

US EPA ARCHIVE DOCUMENT

Attachments – Checklists Referenced in the Attorney General’s Statement	
Checklist Number	Subject
1	Biennial Report
2	Permit Rule
3	Interim Status Standards
4	Chlorinated Aliphatic Hydrocarbons
5	National Uniform Manifests
6	Permit Rule – Deficient Part A Applications
7	Listing Warfarin and Zinc Phosphide
8	Lime Stabilized Pickle Liquor Sludge
9	Exclusion of Household Waste
10	Interim Status Standards - Applicability
11	Corrections to Test Methods Manual
12	Satellite Accumulation Standards
13	Definition of Solid Waste
15	Interim Status Standards for Treatment, Storage and Disposal Facilities
16	Paint Filter Test
17A <sup>1</sup>	Small Quantity Generators (superceded – see checklist 23)
17C <sup>1</sup>	Household Waste
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17F	Liquids in Landfills I
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17H	Double Liners
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17O <sup>1</sup>	Omnibus Provisions
17P	Interim Status
17R <sup>1</sup>	Hazardous Waste Exports
18	Listing of TDI, TDA, DNT
20	Spent Solvents Listing
21	EDB Waste Listing
22	Four Spent Solvent Listings
23	Small Quantity Generators
24	Financial Responsibility: Settlement Agreement
25	Paint Filter Test – Correction
26	Listing of Spent Pickle Liquor
27	Corporate Guarantee – Liability Coverage
28	Hazardous Waste Storage and Tank Systems
29	Correction – Commercial Chemical Products and Appendix VIII
30	Biennial Reports; Corrections
31	Exports of Hazardous Wastes
32	Standards for Generators – Waste Minimization Certificates
33	Listing of EDBC
35	Revised Manual SW 846

Attachments – Checklists Referenced in the Attorney General’s Statement	
Checklist Number	Subject
36	Closure/Post Closure Care for Interim Status Surface Impoundments
37	Definition of Solid Waste – Technical Corrections
38	Amendments, Part B – Information Requirements for Disposal Facilities
40	List (Phase I) of Hazardous Constituents for Ground-water Monitoring
41	Identification and Listing of Hazardous Waste
42	Exception Reporting for Hazardous Waste Generators
43	Liability Requirements; Corporate Guarantee
45	Hazardous Waste Miscellaneous Units
46	Technical Correction – Identification and Listing of Hazardous Waste
47	Small Quantity Generators; Technical Correction
48	Farmer Exemption; Technical Correction
49	Treatability Studies Sample Exemption
52	Standards for Hazardous Waste Storage and Treatment Tank Systems
53	Identification and Listing of Hazardous Waste (K064, K065, K066, K088, K090, K091)
54	Permit Modifications for Waste Management Facilities
55	Statistical Methods for Evaluating Ground-water Monitoring Data
56	Removal of Iron Dextran from the Lists of Hazardous Wastes
57	Removal of Strontium Sulfide from the Lists of Hazardous Wastes
58	Standards for Generators of Hazardous Waste; Manifest Renewal
59	Hazardous Waste Miscellaneous Units; Standards Applicable to Owners and Operators
60	Amendment to Requirements for Hazardous Waste Incinerator Permits
61	Changes to Interim Status Facilities ....; Modifications of Hazardous Waste Management Permits; Procedures for Post-closure Permitting
64	Delay of Closure Period for Hazardous Waste Management Facilities
65	Mining Exclusion I
67	Testing and Monitoring Activities
68	Reportable Quantity Adjustment Methyl Bromide Production Waste
69	Reportable Quantity Adjustment
70	Changes to Part 124 Not Accounted for by Present Checklists
71	Mining Waste Exclusion II
72	Modification of F019 Listing
73	Testing and Monitoring Activities, Technical Correction
74	Toxicity Characteristic Revisions
75	Listing of 1,1-Dimethylhydrazine Production Waste
76	Criteria for Listing Toxic Wastes; Technical Amendment
81	Petroleum Refinery Primary and Secondary Oil/Water/Solids Separation Sludge Listings (F037 and F038)
84	Toxicity Characteristic; Chlorofluorocarbon Refrigerants
86	Removal of Strontium Sulfide from the Lists of Hazardous Wastes; Technical Amendment

Attachments – Checklists Referenced in the Attorney General’s Statement	
Checklist Number	Subject
89	Revision to F037 and F038 Listings
90	Mining Exclusion III
97	Exports of Hazardous Waste; Technical Corrections
99	Amendments to Interim Status Standards for Downgradient Ground-water Monitoring Well Locations
104	Used Oil Filter Exclusion
105	Recycled Coke By-Product Exclusion
107	Used Oil Filter Exclusion; Technical Corrections
108	Toxicity Characteristic Revisions; Technical Corrections
110	Coke By-products Listings
113	Consolidated Liability Requirements
115	Chlorinated Toluenes Production Waste Listing
119	Toxicity Characteristic Revision; TCLP Correction
126	Testing and Monitoring Activities
128	Wastes from the Use of Chlorophenolic Formulations in Wood Surface Protection
131	Recordkeeping Instructions; Technical Amendment
132	Wood Surface Protection; Corrections
133	Letter of Credit Revision
134	Correction of Beryllium Powder (P015) Listing
139	Testing and Monitoring Activities Amendment
141	Testing and Monitoring Activities Amendment II
C6	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities
–	Legislation Checklist
–	Statutory Checklist – Hazardous and Solid Waste Amendments of 1984
end	

#### Notes

<sup>1</sup>These Checklists are combined.



# MARYLAND REVISION CHECKLIST 1

Biennial Report  
48 FR 3977-3983  
January 28, 1983  
(Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:		
			Equiva- lent	More Stringent	Broader In Scope
PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE					
SUBPART D - RECORDKEEPING AND REPORTING					
†RECORDKEEPING					
record retention period	262.40(b)	26.13.03.06A(2)	EQ		
BIENNIAL REPORT					
information submitted on biennial report	262.41(a)	26.13.03.06B(1)	EQ		
generators who treat, store or dispose on-site	262.41(b)	26.13.03.06B(2)&(3)	EQ		
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES					
SUBPART E - MANIFEST SYSTEM, RECORDKEEPING AND REPORTING					
†BIENNIAL REPORT					
introductory paragraph	264.75	26.13.05.05F	EQ		
UNMANIFESTED WASTE REPORT					
introductory paragraph	264.76	26.13.05.05G	EQ		
†ADDITIONAL REPORTS					
introductory paragraph	264.77	26.13.05.05H	EQ		

RCRA REVISION CHECKLIST 1: Biennial Report (continued)

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES					
SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING					
†BIENNIAL REPORT					
introductory paragraph	265.75	26.13.05.05F 26.13.06.05A & B	EQ		
UNMANIFESTED WASTE REPORT					
introductory paragraph	265.76	26.13.05.05G 26.13.06.05A	EQ		
†ADDITIONAL REPORTS					
introductory paragraph	265.77	26.13.05.05H 26.13.06.05A	EQ		
SUBPART F - GROUNDWATER MONITORING					
†RECORDKEEPING AND REPORTING					
annual requirement	265.94(a)(2)	26.13.06.06	EQ		
annual report	265.94(b)(2)	26.13.06.06	EQ		
PART 122 - PERMITTING REQUIREMENTS					
†NONCOMPLIANCE AND PROGRAM REPORTING BY THE DIRECTORY					
program report	122.18(c)(3) 270.5(b)(2)	Condition is imposed on State by EPA. Handled as an annual grant commitment.	EQ		
†ADDITIONAL CONDITIONS APPLICABLE TO ALL RCRA PERMITS					
biennial report	122.28(e)(3) 270.30(l)(9)	26.13.07.15E(3)	EQ		

# MARYLAND REVISION CHECKLIST 2

Permit Rules: Settlement Agreement  
 48 FR 39611-39623  
 September 1, 1983  
 (Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:				
			Equiva- lent	More Stringent	Broader In Scope		
PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM							
SUBPART B - PERMIT APPLICATION							
†SIGNATURES TO PERMIT APPLICATIONS AND REPORTS							
for a corporation	270.11(a)(1)	26.13.07.03A(1)	EQ				
for a municipality, etc.	270.11(a)(3)	26.13.07.03A(3)	EQ				
certification	270.11(d)	26.13.07.03D	EQ				
SUBPART C - PERMIT CONDITIONS							
CONDITIONS APPLICABLE TO ALL PERMITS							
event of noncompliance	270.30(d)	26.13.07.04D	EQ				

MARYLAND REVISION CHECKLIST 3

Interim Status Standards Applicability  
 48 FR 52718-52720  
 November 22, 1983  
 (Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:		
			Equiva- lent	More Stringent	Broader In Scope
PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES					
SUBPART A – GENERAL					
PURPOSE, SCOPE, AND APPLICABILITY					
persons to whom regulations apply	265.1(b)	26.13.06.01A(2)&(3)	Superseded by CL 10		

# MARYLAND REVISION CHECKLIST 4

Chlorinated Aliphatic Hydrocarbon Listing (F024)  
49 FR 5308-5312  
February 10, 1984  
(Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:		
			Equiva- lent	More Stringent	Broader In Scope
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE					
SUBPART D - LISTS OF HAZARDOUS WASTE					
HAZARDOUS WASTE FROM NONSPECIFIC SOURCES					
list of "F" wastes	261.31	26.13.02.16A	EQ		
§261.31 Hazardous waste from nonspecific sources					
EPA Hazardous Waste No.	Hazardous Waste		Hazard Code		
F024	Wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor clean-out waste (T) from the production of chlorinated aliphatic hydrocarbons, having a carbon content from one to five, utilizing free radical catalyzed processes. (This listing does not include light ends, spent filters and filter aids, spent desiccants, wastewater, wastewater treatment sludges, spent catalysts, and wastes listed in §261.32.)				
APPENDIX VII TO PART 261					
hazardous constituents	Appendix VII	26.13.02.23	EQ		
APPENDIX VII - Basis for Listing Hazardous Waste					
EPA Hazardous Waste No.	Hazardous constituents for which listed				
F024	Chloromethane, dichloromethane trichloromethane, carbon tetrachloride, chloroethylene, 1,1-dichloroethane, 1,2-dichloroethane, trans-1,2-dichloroethylene, 1,1-dichloroethylene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethylene, 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane, tetrachloroethylene, pentachloroethylene, hexachloroethane, allyl chloride (3-chloropropene), dichloropropane, dichloropropene, 2-chloro-1,3-butadiene, hexachloro-1,3-butadiene, hexachlorocyclopentadiene, hexachlorocyclohexane, benzene, chloro-benzene, dichlorobenzenes, 1,2,4-trichlorobenzene, tetrachlorobenzene, pentachlorobenzene, hexachlorobenzene, toluene, naphthalene.				
APPENDIX VIII OF PART 261					
add 3-Chloropropene (allyl chloride)	Appendix VIII	26.13.02.24	EQ		
add 2-Chloro-1,3-butadiene (chloroprene)	Appendix VIII	26.13.02.24	EQ		

- MARYLAND REVISION CHECKLIST 5

National Uniform Manifest  
49 FR 10490-10507  
March 20, 1984  
(Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:		
			Equiva- lent	More Stringent	Broader In Scope
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL					
SUBPART B - DEFINITIONS					
DEFINITIONS					
manifest	260.10	26.13.01.03B(50)	EQ		
manifest document number	260.10	26.13.01.03B(51)	EQ		
PART 262- STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE					
SUBPART B - THE MANIFEST					
GENERAL REQUIREMENTS					
use of manifest	262.20(a)	26.13.03.04A(1)	EQ		
ACQUISITION OF MANIFESTS					
apply consignment State	262.21(a)	26.13.03.04B(1) & (4)	EQ		
apply generator State	262.21(b)	26.13.03.04B(2) & (4)	EQ		
apply anywhere	262.21(c)	26.13.03.04B(3) & (4)	EQ		
SUBPART E - SPECIAL CONDITIONS					
INTERNATIONAL SHIPMENTS					
introductory text	262.50(b)(3)	No State analog	All of 262.50 has been completely revised by Revision Checklist 31; the State no longer has direct analogs to these provisions.		
generator State	262.50(b)(4)	No State analog			
introductory text	262.50(d)	No State analog			
importees/consignment State	262.50(e)	No State analog			



RCRA REVISION CHECKLIST 5: National Uniform Manifest (continued)

APPENDIX TO PART 262					
uniform manifest instructions	8700-22 8700-22A	No State analog	EQ		
<b>Attorney General Comment:</b> Maryland does not include the manifest form and instructions in the State's rules. Maryland does require the use of a manifest form which is equivalent to the Federal form. The Maryland manifest form is included as an attachment to this Attorney General Statement.					

# MARYLAND REVISION CHECKLIST 6

Permit Rules: Settlement Agreement

49 FR 17716-17719

April 24, 1984

(Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:		
			Equiva- lent	More Stringent	Broader In Scope
PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM					
SUBPART G - INTERIM STATUS					
QUALIFYING FOR INTERIM STATUS					
†failure to qualify	270.70(b)	26.13.07.23A(2)	EQ		

MARYLAND REVISION CHECKLIST 7

Warfarin & Zinc Phosphide Listing

49 FR 19922-19923

May 10, 1984

(Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:		
			Equiva- lent	More Stringent	Broader In Scope
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE					
SUBPART D - LISTS OF HAZARDOUS WASTE					
†DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.					
toxic "P" waste	261.33(e)	26.13.02.19E	EQ		
§261.33(e)					
Hazardous Waste No.                      Substance					
. 001 ..... 3-(alpha-Acetylbenzyl)-4-hydroxycoumarin and salts, when present at concentrations greater than 0.3%.					
P001 ..... Warfarin, when present at concentrations greater than 0.3%.					
P122 ..... Zinc phosphide, when present at concentrations greater than 10%.					
†DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.					
toxic "U" waste	261.33(f)	26.13.02.19G	EQ		
§261.33(f)					
Hazardous Waste No.                      Substance					
U248 ..... 3-(alpha-Acetylbenzyl)-4-hydroxycoumarin and salts, when present at concentrations of 0.3% or less.					
U248 ..... Warfarin, when present at concentrations of 0.3% or less.					
U249 ..... Zinc phosphide, when present at concentrations of 10% or less.					

