of the drip pad or the presence of hazardous waste release or accumulated liquid at the earliest practicable time	82,92	265.443(b)(2)(iii)	26.13.05.17-2C(5)(c) 26.13.06.26A	EQ			
leakage collection system immediately above the liner designed, constructed, maintained and operated to collect leakage from below the drip pad for removal; date, time and quantity of leakage collected must be documented in operating log	120	265.443(b)(3)	26.13.05.17-2C(6)&(7) 26.13.06.26A	EQ			
maintenance of drip pads; note regarding remedial action	82	265.443(c)	26.13.05.17-2D(1) 26.13.06.26A	EQ			
convey, drain, and collect liquid resulting from drippage or precipitation in order to prevent run-off	82	265.443(d)	26.13.05.17-2D(2) 26.13.06.26A	EQ			



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
run-on control system requirements, unless drip pad is protected by a structure, as described in 265.440(b)	82	265.443(e)	26.13.05.17-2D(3)&(3)(a) 26.13.06.26A	EQ			
run-off management system requirements, unless drip pad is protected by a structure, as described in 265.440(b)	82	265.443(f)	26.13.05.17-2D(3)&(3)(b) 26.13.06.26A	EQ			
evaluation of drip pad for compliance with 265.443(a)-(f) requirements; design certification required	82	265.443(g)	26.13.05.17-2E 26.13.06.26A	EQ			
removal of drippage and accumulated precipitation from associated collection system as necessary to prevent overflow onto the drip pad	82	265.443(h)	26.13.05.17-2D(4) 26.13.06.26A	EQ			
thorough cleaning of drip pad surface in a manner and frequency to meet specified conditions; documentation of date, time and cleaning procedure in facility's operating log	82,120	265.443(i)	26.13.05.17-2F 26.13.06.26A	EQ			
minimize tracking of hazardous waste or constituents off the drip pad	82	265.443(j)	26.13.05.17-2D(6) 26.13.06.26A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
after removal from treatment vessel, treated wood from pressure and non-pressure processes must be held on pad until drippage has ceased; documentation required	82	265.443(k)	26.13.05.17-2G&H 26.13.06.26A	EQ			
collection and holding units for run-on and run-off control systems emptied or otherwise managed as soon as possible after storms to maintain design capacity	82	265.443(l)	26.13.05.17-2D(5) 26.13.06.26A	EQ			
throughout the active life of the drip pad, repair of detected condition that may have caused or has caused a release of hazardous waste within a reasonable period of time, in accordance with the following procedures:	82,92	265.443(m)	26.13.05.17-2I(1) 26.13.06.26A	EQ			
upon detection of a condition that may have caused or has caused a release of hazardous waste, the owner must:	82,92	265.443(m)(1)	26.13.05.17-2I(1) 26.13.06.26A	EQ			
entry of discovery in the facility operating log	82	265.443(m)(1)(i)	26.13.05.17-2I(1)(a) 26.13.06.26A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
immediate removal from service of affected portion of drip pad	82	265.443(m)(1)(ii)	26.13.05.17- 2I(1)(b) 26.13.06.26A	EQ			
determination of steps to repair drip pad, remove any leakage, and establish schedule for clean up and repairs	82	265.443(m)(1)(iii)	26.13.05.17- 2I(1)(c) 26.13.06.26A	EQ			
notify Regional Administrator within 24 hours after discovery; provide written notice as specified within 10 working days	82	265.443(m)(1)(iv)	26.13.05.17- 2I(1)(d)&(e) 26.13.06.26A	EQ			
review, determination and notification by Regional Administrator	82	265.443(m)(2)	26.13.05.17- 2I(2) 26.13.06.26A	EQ			
written notification to Regional Administrator and certification of compliance with 265.443(m)(1)(iv) after repairs and clean up	82,92	265.443(m)(3)	26.13.05.17- 2I(3) 26.13.06.26A	EQ			
documentation in operating log, as specified, of past operating and waste handling practices	82	265.443(n)	26.13.05.17- 2J 26.13.06.26A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
INSPECTIONS							
inspection of liners and cover systems for uniformity, damage and imperfections during construction or installation; inspection and certification of liners to meet 265.443 requirements; maintenance of certification as part of the facility operating record; inspection of liners and covers after installation	82	265.444(a)	26.13.05.17-3A,B,C&D 26.13.06.26A	EQ			
drip pad must be inspected weekly and after storms to detect evidence of any of the following:	82	265.444(b)	26.13.05.17-3E(1) 26.13.06.26A	EQ			
deterioration, malfunctions or improper operation of run-on and run-off control systems	82	265.444(b)(1)	26.13.05.17-3E(1)(a) & (2) 26.13.06.26A	EQ			
presence of leakage in and proper functioning of leak detection system	82	265.444(b)(2)	26.13.05.17-3E(1)(b) & (2) 26.13.06.26A	EQ			
deterioration or cracking of drip pad surface; note regarding remedial action	82	265.444(b)(3)	No Analog	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
CLOSURE							
at closure, removal and decontamination requirements; management as hazardous waste	82	265.445(a)	26.13.05.17-4A 26.13.06.26A	EQ			
closure and post-closure care of drip pad as a landfill under 265.310, if some contaminated subsoils cannot be removed or decontaminated; for permitted units, permit requirement continues throughout post-closure period	82	265.445(b)	26.13.05.17-4B 26.13.06.26A & .26B	EQ			
owner or operator of an existing drip pad not in compliance with the 265.443(b)(1) liner requirements must:	82	265.445(c)(1)	26.13.05.17-4D 26.13.06.26A	EQ			
include in closure plans for drip pad under 265.112, a plan for 265.445(a) compliance and a contingent plan for 265.445(b) compliance	82	265.445(c)(1)(i)	26.13.05.17-4D(1) 26.13.06.26A	EQ			
prepare a contingent post-closure plan under 265.118 for complying with 265.445(b) in case not all contaminated subsoils can be practicably removed at closure	82	265.445(c)(1)(ii)	26.13.05.17-4D(2) 26.13.06.26A	EQ			