## MARYLAND REVISION CHECKLIST 8

Lime Stabilized Pickle Liquor Sludge

49 FR 23284-23287

June 5, 1984

(Non-HSWA Requirements Prior to Non-HSWA Cluster I)

Federal Requirement	Federal Citation	State Citation	State Analog Is:		
			Equiva- lent	More Stringent	Broader In Scope
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE					
SUBPART A – GENERAL					
†DEFINITION OF HAZARDOUS WASTE					
waste pickle liquor sludge	261.3(c)(2)	26.13.02.03C(2) 26.13.02.03C(3)	Superseded by CL 13		

MARYLAND REVISION CHECKLIST 9

Household Waste  
 49 FR 44978-44980  
 November 13, 1984  
 (Non-HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

† EXCLUSIONS

household waste	261.4(b)(1)	26.13.02.04-1A(1), B(1)	Superseded by CL 17C
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Also note the amendment to §261.4(b)(1) on July 15, 1985 (50 FR 28743) addressed in Revision Checklist 17 C.

## MARYLAND REVISION CHECKLIST 10

Interim Status Standards - Applicability  
49 FR 46094-46095  
November 21, 1984  
(Non-HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

purpose	265.1(a)	26.13.06.01A(1)	EQ
persons to whom regulations apply	265.1(b)	26.13.06.01A(2)&(3)	EQ



# MARYLAND REVISION CHECKLIST 11

Corrections to Test Methods Manual

49 FR 47390-47391

December 4, 1984

(Non-HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

### SUBPART B - DEFINITIONS

#### REFERENCES

SW-846 revised	260.11(a)	26.13.01.05A(4)	Superseded by CL 141
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### SUBPART C - RULEMAKING PETITIONS

#### PETITIONS FOR EQUIVALENT TESTING OR ANALYTICAL METHODS

remove comment at end	260.21	26.13.01.04B	EQ
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## PART 270 - EPA ADMINISTERED PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

### SUBPART A - GENERAL INFORMATION

#### REFERENCES

SW-846 revised	270.6(a)	26.13.01.05A(4)	Superseded by CL 126
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## MARYLAND REVISION CHECKLIST 12

Satellite Accumulation  
49 FR 49568-49572  
December 20, 1984  
(Non-HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

## SUBPART C - PRE-TRANSPORT REQUIREMENTS

† ACCUMULATION TIME

point of generation	262.34(c)	26.13.03.05E(3)	MS
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**Attorney General Comment:** Maryland is more stringent. Under the State's regulations, the generator must immediately remove excess hazardous waste collected at or near the point of generation where wastes initially accumulate. If the generator accumulates more than 55 gallons, the generator will be treated as a storage facility. Under the Federal code, the generator has three days to comply with the quantity restriction and still operate without a permit or interim status.

# MARYLAND REVISION CHECKLIST 13

Definition of Solid Waste  
50 FR 614-668  
January 4, 1985  
as amended on April 11, 1985, at 50 FR 14216-14220  
and August 20, 1985, at 50 FR 33541-33543  
(Non-HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

### SUBPART B - DEFINITIONS

#### DEFINITIONS

	boiler	260.10	26.13.01.03B(5)	EQ	
†	designated facility	260.10	26.13.01.03B(12)	EQ	
	incinerator	260.10	26.13.01.03B(33)	EQ	
	industrial furnace	260.10	26.13.01.03B(40)	EQ	

### SUBPART C - RULEMAKING PETITIONS

†	<u>VARIANCES FROM CLASSIFICATION AS A SOLID WASTE</u>				
	speculative accumulation	260.30(a)	26.13.01.04D(1)	EQ	
	returned to process	260.30(b)	26.13.01.04D(2)	EQ	
	further reclamation	260.30(c)	26.13.01.04D(3)	EQ	
†	<u>STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE</u>				
	speculative accumulation	260.31(a)	26.13.01.04E(1)	EQ	
	returned to process	260.31(b)	26.13.01.04E(2)	EQ	
	further reclamation	260.31(c)	26.13.01.04E(3)	EQ	
†	<u>VARIANCE TO BE CLASSIFIED AS A BOILER</u>				
	case-by-case determination	260.32	26.13.01.04F	EQ	

**RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

application notice/ public hearing	260.33(a) 260.33(b)	26.13.01.04G(1) 26.13.01.04G(2)	EQ		
				MS	

**Attorney General Comment:** Maryland is more stringent because the rules provide a 45-day public comment period. The Federal program only provides a 30-day public comment period.

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

case-by-case determination	260.40	26.13.01.04H	EQ		
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PROCEDURES FOR CASE-BY-CASE REGULATION OF HAZARDOUS WASTE RECYCLING  
ACTIVITIES

determining procedures	260.41	26.13.01.04I	EQ		
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**PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE**

**SUBPART A - GENERAL**

PURPOSE AND SCOPE

applicability	261.1(b)	26.13.02.01C(1),(2)	EQ		
definitions	261.1(c)	26.13.02.01C(3)	EQ		

DEFINITION OF SOLID WASTE

discarded/ not excluded	261.2(a)	26.13.02.02A	EQ		
abandoned	261.2(b)	26.13.02.02B	EQ		
use constitutes disposal	261.2(c)(1)	26.13.02.02C(1)	EQ		
energy recovery	261.2(c)(2)	26.13.02.02C(2)	EQ		
reclaimed	261.2(c)(3)	26.13.02.02C(3)	EQ		
accumulated speculatively	261.2(c)(4)	26.13.02.02C(4)	EQ		

**RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
inherently waste-like	261.2(d)	26.13.02.02D			BIS
<b>Attorney General Comment:</b> The Federal regulations allow the Administrator to add a waste to the list of inherently waste-like materials if the material meets one of the two criteria in 40 CFR 261.2(d)(1)(I) AND it poses a substantial hazard to human health and the environment when recycled (40 CFR 261.2(d)(2)(ii)). Maryland's rules allow the Secretary to add a waste to the list of inherently waste-like materials if any one of those three criteria are met. This standard is less rigorous and allows for a list of inherently waste-like materials that is potentially broader in scope.					
† not solid waste when recycled	261.2(e)	26.13.02.02E	EQ		
documentation	261.2(f)	26.13.02.02F	EQ		
<b>Attorney General Comment:</b> Note that the Table at COMAR 26.13.02.02G includes internal references to State-only waste listings at COMAR 26.13.02.18. Those listings are broader in scope than the Federal program.					
† <b>DEFINITION OF HAZARDOUS WASTE</b>					
generated for treatment	261.3(c)(2)	26.13.02.03C(2), (3)	EQ		
† <b>EXCLUSIONS</b>					
black liquor	261.4(a)(6)	26.13.02.04A(5)	EQ		
spent sulfuric acid	261.4(a)(7)	26.13.02.04A(6)	EQ		
† <b>SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY SMALL QUANTITY GENERATORS</b>					
quantity determination	261.5(c)	26.13.02.05A(2)	EQ		
<b>REQUIREMENTS FOR RECYCLABLE MATERIALS</b>					
recyclable materials regulated under Part 266	261.6(a)(1)	26.13.02.06A(1)	EQ		
	261.6(a)(2)	26.13.02.06A(2)(b)	EQ		
		26.13.02.06A(3)(a)			
exemption from rule	261.6(a)(3)	26.13.02.06A(3)(b)(i)-(iii)			BIS
<b>Attorney General Comment:</b> Maryland does not have an analog to 40 CFR 261.6(a)(3)(vii). The Federal provision exempts from regulation coke and coal tar from the iron and steel industries that contains EPA Hazardous Waste No. K087 from the iron and steel production processes that is recycled. Maryland is broader in scope because it does not exempt this type of recyclable material from regulation as a hazardous waste.					
generators and transporters	261.6(b)	26.13.02.06B	EQ		
recycling facilities	261.6(c)	26.13.02.06C	EQ		

RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTE FROM NONSPECIFIC SOURCES

generic listings	261.31	26.13.02.16A	EQ
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## DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.

introductory text	261.33	26.13.02.19 intro	EQ
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PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE  
TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART A - GENERAL

## PURPOSE, SCOPE AND APPLICABILITY

exemption from rule	264.1(g)(2)	26.13.05.01A(3)(c)	EQ
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## SUBPART O - INCINERATORS

## APPLICABILITY

owners and operators with exception	264.340(a)	26.13.05.16B(1)	EQ
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PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF  
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART A - GENERAL

## PURPOSE, SCOPE AND APPLICABILITY

exemption from rule	265.1(c)(6)	26.13.06.01A(4)(c)	EQ
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RCRA REVISION CHECKLIST IS: Definition of  
Solid Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART O - INCINERATORS

APPLICABILITY

owners and operators  
with exception

265.340(a)

26.13.06.23A

EQ

SUBPART P - THERMAL TREATMENT

OTHER THERMAL TREATMENT

thermal treatment

265.370

26.13.06.24A&B(2)

EQ

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

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER  
CONSTITUTING DISPOSAL

APPLICABILITY

applied to or  
placed on land  
products for  
general use

266.20(a)

26.13.10.01A(1)&(2)

EQ

266.20(b)

26.13.10.01A(3)

EQ

STANDARDS APPLICABLE TO GENERATORS AND TRANSPORTERS OF MATERIALS USED IN  
A MANNER THAT CONSTITUTES DISPOSAL

generators and  
transporters

266.21

26.13.10.01B

EQ

STANDARDS APPLICABLE TO STORERS OF MATERIALS THAT ARE TO BE USED IN A  
MANNER THAT CONSTITUTES DISPOSAL WHO ARE NOT THE ULTIMATE USERS

storers of material

266.22

26.13.10.01C

EQ

STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT  
CONSTITUTES DISPOSAL

users of material

266.23

26.13.10.01D(1)

EQ

**RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

**SUBPART D - HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY**

**APPLICABILITY**

recovery in boilers  
and industrial  
furnaces

266.30(a)

26.13.10.02A(1)

EQ

**Attorney General Comment:** Maryland has adopted changes to this provision made by the rule addressed by Revision Checklist 19 which was promulgated pursuant to HSWA authorities. Although the State is not seeking authorization for Revision Checklist 19 at this time, the changes do not make the State less stringent or inconsistent with the Federal program.

exemption from rule

266.30(b)

26.13.10.02A(2)

MS

**Attorney General Comment:** Maryland is more stringent because there is no exemption for small quantity generator wastes.

**STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE FUEL**

generate, market, or  
burn fuel

266.32

26.13.10.02C

EQ

**Attorney General Comment:** Maryland has adopted the changes to this provision made by the rule addressed by Revision Checklist 19 which was promulgated pursuant to HSWA authorities. Although the State is not seeking authorization for Revision Checklist 19 at this time, the changes do not make the State less stringent or inconsistent with the Federal program.

**STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE FUEL**

from generators to  
marketer or burner

266.33(a)

26.13.10.02D

EQ

from marketer  
to burner

266.33(b)

26.13.10.02D

EQ

**Attorney General Comment:** Maryland has adopted the changes made to 40 CFR 266.33 by the rule addressed by Revision Checklist 19 which was promulgated pursuant to HSWA authorities. Although the State is not seeking authorization for Revision Checklist 19 at this time, the changes do not make the State less stringent or inconsistent with the Federal program.

## US EPA ARCHIVE DOCUMENT

## STANDARDS APPLICABLE TO MARKETERS OF HAZARDOUS WASTE FUELS

prohibition

26.13.10.02E

EO

## STANDARDS APPLICABLE TO BURNERS OF HAZARDOUS WASTE FUELS

EO

N/A

EQ

MS

MS

speculatively

266.70(d)

26.13.10.03D

EQ

RCRA REVISION CHECKLIST 13: Definition of  
Solid Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED

APPLICABILITY AND REQUIREMENTS

persons who reclaim batteries	266.80(a)	26.13.10.04C	EQ		
storage before reclamation	266.80(b)	26.13.10.04B	EQ		

## MARYLAND REVISION CHECKLIST 15

Interim Status Standards for Treatment, Storage, and Disposal Facilities  
 50 FR 16044-16048  
 April 23, 1985  
 (Non-HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART K - SURFACE IMPOUNDMENTS

† GENERAL OPERATING REQUIREMENTS

freeboard	265.222(a)	26.13.05.11C(2) 26.13.06.19B&B(1)	EQ
variance	265.222(b)	26.13.06.19C	EQ

† SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTE

limitations on placement	265.229(a)	26.13.05.11I(1) 26.13.06.19B(5)	EQ
variance	265.229(b)	26.13.06.19B(5)	EQ
solely for emergencies	265.229(c)	26.13.05.11I(2) 26.13.06.19B(5)	EQ

SUBPART M - LAND TREATMENT

† GENERAL OPERATING REQUIREMENTS

conditions for land treatment	265.272(a)	26.13.06.21A 26.13.06.21B(1),(2)&(5)	MS
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**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.

SUBPART N - LANDFILLS

CLOSURE AND POST-CLOSURE

final cover	265.310(a)	26.13.05.14J(1) 26.13.06.22B(3)	EQ
post-closure	265.310(b)	26.13.05.14J(2) 26.13.06.22B(3)	EQ

RCRA REVISION CHECKLIST 15: Interim Status Standards for  
Treatment, Storage, and Disposal Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
<u>SPECIAL REQUIREMENTS FOR CONTAINERS</u>					
minimum 90% full	265.315(a)	26.13.05.14O(1) 26.13.06.22B(6)	EQ		
crushed	265.315(b)	26.13.05.14O(2) 26.13.06.22B(6)	EQ		



## MARYLAND REVISION CHECKLIST 16

Paint Filter Test  
50 FR 18370-18375  
April 30, 1985  
(HWSA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

analyses methods	264.13(b)(6)	26.13.05.02D(2)(a)(vi)	EQ
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SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

test results	264.73(b)(3)	26.13.05.05D(2)(c)	EQ
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SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS

paint filter test	264.314(c)	26.13.05.14N(2)	EQ
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PART 265 - INTERIM STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS  
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

analyses methods	265.13(b)(6)	26.13.06.02B	EQ
		26.13.06.02C	
		26.13.06.02C(1)-(5)	

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

RCRA REVISION CHECKLIST 16: Paint Filter  
Test (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

OPERATING RECORD

test results	265.73(b)(3)	26.13.06.05B(1)	EQ		
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SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS

paint filter test	265.314 (d)	26.13.06.22F(2)	EQ		
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MARYLAND REVISION CHECKLISTS 17A, 17C, 17D, 17G, 17J, 17O & 17R

RCRA REVISION CHECKLIST 17 A

Small Quantity Generators

Note: The changes addressed by this checklist were superseded by Revision Checklist 23 (51 FR 10146, March 24, 1986). As this latter checklist is in the same cluster as 17 A, States are advised to make the changes required by Revision Checklist 23 rather than those addressed by this present checklist. Both checklists should be submitted at the same time as part of an application, but the entries in the State citation column on Revision Checklist 17 A would direct the reviewer to Revision Checklist 23 rather than to a section of State code.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY SMALL QUANTITY GENERATORS

† exceptions	261.5(b)	26.13.02.05A	Superseded by CL23
† generator requirements for exclusion of acutely hazardous waste	261.5(f)	26.13.02.05D	Superseded by CL23
† less than 100 kg accumulation on-site	261.5(g)	26.13.02.05D	Superseded by CL23
† greater than 100 kg but less than 1000 kg:			
waste determination	261.5(h)(1)	26.13.02.05E(1)	Superseded by CL23
† accumulation on-site	261.5(h)(2)	26.13.02.05E(1)	Superseded by CL23
manifest after 8/5/85	261.5(h)(3)	26.13.02.05E(1)	Superseded by CL23
† treat or dispose	261.5(h)(4)	26.13.02.05E(1)	Superseded by CL23
† redesignate paragraphs	261.5(i) & (j)	26.13.02.05E(2)&(3)	Superseded by CL23

Checklist Advisory Note: The SQG requirements indicated as optional are reorganized and recodified but are substantively unchanged from existing requirements.

# RCRA REVISION CHECKLIST 17 C

## Household Waste

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

### PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

#### SUBPART A - GENERAL

##### EXCLUSIONS

†	household waste	261.4(b)(1)	26.13.02.04-1A(1)	EQ	
			26.13.02.04-1B(1)		

## RCRA REVISION CHECKLIST 17 D

## Waste Minimization

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

## SUBPART D - RECORDKEEPING AND REPORTING

## BIENNIAL REPORT

reduce volume and toxicity	262.41(a)(6)	26.13.03.06B(1)(d)(vi)	EQ
a description of changes in volume/ toxicity	262.41(a)(7)	26.13.03.06B(1)(d)(vii)	EQ
certification	262.41(a)(8)	26.13.03.06B(1)(d)(viii)	EQ

## APPENDIX

manifest form	Appendix to 262	No State analog	EQ
item 16 of instruction	Appendix to 262	No State analog	EQ

**Attorney General Comment:** Maryland does not include the manifest form and instructions in the State's rules. Maryland does require the use of a manifest form which is equivalent to the Federal form. The Maryland manifest form is included as an attachment to this Attorney General Statement.

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

## SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

## APPLICABILITY

on-site and off-site facilities	264.70	26.13.05.05A(1), (2), & (3)	EQ
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## OPERATING RECORD

certification	264.73(b)(9)	26.13.05.05D(2)(i)	EQ
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RCRA REVISION CHECKLIST 17 D: Waste  
Minimization (cont'd)

FEDERAL REQUIREMENT	FEDERAL BROAD- RCRA CITATION	ANALOGOUS  STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	STRIN- GENT	ER IN SCOPE

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

SUBPART C - PERMIT CONDITIONS

CONDITIONS APPLICABLE TO ALL PERMITS

retaining records	270.30(j)(2)	26.13.07.04J(2)	EQ
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SUBPART G - INTERIM STATUS

QUALIFYING FOR INTERIM STATUS

† introductory text	270.70(a)	26.13.07.23A(1)	EQ
if previously denied a RCRA permit	270.70(c)	26.13.07.23A(3)	EQ

# RCRA REVISION CHECKLIST 17 F

## Liquids in Landfills I

Note that the final rule addressed by this checklist inadvertently reserved 265.314(d). This error was corrected on May 28, 1986 (51 FR 19176), the technical correction addressed by Revision Checklist 25. 265.314(d) was corrected to read as it was originally promulgated on April 30, 1985 (50 FR 18370, Revision Checklist 16).

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

#### SUBPART N - LANDFILLS

##### SPECIAL REQUIREMENTS FOR LIQUID WASTE

†	redesignate paragraph (b) to (d)	264.314	No Analog	MS
	introductory paragraph	264.314(a)	26.13.05.14N(1)	MS
	5/8/85 free liquids ban non-hazardous liquids	264.314(b)	26.13.05.14N(1)	MS
	ban 11/8/85	264.314(e)	26.13.05.14N(1)	MS
†	exemptions: only alternative	264.314(e)(1)	26.13.05.14N(1)	MS
†	not a risk	264.314(e)(2)	26.13.05.14N(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.

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

#### SUBPART N - LANDFILLS

##### SPECIAL REQUIREMENTS FOR LIQUID WASTE

†	redesignate (b) and (c) to be (c) and (e)	265.314	No Analog	MS
	introductory paragraph	265.314(a)	26.13.06.22F(1)	MS
	5/8/85 free liquids ban	265.314(b)	26.13.06.22F(1)	MS

	non-hazardous liquids			
	ban 11/8/85	265.314(f)	26.13.06.22F(1)	MS
†	exemptions:			
	only alternative	265.314(f)(1)	26.13.06.22F(1)	MS
†	not a risk	265.314(f)(2)	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.

## PART 270 - PERMITTING REQUIREMENTS

### SUBPART B - PERMIT APPLICATION

#### SPECIFIC INFORMATION REQUIREMENTS FOR LANDFILLS

bulk liquids			
in landfills: 5/8/85	270.21(h)	No Analog	MS

**Attorney General Comment:** Maryland does not have an analog to the Federal provision which requires the submittal of information for bulk or non-containerized wastes containing free liquids to be landfilled because the State, at COMNAR 26.13.05.14N, prohibits the placement of such wastes in landfills. Maryland is more stringent.



# RCRA REVISION CHECKLIST 17 G

## Dust Suppression

			STATE		
ANALOG IS:	FEDERAL	ANALOGOUS		MORE	BROAD-
FEDERAL	RCRA	STATE	EQUIV-	STRIN-	ER IN
REQUIREMENT	CITATION	CITATION	ALENT	GENT	SCOPE

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

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT  
CONSTITUTES DISPOSAL

text designated (a)	266.23	26.13.10.01D(1)	EQ	
road treatment prohibited	266.23(b)	26.13.10.01D(2)		MS

**Attorney General Comment:** Maryland is more stringent; unlike the Federal provision at 40 CFR 266.23(b), the State's analog does not allow materials contaminated with a waste identified solely on the basis of ignitability to be used for road treatment of dust suppression.

## MARYLAND REVISION CHECKLIST 17H

## Double Liners

Note: Corrections were made to 264.221(c) and 264.301(c) by a May 9, 1990 (55 FR 19262; Revision Checklist 77). This correction was based on a United States Court of Appeals for the District of Columbia decision (June 23, 1987), concerning a lawsuit filed against EPA. On January 29, 1992, EPA issued a final rule (57 FR 3462; Revision Checklist 100) that superceded the Revision Checklist 77 changes and expanded the 264.221(c) and 264.301(c) requirements, as promulgated by Revision Checklist 17 H. States not yet authorized for Revision Checklist 17 H are encouraged to adopt either the Revision Checklist 77 corrections or the Revision Checklist 100 changes at the same time the Revision Checklist 17 H provisions are adopted. States seeking authorization for Revision Checklist 100, that are not yet authorized for Revision Checklist 77, should also submit Revision Checklist 77 to receive "credit" for Revision Checklist 77 in StATS, even though Revision Checklist 100 has superceded these changes.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 264 – STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART K - SURFACE IMPOUNDMENTS						
DESIGN AND OPERATING REQUIREMENTS						
apply to TSD facilities	264.221(a)	26.13.05.11D(2)  26.13.05.11D(2)(a)&(b)			MS	
<b>Attorney General Comment:</b> Liners may not be constructed of materials that allow wastes to migrate into the liner; leachate detection, collection, and removal systems are required for all surface impoundments; and liners must be above the water table for all surface impoundments. These requirements are not found in the Federal code and therefore, Maryland is more stringent						
two or more liners	264.221(c)	26.13.05.11D(4)	EQ			
alternative design and operating practices	264.221(d)	26.13.05.11D(5)	EQ			
monofills	264.221(e)	26.13.05.11D(6)	EQ			
redesignate old 264.221(c), (d) and (e) as 264.221(f), (g) and (h)	264.221(f)-(h)	26.13.05.11C(2)  26.13.05.11C(1)  26.13.05.11B(4)	EQ			

## RCRA REVISION CHECKLIST 17H: Double Liners (cont'd)

SPA 12

## SUBPART N – LANDFILLS

## DESIGN AND OPERATING REQUIREMENTS

introductory text	264.301(a)	26.13.05.14B(1)	EQ			
two or more liners	264.301(c)	26.13.05.14B(3)	EQ			
† alternative design and operating practices	264.301(d)	26.13.05.14B(4)	EQ			
† monofills	264.301(e)	26.13.05.14B(5)	EQ			
redesignate old 264.301(c), (d), (e), (f), and (g) as 264.301(f), (g), (h), (i) and (j)	264.301(f)-(i)	26.13.05.14B(6)-(9)	EQ			
landfills in Alabama	264.301(k)	N/A				

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

## SUBPART K - SURFACE IMPOUNDMENTS

## DESIGN REQUIREMENTS

two or more liners	265.221(a)	26.13.05.11D(4) 26.13.06.19D(1)& (2)	EQ			
notify Regional Administrator	265.221(b)	26.13.06.19E	EQ			
† alternative design and operating practices	265.221(c)	26.13.05.11D(5) 26.13.06.19D(1)& (2)	EQ			
† monofills	265.221(d)	26.13.05.11D(6) 26.13.06.19D(1)& (2)	EQ			
† allows installed liner to be permitted liner	265.221(e)	26.13.06.19F	EQ			

## RCRA REVISION CHECKLIST 17H: Double Liners (cont'd)

## SUBPART L - WASTE PILES

## DESIGN REQUIREMENTS

265.254 requirements for new units, expansions and replacements	265.254	26.13.05.12B 26.13.06.20D	EQ			
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## SUBPART N - LANDFILLS

## DESIGN REQUIREMENTS

two or more liners	265.301(a)	26.13.05.14B(3) 26.13.06.22C(1)& (2)	EQ			
notify the RA	265.301(b)	26.13.06.22D(1)& (2)	EQ			
† alternative design and operating practices	265.301(c)	26.13.05.14B(4) 26.13.06.22C(2)	EQ			
† monofills	265.301(d)	26.13.05.14B(5) 26.13.06.22C(2)	EQ			
† allows installed liner to be permitted liner	265.301(e)	26.13.06.22E	EQ			

<sup>1</sup>Applicable only to landfills in Alabama. States other than Alabama do not have to adopt this provision.

## RCRA REVISION CHECKLIST 17 J

## Cement Kilns

ANALOG IS:			STATE		
FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART A - GENERAL

## REQUIREMENTS FOR RECYCLABLE MATERIALS

regulated under Part 266	261.6(a)(2)	26.13.02.06A(2)(b)	EQ		
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## SUBPART D - LISTS OF HAZARDOUS WASTE

## DISCARDED COMMERCIAL CHEMICAL PRODUCTS, etc.

introduction	261.33	26.13.02.19 intro	EQ		
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## PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

## SUBPART D - HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

## PROHIBITIONS

waste burned in kilns	266.31(b)(1)	26.13.10.02B(3)	EQ		
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<sup>1</sup> Note that this provision is not contained in the July 15, 1985 rule. It appeared January 4, 1985 (50 FR 614-668, Revision Checklist 13), and was subsequently amended on November 29, 1985 (50 FR 49164-49212, Revision Checklist 19).

<sup>2</sup> Note that this provision was recodified as §266.31(c) on November 29, 1985 (50 FR 49164-49212, Revision Checklist 19).

# RCRA REVISION CHECKLIST 17 O

## Omnibus Provision

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

#### SUBPART C - PERMIT CONDITIONS

#### ESTABLISHING PERMIT CONDITIONS

permit conditions

necessary

270.32(b)

26.13.07.05B

EQ

## MARYLAND REVISION CHECKLIST 17 P

## Interim Status

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

## SUBPART B - PERMIT APPLICATION

## GENERAL APPLICATION REQUIREMENTS

permit application	270.10(a)	26.13.07.02A	EQ
completeness	270.10(c)	26.13.07.02C	EQ
† existing HWM facilities and interim status qualifications	270.10(e)(1)	26.13.06.01B(1)	EQ
timeframe to submit Part B	270.10(e)(4)	26.13.06.01B(4)	EQ

## SUBPART C - PERMIT CONDITIONS

## CONDITIONS APPLICABLE TO ALL PERMITS

retaining records	270.30(j)(2)	26.13.07.04J(2)	EQ
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## SUBPART G - INTERIM STATUS

## QUALIFYING FOR INTERIM STATUS

† introductory text	270.70(a)	26.13.07.23A(1)	EQ
if previously denied a RCRA permit	270.70(c)	26.13.07.23A(3)	EQ

## TERMINATION OF INTERIM STATUS

land disposal informa-  
tion by 11/8/85:

Part B	270.73(c)(1)	26.13.07.23D(2)(a)(i)	EQ
certifies compliance	270.73(c)(2)	26.13.07.23D(2)(a)(ii)	EQ
newly regulated	270.73(d)	26.13.07.23D(2)(b)	EQ
Part B applications for incinerators: 11/8/86	270.73(e)	26.13.07.23D(2)(d)	EQ



FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAL ER IN SCOPE
Part B applications for facilities, other than land disposal or incinerator facilities, by 11/8/92	270.73(f)	26.13.07.23D(2)(e)	EQ		

# RCRA REVISION CHECKLIST 17 R

## Hazardous Waste Exports

Note: The changes addressed by this checklist were superseded by Revision Checklist 31 (51 FR 28664, August 8, 1986). As this latter checklist is in the same cluster as 17 R, States are advised to make the changes required by Revision Checklist 31 rather than those addressed by this present checklist. Both checklists should be submitted at the same time as part of an application, but the entry in the State citation column on Revision Checklist 17 R should refer the reviewer to Revision Checklist 31 rather than to a section of State code.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

### PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

#### SUBPART E - SPECIAL CONDITIONS

#### 3 INTERNATIONAL SHIPMENTS

annual report	262.50(d)	N/A	Superseded by CL 31
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Note this change was completely superseded by the changes addressed by Revision Checklist 31 (August 8, 1986 at 51 FR 28664).