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
cost estimates calculated under 265.112 and 265.144 for closure and post-closure care of drip pad subject to 265.445(c) must include cost of complying with the contingent closure plan and the contingent post-closure plan; cost of expected closure under 265.445(a) need not be included	82	265.445(c)(2)	26.13.05.17-4E 26.13.06.26A	EQ			

SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

air emission standards for process vents	[79],[87], [154.1]	265.1030- 265.1049	No analogs	Maryland is not seeking authorization for Air Emission Standards for Process Vents
--	-----------------------	-----------------------	------------	--

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY

air emission standards for equipment leaks	[79],[87]	265.1050- 265.1079	No analog	Maryland is not seeking authorization for Air Emission Standards for Equipment Leaks
--	-----------	-----------------------	-----------	--

<sup>1</sup> When this paragraph was revised by Revision Checklist 120 (57 FR 61492; December 24, 1992), the instructions for revising it were unclear. According to EPA, the last sentence of 265.441(b), which introduces the subparagraphs, is to be removed, as well as subparagraphs (b)(1), (2), and (3). Note that these revisions have been correctly reflected in the CFR beginning with the July 1, 1993 edition.



CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts W-BB, as of June 30, 1995 (cont'd)

- 2 This paragraph was introduced into the Federal code by Revision Checklist 82 as 265.443(a)(4). Revision Checklist 120 completely revised the paragraph by removing the old 265.443(a)(4) and replacing it with 265.443(a)(4)(i) and 265.443(a)(4)(ii).
- 3 Note that the Federal Register for Revision Checklist 120 (57 FR 61492; December 24, 1992) is in error. According to EPA, the last line of 265.443(a)(4)(i) should read "§ 265.442(b) instead of § 265.442(a)" rather than "§ 265.442(a) instead of § 265.442(b)". As written, the code contradicts what is said in the 265.442(a)&(b) requirements.
- 4 Revision Checklist 91 (56 FR 27332; June 13, 1991) added a note regarding an administrative stay with no ending date for new drip pads. Revision Checklist 101 (57 FR 5859; February 18, 1992) added a second note addressing an administrative stay for existing drip pads at wood preserving plants until October 31, 1992. The administrative stay was terminated by the Federal Register article for Revision Checklist 120 (57 FR 61492; December 24 1992); however, this article did not clearly indicate that the notes should be removed. According to EPA, they should be removed. These notes have been correctly removed in the CFR beginning with the July 1, 1993 edition.
- 5 According to EPA, there is an error in the Federal Register for Revision Checklist 120 at 265.443(b). The phrase "§ 265.442(b) instead of § 265.442(a)" should be "§ 265.442(a) instead of § 265.442(b)." As currently written, the code contradicts the 265.442(a)&(b) requirements.
- 6 Revision Checklist 82 introduced the original 265.443(b)(2)(ii) into the code. Revision Checklist 92 redesignated the original 265.443(b)(2)(ii) as 265.443(b)(2)(iii) and added a new paragraph 265.443(b)(2)(ii).



## MARYLAND CONSOLIDATED CHECKLIST C6

### Part 5 of 5 parts

Interim Status Standards for Owners and Operators of  
Hazardous Waste Treatment, Storage, and Disposal Facilities  
40 CFR PART 265, Subparts CC-DD and Appendices, as of June 30, 1995  
as published in the July 1, 1995 CFR

#### Notes:

1) Consolidated Checklist C6 is divided into five separate documents/computer files solely for ease of handling its printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and endnotes associated with each part have been placed with the part to which they apply.