## MARYLAND REVISION CHECKLIST 18

Listing of TDI, DNT, and TDA Wastes  
 50 FR 42936-42943  
 October 23, 1985  
 (HSA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTE FROM SPECIFIC SOURCES

list of "K" wastes	261.32	26.13.02.17	EQ
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§261.32 Hazardous waste from specific sources

Industry &amp; EPA

Hazardous Waste No.	Hazardous Waste	Hazardous Code
------------------------	-----------------	-------------------

(Organic Chemicals)

K111.....	Product washwaters from the production of dinitrotoluene via nitration of toluene.	(C,T)
K112.....	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K113.....	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K114.....	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K115.....	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K116.....	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	(T)

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

add

toxic "U" wastes	261.33(f)	26.13.02.19G	EQ
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RCRA REVISION CHECKLIST 18: Listing of  
TDI, DNT, and TDA Wastes (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFER- ENCE	FEDERAL RCRA CITATION	ANAL- OGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

Hazardous Waste No.	Substance
U328.....	2-Amino-1-methylbenzene
U353.....	4-Amino-1-methylbenzene
U328.....	o-Toluidine
U353.....	p-Toluidine

APPENDIX III TO PART 261

heading and list change Table # 1	Appendix III	26.13.02.22	Superseded by CL126
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Compound	Method Numbers
2-Amino-1-methylbenzene (o-Toluidine).....	8250
4-Amino-1-methylbenzene (p-Toluidine).....	8250
Aniline.....	8250
2,6-Dinitrotoluene.....	8060 or 8250
2,4-Toluenediamine.....	8250
2,6-Toluenediamine.....	8250
3,4-Toluenediamine.....	8250

APPENDIX VII TO PART 261

hazardous constituents	Appendix VII	26.13.02.23	EQ
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EPA Hazardous Waste No.	Hazardous constituents for which listed
K111.....	2,4-Dinitrotoluene.
K112.....	2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
K113.....	2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
K114.....	2,4-Toluenediamine, o-toluidine, p-toluidine.
K115.....	2,4-Toluenediamine.
K116.....	Carbon tetrachloride, tetrachloroethylene, chloroform, phosgene.

RCRA REVISION CHECKLIST 18: Listing of  
TDI, DNT, and TDA Wastes (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFER- ENCE	FEDERAL RCRA CITATION	ANAL- OGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

APPENDIX VIII TO PART 261

5 new constituent additions	Appendix VIII	26.13.02.24		EQ		
1 change	Appendix VIII	26.13.02.24		EQ		

(add)  
Benzene, 2-amino-1-methyl (o-Toluidine)  
{ Benzene, 4-amino-1-methyl (p-Toluidine)  
2,4-Toluenediamine  
2,6-Toluenediamine  
3,4-Toluenediamine  
  
(change)  
"Toluenediamine" to "toluenediamine, N.O.S."

## MARYLAND REVISION CHECKLIST 20

Listing of Spent Solvents  
 50 FR 53315-53320  
 December 31, 1985  
 as amended on January 21, 1986, at 51 FR 2702  
 (HSA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTE FROM NON-SPECIFIC SOURCES

list of "F" wastes	261.31	26.13.02.16A	EQ
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## §261.31 - Hazardous waste from nonspecific sources

Industry & EPA Hazardous Waste No.	Hazardous Waste	Hazard Code
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Generic:

- F001..... The following spent halogenated solvents used in degreasing: (T)  
 Tetrachloroethylene, trichloroethylene, methylene chloride,  
 1,1,1-trichloroethane, carbon tetrachloride, and chlorinated  
 fluorocarbons; all spent solvent mixtures/blends used in degreasing  
 containing, before use, a total of ten percent or more (by volume)  
 of one or more of the above halogenated solvents or those solvents  
 listed in F002, F004, and F005; and still bottoms from the recovery  
 of these spent solvents and spent solvent mixtures.
- F002..... The following spent halogenated solvents: Tetrachloroethylene, (T)  
 methylene chloride, trichloroethylene, 1,1,1-trichloroethane,  
 chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene,  
 and trichlorofluoromethane; all spent solvent mixtures/blends containing,  
 before use, a total of ten percent or more (by volume) of one or more  
 of the above halogenated solvents or those solvents listed in F001,  
 F004, and F005; and still bottoms from the recovery of these spent  
 solvents and spent solvent mixtures.
- F003..... The following spent non-halogenated solvents: Xylene, acetone, (I)\*  
 ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone,  
 n-butyl alcohol, cyclohexanone, and methanol; all spent solvent  
 mixtures/blends containing, before use, only the above spent  
 non-halogenated solvents; and all spent solvent mixtures/blends  
 containing, before use, one or more of the above non-halogenated  
 solvents, and a total of ten percent or more (by volume) of one or

RCRA REVISION CHECKLIST 20: Listing of Spent  
Solvents (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
F003 (cont'd)....	more of those solvents listed in F001, F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.				
F004.....	The following spent non-halogenated solvents: Cresols and cresylic acid, and nitrobenzene; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002, and F005; and still bottoms from the recovery of these spent solvents and spent solvents mixtures.				
F005.....	The following spent non-halogenated solvents: Toluene, methyl ethyl ketone, carbon disulfide, isobutanol, and pyridine; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002, and F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.				

\* (I,T) should be used to specify mixtures containing ignitable and toxic constituents.



## MARYLAND REVISION CHECKLIST 21

Listing of EDB Wastes  
 51 FR 5327-5331  
 February 13,  
 (HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTING OF HAZARDOUS WASTE

## WASTE FROM SPECIFIC SOURCES

list of "K" waste	261.32	26.13.02.17	EQ
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## §261.32 - Hazardous waste from specific sources

EPA Hazardous Waste No.	Hazardous Waste	Hazard Code
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## (Organic Chemicals)

K117.....	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T)
K118.....	Spent adsorbent solids from purification of ethylene dibromide dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K136.....	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)

## APPENDIX III TO PART 261

add compound	Appendix III	26.13.02.22	Superseded by CL126
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Compound	Method No.
Ethylene dibromide.....	8010, 8240

## APPENDIX VII TO PART 261

hazardous constituents	Appendix VII	26.13.02.23	EQ
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RCRA REVISION CHECKLIST 21: Listing  
of EDB Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
EPA Hazardous Waste No.			Hazardous constituents for which listed		
K117.....			Ethylene dibromide		
K118.....			Ethylene dibromide		
K136.....			Ethylene dibromide		

## MARYLAND REVISION CHECKLIST 22

Listing of Four Spent Solvents  
 51 FR 6537-6542  
 February 25, 1986  
 (HSA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

## WASTES FROM NON-SPECIFIC SOURCES

list of "F" wastes	261.31	26.13.02.16A	EQ
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## §261.31 - Hazardous waste from non-specific sources

EPA Hazardous Waste No.	Hazardous Waste	Hazard Code
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Generic:

F002.....	The following spent halogenated solvents: tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene, trichlorofluoromethane, and 1,1,2-trichloroethane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those listed in F001, F004, or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F005.....	The following spent non-halogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol, and 2-nitropropane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002, or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(I,T)

## DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.

toxic "U" waste	261.33(f)	26.13.02.19G	EQ
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§261.33(f)

RCRA REVISION CHECKLIST 22: Listing of  
Four Spent Solvents (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

EPA Hazardous  
Waste No.

Substance

(add the following compounds in alphabetical order)

U359.....2-Ethoxyethanol

U359.....Ethylene glycol monoethyl ether

(change both entries for Hazardous Waste No. U171)

from "2-Nitropropane (I)" to "2-Nitropropane (I,T)"; and  
from "Propane, 2-nitro- (I)" to "Propane, 2-nitro- (I,T)"

APPENDIX III TO PART 261

add constituents  
to Table 1

Appendix III

26.13.02.22

Superseded by CL126

Table 1

Compound	Method Numbers
2-Ethoxyethanol.....	8030, 8240
2-Nitropropane.....	8030, 8240

APPENDIX VII TO PART 261

hazardous constituents

Appendix VII

26.13.02.23

EQ

EPA Hazardous  
Waste No.

Hazardous constituents for which listed

F002.....Tetrachloroethylene, methylene chloride, trichloroethylene,  
1,1,1-trichloroethane, 1,1,2-trichloroethane, chlorobenzene,  
1,1,2-trichloro-1,2,2-trifluoroethane<sup>1</sup>, ortho-dichlorobenzene,  
trichlorofluoromethane.

F005.....Toluene, methyl ethyl ketone, carbon disulfide, isobutanol,  
pyridine, 2-ethoxyethanol, benzene, 2-nitropropane.

RCRA REVISION CHECKLIST 22: Listing of  
Four Spent Solvents (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

APPENDIX VIII TO PART 261

2 new constituents	Appendix VIII	26.13.02.24	EQ		
Ethylene glycol monoethyl ether (Ethanol, 2-ethoxy)					
2-Nitropropane (Propane, 2-nitro)					

- 1      51 FR 6537 (Februar1986) and subsequent CFR volumes list this constituent in Appendix VII as 1,1,2-trichloro-1,2,2-trichfluoroethane; however, it is listed as 1,1,2-trichloro-1,2,2-trifluoroethane in §261.31 - Hazardous waste from non-specific sources. "...1,2,2-trichfluoro..." appears to be a misprint.

## MARYLAND REVISION CHECKLIST 23

Generators of 100 to 1000 kg Hazardous Waste  
 51 FR 10146-10176  
 March 24, 1986  
 (HSWA Cluster I)

Note: On July 19, 1988 (53 FR 27162, Revision Checklist 47), technical corrections were made to provisions addressed by this checklist. Consequently, States seeking authorization for this checklist are advised to incorporate the technical corrections addressed in Revision Checklist 47 when revising their code in order to avoid separate revisions. Revision Checklist 42 also addresses requirements for small quantity generators.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## DEFINITIONS

small quantity  
generator

260.10

No Analog

MS

**Attorney General Comment:** Unlike the Federal program, Maryland does not have reduced requirement for generators who generate 100 kg to 1000 kg of hazardous waste in a calendar month. Thus, the State does not define this category of generator in its rules.

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART A - GENERAL

## PURPOSE AND SCOPE

subpart A scope

261.1(a)(1)

26.13.02.01B(1)

EQ

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

conditionally

exempt generators

261.5(a)

26.13.02.05A(1)

MS

**Attorney General Comment:** Maryland exempts from regulation persons who generate less than 100 kg of hazardous waste in a calendar month. The Federal program exempts generators who generate no more than 100 kg of hazardous waste in a calendar month. The State is more stringent because a generator who generates exactly 100 kg of hazardous waste in a calendar month is not exempt.

exceptions

261.5(b)

26.13.02.05A(1)

EQ

RCRA REVISION CHECKLIST 23: Generators  
of 100 to 1000 kg Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
quantity determination	261.5(c)	26.13.02.05A(2)	EQ		
quantity exclusions	261.5(d)	26.13.02.05A(3)	EQ		
acutely hazardous	261.5(e)	26.13.02.05C		MS	
<b>Attorney General Comment:</b> Pursuant to COMAR 26.13.02.05C(3), the State will not exempt generators that have containers with residues of waste listed in 40 CFR 261.33 if such containers are larger than 20 liters in capacity. Pursuant to COMAR 26.13.02.05C(4), generators are not exempt if they accumulate more than 10 kg of inner liners from containers with residues of waste listed in 40 CFR 261.33. The Federal code does not have specific capacity limitations on container size or an accumulation limit on liners. Maryland is more stringent.					
<b>Attorney General comment:</b> Maryland has State-only listed wastes that are treated as acutely hazardous at COMAR 26.13.02.05C(6)(b). The State is more stringent by limiting the amount that can be generated to 1 kg in order to remain exempt.					
accumulation	261.5(f)	26.13.02.05D		MS	
<b>Attorney General Comment:</b> The provision at COMAR 26.13.02.05D(3)(a) is more stringent because it sets accumulation limits in the amounts specified at COMAR 26.13.02.05C. As explained in the Attorney General Comment for 261.5(e), the provision at 26.13.02.05C lists additional wastes as acutely hazardous requirements to be					
conditionally exempt	261.5(g)	26.13.02.05D		MS	
<b>Attorney General Comment:</b> In COMAR 26.13.02.05D(3)(b), the State does not exempt from regulation those generators that generate less than 100 kg of hazardous waste in a calendar month if they accumulate more than 100 kg at any time. The Federal code allows these exempt generators to accumulate up to 1000 kg of hazardous waste without losing their exempt status. Note also that Maryland requires the time period for accumulation begin when the initial waste is generated. The Federal program establishes that the time period for accumulation begins when the accumulated wastes exceed the quantity limitation.					
mixing with non-hazardous waste	261.5(h)	26.13.02.05E(1)	EQ		
mixtures that exceed exclusion level	261.5(i)	26.13.02.05E(3)	EQ		
mixtures with used oil	261.5(j)	26.13.02.05E(2)	EQ		
remove paragraph	261.5(k)	No Analog	EQ		

SUBPART D - LISTS OF HAZARDOUS WASTE

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.

introductory text	261.33(f)	26.13.02.19G	EQ
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PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE



RCRA REVISION CHECKLIST 23: Generators  
of 100 to 1000 kg Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART B - THE MANIFEST

GENERAL REQUIREMENTS

100 to 1000 kg  
exemption

262.20(e)

No Analog

MS

**Attorney General Comment:** Unlike the Federal program, Maryland does not have reduced requirements for generators who generate 100 kg to 1000 kg of hazardous waste in a calendar month.

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

introductory text

262.34(a)

26.13.03.05E(1)

EQ

100 to 1000 kg and  
accumulation of

180 days

262.34(d)

26.13.03.05E(2)

MS

**Attorney General Comment:** Maryland allows generators of between 100 and 1000 kg of hazardous waste in a calendar month to accumulate up to 500 kg on-site for up to 180 days without obtaining a permit or without having interim status. The Federal program allows such generators to accumulate up to 6000 kg without a permit or interim status.

200 miles transport  
and 270 day

accumulation

262.34(e)

No Analog

MS

**Attorney General Comment:** Maryland does not allow an extension beyond the 180 day limit in instances where the waste must be transported over 200 miles. The State is more stringent.

6000 kg or 180 days

262.34(f)

26.13.03.05E(2)

MS

**Attorney General Comment:** Maryland does not allow extensions of the accumulation time limit. The State is more stringent.

SUBPART D - RECORDKEEPING AND REPORTING

SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 AND 1000 kg/mo.

special requirements

262.44

No Analog

MS

**Attorney General Comment:** Unlike the Federal program, Maryland does not have reduced requirements for generators who generate 100 kg to 1000 kg of hazardous waste in a calendar month.

RCRA REVISION CHECKLIST<sup>23</sup>: Generators  
of 100 to 1000 kg Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART B - COMPLIANCE WITH THE MANIFEST SYSTEM AND RECORDKEEPING

MANIFEST SYSTEM

applicability of 100 to 1000 kg	263.20(h)	No Analog	MS
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**Attorney General Comment:** Unlike the Federal program, Maryland does not have reduced requirements for generators who generate 100 kg to 1000 kg of hazardous waste in a calendar month.

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

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

		26.13.07.01A	
		26.13.05.01A(3)(d)	
specific exclusions	270.1(c)(2)(i)	26.13.06.01A(4)(d)	MS

**Attorney General Comment:** Because the State only allows generators of between 100 kg and 1000 kg of hazardous waste in a calendar month to accumulate up to 500 kg of waste for 180 days, the exclusion from the permit requirements are less extensive resulting in a more stringent program.

SUBPART B - PERMIT APPLICATION

GENERAL APPLICATION REQUIREMENTS

existing facilities	270.10(e)(1)(iii)	No Analog	MS
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**Attorney General Comment:** Unlike the Federal program, Maryland does not have reduced requirements for generators who generate 100 kg to 1000 kg of hazardous waste in a calendar month.

## MARYLAND REVISION CHECKLIST 24

Financial Responsibility:

Settlement Agreement

51 FR 16422-16459

May 2, 1986

as amended on March 10, 1988, at 53 FR 7740-7741  
(Non-HSWA Cluster II & Non-HSWA Cluster VI)

Note: The March 10, 1988 (53 FR 7740) amendments to this rule corrected errors in the preamble in which certain provisions were erroneously described as less stringent (i.e., optional) than the previous Federal program. Therefore, final determination of optional sections and subsections for this checklist was based on the March 10, 1988 amendments. Because these were the only changes made by that final rule, a separate checklist was not developed.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## DEFINITIONS

"active life"	260.10	26.13.01.03B(1-1)	EQ
"final closure"	260.10	26.13.01.03B(25)	EQ
"hazardous waste management unit"	260.10	26.13.01.03B(34)	EQ
"partial closure"	260.10	26.13.01.03B(60)	EQ

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

## SUBPART G - CLOSURE AND POST-CLOSURE

## APPLICABILITY

closure of all facilities	264.110(a)	26.13.05.07A(1)	EQ
post-closure care	264.110(b)	26.13.05.07A(2)	EQ

## CLOSURE PERFORMANCE STANDARD

minimizes maintenance	264.111(a)	26.13.05.07B	EQ
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**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
controls, minimizes post-closure escape	264.111(b)	26.13.05.07B	EO		
complies with requirements	264.111(c)	26.13.05.07B	EO		
<u>CLOSURE PLAN; AMENDMENT OF PLAN</u>					
† written plan	264.112(a)	26.13.05.07C(1)(a)	EO		
content of plan	264.112(b)	26.13.05.07C(2)	EO		
hazardous waste management unit to be closed	264.112(b)(1)	26.13.05.07C(2)(a)	EO		
final closure/maximum extent of enclosed operations	264.112(b)(2)	26.13.05.07C(2)(b)	EO		
maximum inventory	264.112(b)(3)	26.13.05.07C(2)(c)	EO		
remove or decontam- inate all residues/ equipment	264.112(b)(4)	26.13.05.07C(2)(d)	EO		
other activities to assure closure	264.112(b)(5)	26.13.05.07C(2)(e)	EO		
schedule for closure	264.112(b)(6)	26.13.05.07C(2)(f)	EO		
† estimate year of final closure	264.112(b)(7)	26.13.05.07C(2)(g)	EO		
amendment of plan	264.112(c)	26.13.05.07C(3)	EO		
† notification of partial and final closure	264.112(d)	26.13.05.07C(4)	EO		
† remove wastes, decontaminate and dismantle	264.112(e)	26.13.05.07C(5)	EO		
† <u>CLOSURE: TIME ALLOWED FOR CLOSURE</u>					
treat final volume in 90 days or use criteria	264.113(a)	26.13.05.07D(1)&(2)	EO		
complete closure in 180 days or use criteria	264.113(b)	26.13.05.07D(3)&(4)	EO		
demonstration must be within 30 days timeframe	264.113(c)	26.13.05.07D(5)	EO		

**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
<u>DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS</u>					
requirement at closure	264.114	26.13.05.07E	EO		
<u>CERTIFICATION OF CLOSURE</u>					
approved in accordance with	264.115	26.13.05.07F(1)	EO		
<u>SURVEY PLAT</u>					
survey plat required	264.116	26.13.05.07F(2)	EO		
<u>POST-CLOSURE CARE AND USE OF PROPERTY</u>					
continued care for 30 years	264.117(a)(1)	26.13.05.07G(1)	EO		
reduction or extension of care period	264.117(a)(2)	26.13.05.07G(2)	EO		
security requirements	264.117(b)	26.13.05.07G(3)	EO		
post-closure use limits	264.117(c)	26.13.05.07G(4)	EO		
activities in accord with plan	264.117(d)	26.13.05.07G(5)	EO		
<u>POST-CLOSURE PLAN; AMENDMENT OF PLAN</u>					
written plan	264.118(a)	26.13.05.07H(1)	EO		
specified activities	264.118(b)	26.13.05.07H(2)	EO		
availability of plan	264.118(c)	26.13.05.07H(3)	EO		
amendment of plan	264.118(d)	26.13.05.07H(4)	EO		
<u>POST-CLOSURE NOTICES</u>					
record of type, location and quantity of hazardous waste	264.119(a)	26.13.05.07I(1)	EO		
requirement to enter note on deed	264.119(b)	26.13.05.07I(2)	EO		
conditions for removal of notation	264.119(c)	26.13.05.07I(3)	EO		

**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

CERTIFICATION OF COMPLETION OF POST-CLOSURE CARE

completion of post-closure period	264.120	26.13.05.07J	EQ		
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**SUBPART H - FINANCIAL REQUIREMENTS**

DEFINITIONS OF TERMS AS USED IN THIS SUBPART

"current plugging and abandonment cost estimate"	264.141(f)	26.13.05.08	EQ		
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COST ESTIMATE FOR CLOSURE

o/o must have written cost estimate	264.142(a)	26.13.05.08	EQ		
adjust closure cost estimate for inflation	264.142(b)	26.13.05.08	EQ		
closure plan changes	264.142(c)	26.13.05.08	EQ		

FINANCIAL ASSURANCE FOR CLOSURE

reimbursement for closure activities	264.143(a)(10)	26.13.05.08	EQ		
standby trust fund equal to penal sum	264.143(b)(4)(ii)	26.13.05.08	EQ		
surety liability keyed to final Administrative Order	264.143(c)(5)	26.13.05.08	EQ		
after final 3008 determination Regional Administrator may draw on credit	264.143(d)(8)	26.13.05.08	EQ		
o/o may request reimbursement	264.143(e)(5)	26.13.05.08	EQ		
net capital and worth at six times	264.143(f)(1)(i)(B)	26.13.05.08		MS	
<b>Attorney General Comment:</b> Maryland does not allow the financial test or corporate guarantee in 40 CFR 264.143(f) to be used to establish financial assurance for closure.					
90% of assets in U.S.	264.143(f)(1)(i)(D)	26.13.05.08		MS	
net worth at 6 times sum of cost estimate	264.143(f)(1)(ii)(B)	26.13.05.08		MS	
90% of assets in					



**RCRA REVISION CHECKLIST 2A: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
U.S.	264.143(f)(1)(ii)(D)	26.13.05.08		MS	
phrases of cost estimates including plugging and abandonment	264.143(f)(2)	26.13.05.08		MS	
release of o/o from requirements	264.143(i)	26.13.05.08	EQ		
<b>COST ESTIMATES FOR POST-CLOSURE CARE</b>					
annual post-closure cost requirements	264.144(a)	26.13.05.08	EQ		
adjust for inflation	264.144(b)	26.13.05.08	EQ		
post-closure plan changes	264.144(c)	26.13.05.08	EQ		
<b>FINANCIAL ASSURANCE FOR POST-CLOSURE CARE</b>					
introductory text	264.145	26.13.05.08	EQ		
reimbursements for post-closure activities	264.145(a)(11)	26.13.05.08	EQ		
standby trust fund equal to penal sum	264.145(b)(4)(ii)	26.13.05.08	EQ		
surety liability keyed to final Administrative Order	264.145(c)(5)	26.13.05.08	EQ		
after final 3008 deter- mination Regional Administrator may draw on credit	264.145(d)(9)	26.13.05.08	EQ		
o/o may request reimbursement	264.145(e)(5)	26.13.05.08	EQ		
net capital and worth at six times	264.145(f)(1)(i)(B)	26.13.05.08		MS	
<b>Attorney General Comment:</b> Maryland does not allow the financial test or corporate guarantee in 40 CFR 264.145(f) to be used to establish financial assurance for post-closure care.					
90% of assets in U.S.	264.145(f)(1)(i)(D)	26.13.05.08		MS	
net worth at 6 times sum of estimate	264.145(f)(1)(ii)(B)	26.13.05.08		MS	
90% of assets in U.S.	264.145(f)(1)(ii)(D)	26.13.05.08		MS	
phrases of cost estimates include plugging and					

**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
abandonment	264.145(f)(2)	26.13.05.08		MS	
release of o/o from requirements	264.145(i)	26.13.05.08	EO		
<b>LIABILITY REQUIREMENTS</b>					
period of coverage	264.147(e)	26.13.05.08	EO		
<b>WORDING OF THE INSTRUMENTS</b>					
financial guarantee					
bond	264.151(b)	26.13.05.08	EO		
closure cost estimates under 40 CFR 144.62; includes					
UIC costs	264.151(f)(5)	26.13.05.08		MS	
<b>Attorney General Comment:</b> Maryland does not allow the financial test or corporate guarantee in 40 CFR 264.143(f), 264.145(f), 265.143(e), or 265.145(e) to be used to establish financial assurance for closure or post-closure care. Therefore, the financial instrument at 40 CFR 264.151(f) may not be used.					
closure cost estimates under 40 CFR 144.62; includes					
UIC costs	264.151(g)(5)	26.13.05.08	EO		

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

**SUBPART G - CLOSURE AND POST-CLOSURE**

**APPLICABILITY**

		26.13.06.07A	
management facilities	265.110(a)	26.13.06.12A	EO
		26.13.06.07A	
disposal facilities	265.110(b)	26.13.06.12A	EO

**CLOSURE PERFORMANCE STANDARD**

minimize maintenance	265.111(a)	26.13.06.07B(1)	EO
controls, minimizes, eliminates escape	265.111(b)	26.13.06.07B(2)	EO
complies with closure requirements	265.111(c)	26.13.06.07B(3)	EO

**CLOSURE PLAN; AMENDMENT OF PLAN**



RCRA REVISION CHECKLIST 2A: Financial Responsibility:  
Settlement Agreement (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
† written plan	265.112(a)	26.13.06.08A	EQ		
content of plan	265.112(b)	26.13.06.08B&C	EQ		
hazardous waste management unit to be closed	265.112(b)(1)	26.13.06.08C(1)	EQ		
final closures and maximum extent of facility	265.112(b)(2)	26.13.06.08C(2)	EQ		
maximum inventory	265.112(b)(3)	26.13.06.08C(3),(4)&(5)	EQ		
remove or decontam- inate all residues/ equipment	265.112(b)(4)	26.13.06.08C(6)	EQ		
other activities to assure closure	265.112(b)(5)	26.13.06.08C(7)	EQ		
schedule of closure	265.112(b)(6)	26.13.06.08C(8)&(9)	EQ		
† estimate year of final closure	265.112(b)(7)	26.13.06.08C(10)	EQ		
amendment of plan	265.112(c)	26.13.06.08D	EQ		
notification of partial and final closure	265.112(d)(1)	26.13.06.08E(1)&(2)	EQ		
† date when o/o expects to begin closure; extension to one-year limit	265.112(d)(2)	26.13.06.08E(3)-(6)	EQ		
† submittal of closure plan	265.112(d)(3)	26.13.06.08E(7)	EQ		
† opportunity to comment, public hearing, and approval, modifica- tion or disapproval of plan by Regional Administrator	265.112(d)(4)	26.13.06.08E(8)-(10)	EQ		
† remove wastes, decontaminate and dismantle	265.112(e)	26.13.06.08E(11)	EQ		
† CLOSURE; TIME ALLOWED FOR CLOSURE					
treat final volume in 90 days or use criteria	265.113(a)	26.13.06.09A-C	EQ		