2) Subpart CC was added by the December 6, 1994, final rule published at 59 FR 62896-62953. Sections 265.1080 and 265.1082 of this subpart were revised by the May 19, 1995, final rule published at 60 FR 26828-26829. The applicable provisions of both of these rules are included in Revision Checklist 154, which is a consolidation of all the rules associated with the organic air emission standards for tanks, surface impoundments, and container requirements. EPA strongly recommends States wait to adopt Revision Checklist 154 in its entirety (including all rules published through November 25, 1996) rather than adopting the December 6, 1994, and the May 19, 1995, final rules as represented on this consolidated checklist. The December 6, 1994, rule is designated as rule 154.1, and the May 19, 1995, rule is designated as 154.2.

#### Maryland Attorney General Comment:

This Consolidated Checklist reflects the Federal code as of June 30, 1995. Maryland, however, is not seeking authorization for all Checklists that made revisions to the Federal code as of June 30, 1995. Specifically, the State is not seeking authorization for the following Revision Checklists which are reflected in the July 1, 1995 CFR:

14, 17B, 17E, 17I, 17K, 17L, 17M, 17N, 17Q, 17S, 19, 25, 34, 39, 44A-G, 50, 62, 63, 66, 77-80, 82, 83, 85, 87, 88, 91-96, 98, 100-103, 106, 109, 111, 112, 114, 116-118, 120-125, 127, 129, 130, 135-137, 140, 142-144, & 154.

Where such checklists are referenced in the "Checklist Reference" column of this Consolidated Checklist, those for which the State is not seeking authorization are set apart by brackets. Any determination of equivalency is made as to the Federal provision as it existed without the changes made by the bracketed Revision Checklists.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts CC-DD and Appendices, as of June 30, 1995 (cont'd)

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

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

APPLICABILITY

air emission standards for tanks, surface impoundments, and containers	[154.1]	265.1080-265.1091	No analog	Maryland is not seeking authorization for the Subpart CC air emission standards.			
--	---------	-------------------	-----------	--	--	--	--

SUBPART DD - CONTAINMENT BUILDINGS

APPLICABILITY

containment buildings	[109]	265.1100-1110	No analog	Maryland is not seeking authorization for the containment building standards.			
-----------------------	-------	---------------	-----------	---	--	--	--

APPENDIX I TO PART 265

RECORDKEEPING INSTRUCTIONS

instructions for keeping portions of the operating record	*,131	Appendix I	No direct analog in 26.13.06; see 26.13.05.20	EQ			
---	-------	------------	---	----	--	--	--

**Attorney General Comment:** The State requires interim status facilities to comply with the recordkeeping requirements for permitted facilities in COMAR 26.13.05. Thus, the provision at Regulation .20 of that chapter serves as the analog to Appendix I in both 40 CFR Parts 264 and 265.

APPENDIX III TO PART 265

EPA INTERIM PRIMARY DRINKING WATER STANDARDS

table of parameters and maximum levels	*	Appendix III	No direct analog in 26.13.06	EQ			
--	---	--------------	------------------------------	----	--	--	--

**Attorney General Comment:** Maryland adopts by reference the provisions in 40 CFR Part 265, Subpart F ("Groundwater Monitoring"). The Federal code references its own Appendix III of 40 CFR Part 265. Thus, Maryland does not need a direct analog to this Appendix.

CONSOLIDATED CHECKLIST C6  
40 CFR Part 265, Subparts CC-DD and Appendices, as of June 30, 1995 (cont'd)

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

APPENDIX IV TO PART 265

TESTS FOR SIGNIFICANCE

background information on use of Student's t-test	*	Appendix IV	No direct analog in 26.13.06	EQ			
---	---	-------------	------------------------------------	----	--	--	--

**Attorney General Comment:** Maryland adopts by reference the provisions in 40 CFR Part 265, Subpart F ("Groundwater Monitoring"). The Federal code references its own Appendix IV of 40 CFR Part 265. Thus, Maryland does not need a direct analog to this Appendix.

APPENDIX V TO PART 265

EXAMPLES OF POTENTIALLY INCOMPATIBLE WASTE

lists of wastes and potential consequences of mixing	*	Appendix V	No direct analog in 26.13.06; see 26.13.05.24	EQ			
---	---	------------	--	----	--	--	--

**Attorney General Comment:** Maryland either requires interim status facilities to comply with specific unit requirements in COMAR 26.13.05 or adopts by reference unit requirements. Therefore, the State's regulations either reference Regulation .24 of that chapter or directly reference Appendix V of 40 CFR Part 265. These serve as Maryland's analog to this Appendix.