**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
complete closure in 180 days or use criteria	265.113(b)	26.13.06.09D-F	EQ		
demonstrations must be made within 30 days	265.113(c)	26.13.06.09G	EQ		
<b>DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS</b>					
requirement at closure	265.114	26.13.06.10	EQ		
<b>CERTIFICATION OF CLOSURE</b>					
requirement at closure	265.115	26.13.06.11	EQ		
<b>SURVEY PLAT</b>					
survey plat required	265.116	26.13.06.12B	EQ		
<b>POST-CLOSURE CARE AND USE OF PROPERTY</b>					
continued care for 30 years	265.117(a)(1)	26.13.06.12C(1)&(2)	EQ		
reduction or extension of care period	265.117(a)(2)	26.13.06.12C(3)-(5)	EQ		
security requirements	265.117(b)	26.13.06.12C(6)	EQ		
post-closure use limits	265.117(c)	26.13.06.12C(7)	EQ		
activities in accord with plan	265.117(d)	26.13.06.12C(8)	EQ		
<b>POST-CLOSURE PLAN; AMENDMENT OF PLAN</b>					
written plan	265.118(a)	26.13.06.13A	EQ		
availability of plan	265.118(b)	26.13.06.13B-D	EQ		
specified activities	265.118(c)	26.13.06.13E	EQ		
amendment of plan	265.118(d)	26.13.06.13F	EQ		
o/o to submit plan 180 days before closure	265.118(e)	26.13.06.13G-I	EQ		
approval of plan	265.118(f)	26.13.06.13J-M	EQ		

**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

modification of plan	265.118(g)	26.13.06.13N-U	EQ		
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POST-CLOSURE NOTICES

record of type, loca-  
tion and quantity of  
waste

265.119(a)	26.13.06.14A	EQ
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requirement to enter  
note on deed

265.119(b)	26.13.06.14B	EQ
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conditions for removal  
of notation

265.119(c)	26.13.06.14C&D	EQ
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CERTIFICATION OF COMPLETION OF POST-CLOSURE CARE

completion of post-  
closure period

265.120	26.13.06.15	EQ
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**SUBPART H - FINANCIAL REQUIREMENTS**

APPLICABILITY

all hazardous waste  
facilities

265.140(a)	26.13.06.16	EQ
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DEFINITIONS OF TERMS AS USED IN THIS SUBPART

current plugging and  
abandonment of cost  
estimate

265.141(f)	26.13.06.16	EQ
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COST ESTIMATE FOR CLOSURE

o/o must have written  
cost estimate

265.142(a)	26.13.06.16	EQ
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adjust closure cost  
estimate for inflation

265.142(b)	26.13.06.16	EQ
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closure plan changes

265.142(c)	26.13.06.16	EQ
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FINANCIAL ASSURANCE FOR CLOSURE

reimbursement for  
closure activities

265.143(a)(10)	26.13.06.16	EQ
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standby trust fund  
equal to penal sum

265.143(b)(4)(ii)	26.13.06.16	EQ
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**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
after final 3008 deter- mination Regional Administrator may draw on credit	265.143(c)(8)	26.13.06.16	EO		
o/o may request reimbursements	265.143(d)(5)	26.13.06.16	EO		
net capital and worth at six times	265.143(e)(1)(i)(B)	26.13.06.16		MS	
<b>Attorney General Comment:</b> Maryland does not allow the financial test or corporate guarantee in 40 CFR 265.143(e) to be used to establish financial assurance for closure.					
90% of assets in U.S.	265.143(e)(1)(i)(D)	26.13.06.16		MS	
net worth at six times sum of cost estimate	265.143(e)(1)(ii)(B)	26.13.06.16		MS	
90% of assets in U.S.	265.143(e)(1)(ii)(D)	26.13.06.16		MS	
phrases of cost esti- mates including plugging and abandonment	265.143(e)(2)	26.13.06.16		MS	
release of o/o from requirements	265.143(h)	26.13.06.16	EO		
<b>COST ESTIMATE FOR POST-CLOSURE CARE</b>					
o/o must have written cost estimate	265.144(a)	26.13.06.16	EO		
adjust for inflation	265.144(b)	26.13.06.16	EO		
post-closure plan changes	265.144(c)	26.13.06.16	EO		
<b>FINANCIAL ASSURANCE FOR POST-CLOSURE CARE</b>					
introductory text	265.145	26.13.06.16	EO		
o/o may request reimbursements	265.145(a)(11)	26.13.06.16	EO		
standby trust fund equal to penal sum	265.145(b)(4)(ii)	26.13.06.16	EO		
after final 3008 deter- mination Regional Administrator may draw on credit	265.145(c)(9)	26.13.06.16	EO		
o/o may request reimbursement	265.145(d)(5)	26.13.06.16	EO		
net capital and worth					

**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
at six times	265.145(e)(1)(i)(B)	26.13.06.16		MS	
<b>Attorney General Comment:</b> Maryland does not allow the financial test or corporate guarantee in 40 CFR 264.145(e) to be used to establish financial assurance for post-closure care.					
90% of assets in U.S.	265.145(e)(1)(i)(D)	26.13.06.16		MS	
net worth at 6 times sum of cost estimates	265.145(e)(1)(ii)(B)	26.13.06.16		MS	
90% of assets in U.S.	265.145(e)(1)(ii)(D)	26.13.06.16		MS	
phrases for cost esti- mates including plugging and abandonment	265.145(e)(2)	26.13.06.16		MS	
release of o/o from requirements	265.145(h)	26.13.06.16	EQ		

**LIABILITY REQUIREMENTS**

period of coverage	265.147(e)	26.13.06.16	EQ		
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**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE  
HAZARDOUS WASTE PERMIT PROGRAM**

**SUBPART B - PERMIT APPLICATION**

**CONTENTS OF PART B: GENERAL REQUIREMENTS**

documentation that notices are filed	270.14(b)(14)	26.13.07.02D(30)	EQ		
cost estimates and financial assurance	270.14(b)(15)	26.13.07.02D(31)	EQ		
post-closure cost estimates and financial assurance	270.14(b)(16)	26.13.07.02D(32)	EQ		

**SUBPART D - CHANGE TO PERMITS**

**MINOR MODIFICATIONS OF PERMITS**

changes in ownership		26.13.07.13-2A(1)(d)			
or operational control	270.42(d)	26.13.07.13-2B	EQ		

**SUBPART G - INTERIM STATUS**

**RCRA REVISION CHECKLIST 24: Financial Responsibility:  
Settlement Agreement (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
CHANGES DURING INTERIM STATUS					
changes in ownership or operational control	270.72(d)	26.13.07.23C(1)(d)	EQ		

MARYLAND REVISION CHECKLIST 25

Codification Rule, Technical Correction

51 FR 19176-19177

May 28, 1986

(HWA Cluster I)

Note: On July 15, 1985, (50 FR 28702, Revision Checklist 17 F), §265.314(d) was inadvertently reserved. This section was originally promulgated on April 30, 1985, at 50 FR 18370 (see RCRA Revision Checklist 16). This rule corrects the July 15 language by removing the "reserved" reference to paragraph (d). Paragraph (d) remains as originally promulgated on April 30, 1985.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS

paint filter test	265.314(d)	26.13.06.22F(2)	EQ
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MARYLAND REVISION CHECKLIST 26

Listing of Spent Pickle Liquor (KO62)  
 51 FR 19320-19322  
 May 28, 1986  
 as amended on September 22, 1986, at 51 FR 33612  
 (Non-HSWA Cluster II)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTE

† HAZARDOUS WASTE FROM SPECIFIC SOURCES

list of "K" wastes	261.32	26.13.02.17	EQ
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§261.32 - Hazardous waste from specific sources

Industry and EPA Hazardous Waste No:		Hazardous Waste	Hazard Code
Iron and Steel: KO62.....		Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).	(C,T)

† Note that the August 3, 1987 Federal Register (52 FR 28697) addressing this listing was a clarification of the September 22, 1986 (51 FR 33612) amendment to this listing. As such, it does not need a separate checklist.



## MARYLAND REVISION CHECKLIST 27

Liability Coverage - Corporate Guarantee  
 51 FR 25350-25356  
 July 11, 1986  
 (Non-HSWA Cluster III)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART H - FINANCIAL REQUIREMENTS

† LIABILITY REQUIREMENTS

coverage for sudden accidental occurrences	264.147 (a)(2)	26.13.05.08	EQ
use of multiple financial mechanisms	264.147(a)(3)	26.13.05.08	EQ
coverage for non- sudden accidental occurrences	264.147(b)(2)	26.13.05.08	EQ
use of multiple financial mechanisms	264.147(b)(3)	26.13.05.08	EQ
corporate guarantee for liability coverage	264.147(g)	26.13.05.08	EQ
guarantor is parent corporation	264.147(g)(1)	26.13.05.08	EQ
payment by guarantor	264.147(g)(1)(i)	26.13.05.08	EQ
cancellation/use of alternate coverage	264.147(g)(1)(ii)	26.13.05.08	EQ
corporate guarantee valid and enforceable under State law	264.147(g)(2)	26.13.05.08	EQ

† WORDING OF THE INSTRUMENTS

letter from chief financial officer	264.151(g)	26.13.05.08	EQ
corporate guarantee for liability coverage	264.151(h)(2)	26.13.05.08	EQ

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

† LIABILITY REQUIREMENTS

coverage of sudden accidental occurrences	265.147(a)(2)	26.13.06.16	EQ
use of multiple financial mechanisms	265.147(a)(3)	26.13.06.16	EQ
coverage for non- sudden accidental occurrence	265.147(b)(2)	26.13.06.16	EQ
use of multiple financial mechanisms	265.147(b)(3)	26.13.06.16	EQ
corporate guarantee for liability coverage	265.147(g)	26.13.06.16	EQ
guarantor is parent corporation	265.147(g)(1)	26.13.06.16	EQ
payment by guarantor	265.147(g)(1)(i)	26.13.06.16	EQ
cancellation/use of alternate coverage	265.147(g)(1)(ii)	26.13.06.16	EQ
corporate guarantee valid and enforceable under State law	265.147(g)(2)	26.13.06.16	EQ

## MARYLAND REVISION CHECKLIST 28

Standards for Hazardous Waste Storage and Treatment Tank Systems

51 ER 25422-25486

July 14, 1986

as amended on August 15, 1986 at 51 ER 29430-29431

(Non-HSWA Cluster III and HSWA Cluster I)

Note: 1) This checklist is part of both non-HSWA Cluster III and HSWA Cluster I. States are encouraged to apply for this checklist under non-HSWA Cluster III as its due date occurs sooner than that for the HSWA Cluster. Those changes which implement HSWA are marked as Footnote 1. Please read this footnote for further guidance regarding these provisions. 2) Additional interpretation, clarification, and correction of typographical errors relative to this Revision Checklist 28 are subsequently addressed by Revision Checklist 52 (September 2, 1988, 53 ER 34079). States are encouraged to consider the changes associated with Revision Checklist 52 when implementing the changes addressed by Revision Checklist 28.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## DEFINITIONS

"aboveground tank"	260.10	26.13.01.03B(1)	EQ		
"ancillary equipment"	260.10	26.13.01.03B(2-1)	EQ		
"component"	260.10	26.13.01.03B(6-1)	EQ		
"corrosion expert"	260.10	26.13.01.03B(10-1)	EQ		
"existing tank system" or "existing component"	260.10	26.13.01.03B(22-1)	EQ		
"inground tank"	260.10	26.13.01.03B(40-1)	EQ		
"installation inspector"	260.10	26.13.01.03B(42-1)	EQ		
"leak detection system"	260.10	26.13.01.03B(47-1)	EQ		
"new tank system"	260.10	26.13.01.03B(55-1)	EQ		
"on ground tank"	260.10	26.13.01.03B(55-2)	EQ		
"sump"	260.10	26.13.01.03B(76-1)	EQ		
"tank system"	260.10	26.13.01.03B(78-1)	EQ		

# RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	CITATION	STATE ANALOG IS:	
				EQUIV- ALENT	MORE BROAD- STRIN- ER IN GENT SCOPE
"underground tank"	260.10	26.13.01.03B(87-1)		EQ	
"unfit-for-use tank system"	260.10	26.13.01.03B(87-2)		EQ	
"zone of engineering control"	260.10	26.13.01.03B(96)		EQ	

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

### SUBPART A - GENERAL

#### EXCLUSIONS

secondary materials  
reclaimed or returned  
to process

261.4(a)(8)

26.13.01.04A(7)

EQ

## PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

### SUBPART C - PRE-TRANSPORT REQUIREMENTS

#### ACCUMULATION TIME

accumulation  
on-site

262.34(a)(1)

26.13.03.05E(1)

MS

**Attorney General Comment:** Maryland is more stringent because a generator accumulating hazardous waste in tanks must comply with the State's analog to 40 CFR Part 264, Subpart J; the Federal program requires compliance with interim status tank requirements in 40 CFR Part 265, Subpart J. This makes the State more stringent because it requires generators using tanks for accumulation to (1) use corrosion protection other than the type recommended by the independent corrosion expert if the Secretary believes it is necessary, (2) demonstrate to the Secretary that existing leak detection technologies of site conditions will not allow detection of a release within 24 hours in order to allow for a time period greater than 24 hours, (3) demonstrate to the Secretary that removal of released waste or accumulated precipitation cannot be accomplished within 24 hours in order to use a time period greater than 24 hours, and (4) develop and follow a schedule and procedures for inspections. In addition, this checklist identifies those State provisions that are more stringent than the Federal tank requirements in 40 CFR Part 264.

**Attorney General Comment:** Maryland is more stringent because its rules do not allow generators that are accumulating waste in tanks to receive a variance from the secondary containment requirements.

**Attorney General Comment:** The State's rules are more stringent at COMAR 26.13.03.05E(1)(i) and (j). These provisions require that generators accumulating waste in tanks submit specified information about the tanks to the Secretary.

compliance with  
Subpart I of 265

262.34(d)(2)

26.13.03.05E(1) & (2)

MS

## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

compliance with

Subpart I of 265

262.34(d)(3)

26.13.03.05E(1) &amp; (2)

MS

**Attorney General Comment:** Maryland allows generators of between 100 and 1000 kg of hazardous waste in a calendar month to accumulate up to 500 kg on-site for up to 180 days without obtaining a permit or without having interim status. The Federal program allows such generators to accumulate up to 6000 kg without a permit or interim status. In addition, the State is more stringent because, other than the time extension for accumulation, such generators must meet all the requirements that larger generators must meet with regards to accumulation of hazardous waste.

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

## SUBPART B - GENERAL FACILITY STANDARDS

## GENERAL INSPECTION REQUIREMENTS

frequency of  
inspection

264.15(b)(4)

26.13.05.02F(2)(d)

EQ

## SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

## OPERATING RECORD

data requirements

264.73(b)(6)

26.13.05.05D(2)(h)

EQ

## SUBPART G - CLOSURE AND POST-CLOSURE

## APPLICABILITY

closure and post-  
closure compliance  
with 264.197

264.110(b)(3)

26.13.05.07A(2)(c)

EQ

## SUBPART H - FINANCIAL REQUIREMENTS

## APPLICABILITY

financial  
responsibility  
compliance  
with 264.197

264.140(b)(3)

26.13.05.08

EQ

RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:	
			EQUIV- ALENT	MORE BROAD- STRIN- ER IN GENT SCOPE
SUBPART J - TANK SYSTEMS				
APPLICABILITY				
applicability, tank systems used for storing or treating hazardous waste	264.190	26.13.05.10A(1)	EQ	
exemptions from secondary containment requirements	264.190(a)&(b)	26.13.05.10A(2) 26.13.05.10A(3)	EQ	
ASSESSMENT OF EXISTING TANK SYSTEM'S INTEGRITY				
written assessment requirement	264.191(a)	26.13.05.10-2B(1), (2) & (4)(a)	EQ	
minimum assessment considerations	264.191(b)	26.13.05.10-2B(1), (3)	EQ	
12 mos. deadline if materials become hazardous waste after 7/14/86	264.191(c)	26.13.05.10-2B(4)(b)	EQ	
tank systems found to be leaking or unfit for use	264.191(d)	26.13.05.10-2B(5)	EQ	
DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS				
information to be included in written assessments for new tanks	264.192(a)	26.13.05.10-3A, B(1)-(3)	EQ	
new tank installation procedures; inspection requirements	264.192(b)	26.13.05.10-3B(4)	EQ	
backfilling requirements for new underground tank systems	264.192(c)	26.13.05.10-3B(5)	EQ	
tightness requirement	264.192(d)	26.13.05.10-3B(6), B(7)	EQ	
protection of ancillary equipment	264.192(e)	26.13.05.10-3B(8)	EQ	
corrosion protection requirements	264.192(f)	26.13.05.10-3B(9), B(10)	EQ	
written statements and certification statements	264.192(g)	26.13.05.10-3B(11), B(12)	EQ	



## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
CONTAINMENT AND DETECTION OF RELEASES					
schedule for providing secondary containment for tank systems	264.193(a)	26.13.05.10-4A	EQ		
minimum requirements for secondary systems	264.193(b)	26.13.05.10-4B	EQ		
minimum spec. of secondary containment	264.193(c)	26.13.05.10-4B(3)-(7)& 26.13.05.10-4C	EQ		
devices that satisfy the secondary contain- ment requirements	264.193(d)	26.13.05.10-4D	EQ		
additional requirements for liner and vault systems, and double- walled tanks	264.193(e)	26.13.05.10-4E	EQ		
ancillary equipment must be provided with full secondary containment	264.193(f)	26.13.05.10-4F	EQ		
exceptions at 264.193(f)	264.193(f)(1)-(4)	26.13.05.10-4 F(1)-(4)	EQ		
variance requirements	264.193(g)	26.13.05.10-5A-E	EQ		
requirements for addressing releases from tank systems that have obtained variances	264.193(g)(3)&(4)	26.13.05.10-6B and C			MS
<b>Attorney General Comment:</b> Maryland is more stringent because the rules require an operator to report a release from a tank system that has obtained a variance from the secondary containment requirements even if the release has not migrated beyond the zone of engineering control.					
procedures for requesting a variance	264.193(h)	26.13.05.10-5F	EQ		
requirements for all tank systems until such time as second- ary containment is provided	264.193(i)	26.13.05.10-4G	EQ		

## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:	
			EQUIV- ALENT	MORE BROAD- STRIN- GENT ER IN SCOPE
GENERAL OPERATING REQUIREMENTS				
hazardous waste or treatment reagents not to be placed in tank systems	264.194(a)	26.13.05.10C(1)	EQ	
minimum controls and practices to prevent spills and overflows	264.194(b)	26.13.05.10C(2)	EQ	
requirements if a leak or spill occurs in the tank system	264.194(c)	26.13.05.10C(3)	EQ	
INSPECTIONS				
schedules & procedure for inspecting overfill controls	264.195(a)	26.13.05.10D(1) & (4)		MS
<b>Attorney General Comment:</b> COMAR 26.13.05.10D(4) is more stringent. Maryland has additional requirements for development of inspection schedule and procedures.				
daily inspection requirements	264.195(b)	26.13.05.10D(2)		MS
<b>Attorney General Comment:</b> COMAR 26.13.05.10D(2)(b) is more stringent. Maryland requires daily inspection of waste level in uncovered tanks to ensure compliance with the freeboard requirements.				
minimum inspection frequency for cathodic protection systems	264.195(c)	26.13.05.10D(3)	EQ	
documentation in operating record	264.195(d)	26.13.05.10D(5)	EQ	
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 systems	264.196	26.13.05.10-6A(1)	EQ	
prevent flows of additional wastes	264.196(a)	26.13.05.10-6A(2), A(3)	EQ	
removal of waste from tank system or secondary contain- ment system	264.196(b)	26.13.05.10-6A(4)(a), (b)	EQ	
containment of visible releases to the environment	264.196(c)	26.13.05.10-6A(5)	EQ	



## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
notifications/reports	264.196(d)	26.13.05.10-6A(6)		MS	
<b>Attorney General Comment:</b> Maryland does not allow a report of a release from a tank system pursuant to 40 CFR Part 302 to satisfy the requirement for reporting to the Secretary.					
provision of second- ary containment, repair, or closure	264.196(e)	26.13.05.10-6A(7)	EQ		
certification closure requirements	264.196(f)	26.13.05.10-6A(8), A(9)		MS	
<b>Attorney General Comment:</b> The Federal code requires that the certification of extensive repair be submitted to the Regional Administrator within 7 days after returning the tank system to use. Maryland requires that the certification be submitted no later than 5 days before the tank system is returned to use.					
<b>CLOSURE AND POST-CLOSURE CARE</b>					
general closure requirements	264.197(a)	26.13.05.10-7A, B	EQ		
specific requirements when contaminated soils cannot practicably be removed or decontam- inated; closure as a landfill	264.197(b)	26.13.05.10-7C	EQ		
closure plans and financial responsibility requirements for tank systems without secondary containment that fall under §264.193(b)-(f) and are not exempt from secondary contain- ments requirements	264.197(c)	26.13.05.10-7D	EQ		
<b>SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES</b>					
limited placement of I or R wastes in tank systems	264.198(a)	26.13.05.10-1A(1)	EQ		
compliance with maintenance of protective distances	264.198(b)	26.13.05.10-1A(2)	EQ		
<b>SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES</b>					
limited placement of incompatible wastes in tank systems	264.199(a)	26.13.05.10-1B(1)	EQ		

## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	CITATION	STATE ANALOGIS:		
				EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
use of tank system that previously held incompatible wastes	264.199(b)		26.13.05.10-1B(2)	EQ		
remove paragraph	264.200		26.13.05.10B		MS	
<b>Attorney General Comment:</b> Maryland subjects permitted facilities to the waste analysis and determination requirements found at 40 CFR 265.200.						

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

## SUBPART B - GENERAL FACILITY STANDARDS

## GENERAL WASTE ANALYSIS

methods for additional waste analysis	265.13(b)(6)	26.13.06.02B,C& C(1)-(5)	EQ
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## GENERAL INSPECTION REQUIREMENTS

inspection frequency	265.15(b)(4)	26.13.05.02F(2)(d) 26.13.06.02D&E	EQ
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## SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

## OPERATING RECORD

records & results of analysis & trial tests	265.73(b)(3)	26.13.06.05B(1)	EQ
monitoring, testing, of analytical data	265.73(b)(6)	26.13.06.05B(3)	EQ

## SUBPART G - CLOSURE AND POST-CLOSURE

## APPLICABILITY

tank systems which must comply with land- fill requirements	265.110(b)(2)	26.13.06.07A 26.13.06.12A(2)	EQ
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# RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## SUBPART H - FINANCIAL REQUIREMENTS

financial responsi- bility requirements	265.140(b)	26.13.06.16B(1)&(2)	EQ		
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## SUBPART J - TANK SYSTEMS

### APPLICABILITY

tank systems used for storing & treating hazardous waste	265.190	26.13.05.10A(1) 26.13.06.18A	EQ		
exemptions from secondary containment requirements	265.190(a)&(b)	26.13.05.10A(2) & (3) 26.13.06.18A	EQ		

### ASSESSMENT OF EXISTING TANK SYSTEMS OR COMPONENTS

written assessment requirement	265.191(a)	26.13.05.10-2B(1), (2) & (4)(a) 26.13.06.18A	EQ		
minimum assessment considerations	265.191(b)	26.13.05.10-2B(1) & (3) 26.13.06.18A	EQ		
12 mos. deadline for materials which became hazardous waste after 7/14/86	265.191(c)	26.13.05.10-2B(4)(b) 26.13.06.18A	EQ		
tank systems found to be leaking or unfit for use	265.191(d)	26.13.05.10-2B(5) 26.13.06.18A	EQ		

### DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS

information to be included in the written assessment for new underground tank	265.192(a)	26.13.05.10-3B(1)-(2) 26.13.06.18A & C(3)-(4)	EQ		
new tank installation procedures; inspection requirements	265.192(b)	26.13.05.10-3B(4) 26.13.06.18A	EQ		
backfilling require- ments for new under- ground tank systems	265.192(c)	26.13.05.10-3B(5) 26.13.06.18A	EQ		
tightness requirements	265.192(d)	26.13.05.10-3B(6)&(7) 26.13.06.18A	EQ		

## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:	
			EQUIV- ALENT	MORE BROAD- STRIN- ER IN GENT SCOPE
protection of ancillary equipment	265.192(e)	26.13.05.10-3B(8) 26.13.06.18A	EQ	
corrosion protection requirements	265.192(f)	26.13.05.10-3B(10) 26.13.06.18A&C(2)	EQ	
written statements and certification statements	265.192(g)	26.13.05.10-3B(11)&(12) 26.13.06.18A	EQ	
<b>CONTAINMENT AND DETECTION OF RELEASES</b>				
applicability of secondary containment requirements	265.193(a)	26.13.05.10-4A 26.13.06.18A	EQ	
minimum requirements for secondary contain- ment systems	265.193(b)	26.13.05.10-4B 26.13.06.18A	EQ	
minimum specifications of secondary containment	265.193(c)	26.13.05.10-4B(3)-(7) & C 26.13.06.18A & C(5)-(6)	EQ	
devices that secondary containment for tanks must include	265.193(d)	26.13.05.10-4D 26.13.06.18A	EQ	
additional requirements for liner and vault systems, and doubled walled tanks	265.193(e)	26.13.05.10-4E 26.13.06.18A	EQ	
ancillary equipment must be provided with full secondary containment	265.193(f)	26.13.05.10-4F 26.13.06.18A	EQ	
† exception to 265.193(f)	265.193(f)(1)-(4)	26.13.05.10-4F(1)-(4) 26.13.06.18A	EQ	
† variance requirements	265.193(g)	26.13.05.10-5A - E 26.13.06.18A	EQ	
requirements for addressing releases from tank systems that have obtained variances	265.193(g)(3) & (4)	26.13.05.10-6B & C 26.13.06.18A		MS

**Attorney General Comment:** Maryland is more stringent because the rules require an operator to report a release from a tank system that has obtained a variance from the secondary containment requirements even if the release has not migrated beyond the zone of engineering control.

## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:	
			EQUIV- ALENT	MORE BROAD- STRIN- ER IN GENT SCOPE
† procedures for request- ing a variance	265.193(h)	26.13.05.10-5F 26.13.06.18A & B(1)-(5)	EQ	
requirements for all tanks systems until such time as secondary containment is provided	265.193(i)	26.13.05.10-4G 26.13.06.18A & C(7)	EQ	
<b>GENERAL OPERATING REQUIREMENTS</b>				
hazardous waste or treatment reagents not to be placed in tank system	265.194(a)	26.13.05.10C(1) 26.13.06.18A	EQ	
minimum controls and practices to prevent spills and overflows	265.194(h)	26.13.05.10C(2) 26.13.06.18A	EQ	
requirements if a leak or spill occurs in the tank system	265.194(c)	26.13.05.10C(3) 26.13.06.18A	EQ	
<b>INSPECTIONS</b>				
daily inspection requirements	265.195(a)	26.13.05.10D(2) 26.13.06.18A & C(1)		MS
<b>Attorney General Comment:</b> COMAR 26.13.05.10D(2)(b) is more stringent. Maryland requires daily inspection of waste level in uncovered tanks to ensure compliance with the freeboard requirements.				
minimum inspection frequency for cathodic protection system	265.195(b)	26.13.05.10D(3) 26.13.06.18A	EQ	
documentation in operating record	265.195(c)	26.13.05.10D(4) & (5) 26.13.06.18A		MS
<b>Attorney General Comment:</b> At COMAR 26.13.05.10D(4), interim status facilities with tanks are required to develop an inspection schedule and procedures. This requirement is more stringent than the Federal code.				
<b>RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE TANK SYSTEMS</b>				
immediate removal (from service) of leaking or unfit-for-use tank systems	265.196	26.13.05.10-6A(1) 26.13.06.18A	EQ	
prevent flow of additional wastes	265.196(a)	26.13.05.10-6A(2)-(3) 26.13.06.18A	EQ	

## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
removal of waste from tank system or secondary containment system	265.196(b)	26.13.05.10-6A(4) 26.13.06.18A	EQ		
containment of visible releases to the environment	265.196(c)	26.13.05.10-6A(5) 26.13.06.18A	EQ		
notifications/reports	265.196(d)	26.13.05.10-6A(6) 26.13.06.18A		MS	
<b>Attorney General Comment:</b> Maryland does not allow a report of a release from a tank system pursuant to 40 CFR Part 302 to satisfy the requirement for reporting to the Secretary.					
provision of secondary containment, repair, or closure	265.196(e)	26.13.05.10-6A(7) 26.13.06.18A	EQ		
certification of major repairs	265.196(f)	26.13.05.10-6A(8)&(9) 26.13.06.18A		MS	
<b>Attorney General Comment:</b> The Federal code requires that the certification of extensive repair be submitted to the Regional Administrator within 7 days after returning the tank system to use. Maryland requires that the certification be submitted no later than 5 days before the tank system is returned to use.					
<b>CLOSURE AND POST-CLOSURE CARE</b>					
general closure requirements	265.197(a)	26.13.06.18D(1)&(2)	EQ		
specific requirements when contaminated soils cannot practicably be removed or decontam- inated; closure as a landfill	265.197(b)	26.13.06.18D(3)	EQ		
requirements for tank systems without secondary containment that fall under 265.193(b)-(f) and are not exempt from secondary containment requirements	265.197(c)	26.13.06.18D(4)	EQ		
<b>SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES</b>					
limited placement of I or R wastes in tank systems	265.198(a)	26.13.05.10-1A 26.13.06.18A	EQ		



## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	STATE ANALOG IS:	
			EQUIV- ALENT	MORE STRIN- GENT BROAD- ER IN SCOPE
compliance with maintenance of protective distance	265.198(b)	26.13.05.10-1A 26.13.06.18A	EQ	
<b>SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES</b>				
limited placement of incompatible wastes in tank systems	265.199(a)	26.13.05.10-1B(1) 26.13.06.18A	EQ	
use of tank system that previously held incompatible wastes	265.199(b)	26.13.05.10-1B(2) 26.13.06.18A	EQ	
<b>WASTE ANALYSIS AND TRIAL TESTS</b>				
waste analysis and treatment or storage tests	265.200(a)	26.13.05.10B 26.13.06.18A	EQ	
obtain written, docu- mented information on similar waste/ operating conditions	265.200(b)	26.13.05.10B 26.13.06.18A	EQ	
<b>SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 AND 1000 KG/MO THAT ACCUMULATE HAZARDOUS WASTE IN TANKS</b>				
general applicability requirements	265.201(a)	No analog		MS
general operating requirements for generators of between 100 and 1000 kg/mo of hazardous waste	265.201(b)	No analog		MS
inspection requirements	265.201(c)	No analog		MS
closure requirements	265.201(d)	No analog		MS
special requirements for I or R wastes	265.201(e)	No analog		MS
special requirements for incompatible wastes	265.201(f)	No analog		MS
<b>Attorney General Comment:</b> Maryland is more stringent because it does not have reduced requirements for small quantity generators. See the comments relative to 40 CFR 262.34 on this checklist for additional information.				

## RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

## SUBPART B - PERMIT APPLICATION

## CONTENTS OF PART B: GENERAL REQUIREMENTS

general inspection schedule	270.14(b)(5)	26.13.07.02D(19)	EQ
copies of closure and post-closure plans	270.14(b)(13)	26.13.07.02D(29)	EQ

## SPECIFIC PART B INFORMATION REQUIREMENTS FOR TANK SYSTEMS

written certified assessment of each tank system	270.16(a)	26.13.07.02-3B(6)	EQ
dimensions and capacity of each tank	270.16(b)	26.13.07.02-3B(3)	EQ
description of feed systems, safety cutoff bypass systems, and pressure controls	270.16(c)	26.13.07.02-3B(5)	EQ
diagram of piping, instrumentation, and process flow for each tank system	270.16(d)	26.13.07.02-3B(4)	EQ
description of external corrosion protection	270.16(e)	26.13.07.02-3B(7)	EQ
description of new tank installation	270.16(f)	26.13.07.02-3B(8)	EQ
plans and description of secondary contain- ment systems	270.16(g)	26.13.07.02-3B(9)	EQ
information require- ments for systems for which a variance will be sought	270.16(h)	26.13.07.02-3B(10)	EQ
description of controls and practices to prevent spills and overflows	270.16(i)	26.13.07.02-3B(11)	EQ



# RCRA REVISION CHECKLIST 28 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA	ANALOGOUS STATE CITATION	CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
description of design and operating for tank systems handling ignitable, reactive, or incomparable wastes	270.16(j)	26.13.07.02-3B(12)		EQ		

## SUBPART G - INTERIM STATUS

### CHANGES DURING INTERIM STATUS

changes made solely to comply with §265.193 not included under this section	270.72(e)	26.13.07.23C(3)(a)	EQ
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## MARYLAND REVISION CHECKLIST 29

Corrections to Listing of Commercial Chemical  
Products and Appendix VIII Constituents

51 FR 28296-28310

August 6, 1986

(Non-HSWA Cluster III)

Note: On April 22, 1988 (Revision Checklist 46) extensive technical corrections were made to the lists addressed by this checklist because there were so many spelling and formatting errors found in these lists. Consequently, States may elect to revise their rules in accordance with Revision Checklist 46 rather than this checklist when amending their code.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTE

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

correct specific listings	261.33(e)	26.13.02.19E	EQ
† add chemical abstract numbers	261.33(e)	26.13.02.19E	EQ
correct specific listings	261.33(f)	26.13.02.19G	EQ
† add chemical abstract numbers	261.33(f)	26.13.02.19G	EQ

## APPENDIX VIII TO PART 261

## HAZARDOUS CONSTITUENTS

correct specific listings	Appendix VIII	26.13.02.24	EQ
† add chemical abstract numbers	Appendix VIII	26.13.02.24	EQ

## MARYLAND REVISION CHECKLIST 30

Biennial Report Correction  
 51 FR 28556  
 August 8, 1986  
 (HWSA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

BIENNIAL REPORT

reduce volume and toxicity	264.75(h)	26.13.05.05F(4)(j)	EQ
changes in volume and toxicity	264.75(i)	26.13.05.05F(4)(k)&(5)	EQ
certification	264.75(j)	26.13.05.05F(4)(h)	EQ

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

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

BIENNIAL REPORT

reduce volume and toxicity	265.75(h)	26.13.05.05F(4)(j) 26.13.06.05A	EQ
changes to volume and toxicity	265.75(i)	26.13.05.05F(4)(k)&(5) 26.13.06.05A	EQ
certification	265.75(j)	26.13.05.05F(4)(h) 26.13.06.05A	EQ

## MARYLAND REVISION CHECKLIST 31

## Exports of Hazardous Waste

51 FR 28664-28686

August 8, 1986

(HWA Cluster I)

Special notes: 1) States cannot assume the authority for the following aspects of regulating hazardous waste exports: a) receive notifications of intent to export, b) transmit information, regarding intent to export, to foreign countries through the Department of State, and c) transmit acknowledgement of consent to the exporter.

EPA feels that foreign policy interests and exporters' interest in expeditious processing are better served by the Agency retaining these functions. The Department of State would have only a single point of contact in administering the export program, allowing for uniformity and expeditious transmission of information between the United States and foreign countries. For a discussion of these issues, see 51 FR 28678, August 8, 1986.

These restrictions on State Authority have implications when a state adopts the 40 CFR 262.50 through 262.57 provisions. Complete guidance may be found in Appendix J. Briefly:

- "EPA," "Agency" and Administrator," should remain and should not be substituted with the State's analogous terms.
- "EPA Acknowledgement of Consent," should remain "EPA Acknowledgement of Consent."
- At 40 CFR 262.53(b), 262.54(g)(1), 262.55 and 262.56(a)&(b)--the notification of intent to export, notification of a change in the original consignee, exception reports and the annual exporter reports must be sent to the specified office within EPA. The State can request that copies also be sent to it.
- At 40 CFR 262.54(i) and 263.20(g)(4), a copy of the manifest must be delivered to the U.S. customs official at the point the hazardous materials leaves the U.S. States can request a copy.
- At 264.12(a), the notification must be sent to the EPA Regional Administrator. (Note, this provision is not addressed by Revision Checklist 31.)

2) Hazardous wastes, identified or listed by the State as part of its authorized program which are broader in scope (not in the Federal universe), are not subject to the export regulations.

3) EPA moved the farmer exemption from §262.50 to §262.70 in this checklist. However, the Agency failed to modify a number of other sections in the CFR which refer to the farmer exemption by section. This is subsequently corrected in Revision Checklist 48 (53 FR 27164, July 19, 1988). States are encouraged to simultaneously modify their code to reflect both the modification of the farmer exemption addressed by this checklist and the technical corrections addressed in Checklist 48.

## RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

4) On September 4, 1991 (56 FR 43704; Revision Checklist 97) a technical correction was published that changed the Office to which the notification of intent to export and the annual report on export activities must be sent. States that have not yet adopted Revision Checklist 31 are strongly encouraged to adopt those technical corrections at the same time the Revision Checklist 31 provisions are adopted. States already authorized for Revision Checklist 31 should adopt the technical corrections as soon as possible.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART A - GENERAL

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

U.S. location of treatment or disposal	261.5(f)(3)	26.13.02.05D(2)	EQ
U.S. location of treatment or disposal	261.5(g)(3)	26.13.02.05D(2)	EQ

## REQUIREMENTS FOR RECYCLABLE MATERIALS

export of industrial ethyl alcohol	261.6(a)(3)(i)	26.13.02.06A(3)(a)(i)&(b)(i) 26.13.02.06D	EQ
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## PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

## SUBPART D - RECORDKEEPING AND REPORTING

## BIENNIAL REPORT

applicable to U.S. shipments	262.41(a)	26.13.03.06B(1)(a)-(d)	EQ
information on U.S. sites	262.41(a)(3)	26.13.03.06B(1)(d)(iii)	EQ
transporters used for U.S. shipments	262.41(a)(4)	26.13.03.06B(1)(d)(iv)	EQ
description and quantity of U.S. shipments	262.41(a)(5)	26.13.03.06B(1)(d)(v)	EQ
separate annual report for exports	262.41(b)	26.13.03.06B(2)&(3)	EQ

## SUBPART E - EXPORTS OF HAZARDOUS WASTE

## RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
APPLICABILITY					
establishes applicability	262.50	26.13.03.07A(1)-(3)	EQ		
DEFINITIONS					
"consignee"	262.51	26.13.01.03B(7-1)	EQ		
"EPA Acknowledgment of Consent"	262.51	26.13.01.03B(17-1)	EQ		
"primary exporter"	262.51	26.13.01.03B(64-1)	EQ		
"receiving country"	262.51	26.13.01.03B(66-1)	EQ		
"transit country"	262.51	26.13.01.03B(81-1)	EQ		
GENERAL REQUIREMENTS					
notification consent of receiving country	262.52(a)	26.13.03.07B(2)(a)	EQ		
EPA Acknowledgment of Consent	262.52(b)	26.13.03.07B(2)(b)	EQ		
conformation to terms	262.52(c)	26.13.03.07B(2)(c)-(e)	EQ		
	262.52(d)	26.13.03.07B(2)(f)	EQ		
NOTIFICATION OF INTENT TO EXPORT					
contents of notification	262.53(a)	26.13.03.07-1A(1)-(5)(b)(vii)	MS		
Attorney General Comment: Maryland requires that a primary exporter notify both the EPA and the Secretary of intent to export hazardous waste.					
office to notify changes in original notification	262.53(b)	26.13.03.07-1A(6)		Superseded by CL 97	
	262.53(c)	26.13.03.07-1B		MS	
Attorney General Comment: Maryland requires that renotification be sent to both the EPA and the Secretary.					
additional information EPA notification to receiving and transit countries	262.53(d)	26.13.03.07-1A(7)	EQ		
	262.53(e)	26.13.03.07B(3)(a)	EQ		



## RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

SP

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
EPA notification to primary exporter	262.53(f)	26.13.03.07B(3)(b)	EQ		
<b>SPECIAL MANIFEST REQUIREMENTS</b>					
consignee	262.54(a)	26.13.03.07-2A(1)	EQ		
alternate consignee	262.54(b)	26.13.03.07-2A(2)	EQ		
point of departure	262.54(c)	26.13.03.07-2A(3)	EQ		
item 16 of manifest	262.54(d)	26.13.03.07-2A(4)	EQ		
obtaining manifest	262.54(e)	26.13.03.07-2A(5)	EQ		
acknowledgment of receipt by consignee	262.54(f)	26.13.03.07-2A(6)&(7)	EQ		
procedures when unable to deliver	262.54(g)	26.13.03.07-2A(8)	EQ		
copy of Consent	262.54(h)	26.13.03.07-2A(9)	EQ		
manifest copy to Customs Official at Border	262.54(i)	26.13.03.07-2A(10)	EQ		
<b>EXCEPTION REPORTS</b>					
manifest within 45 days	262.55(a)	26.13.03.07-2B & B(1)		MS	
<b>Attorney General Comment:</b> Maryland requires primary exporters to file exception reports with both the EPA and the Secretary at COMAR 26.13.03.07-2B.					
confirmation within 90 days	262.55(b)	26.13.03.07-2B(2)	EQ		
returned waste	262.55(c)	26.13.03.07-2B(3)	EQ		
<b>ANNUAL REPORTS</b>					
contents	262.56(a)	26.13.03.07-2C(1)-(3)		MS	
<b>Attorney General Comment:</b> Maryland requires primary exporters to file annual reports with both the EPA and the Secretary.					
office filed with	262.56(b)	26.13.03.07-2C(4)		Superseded by CL 97	
<b>RECORDKEEPING</b>					



## RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

length to keep  
records 262.57(a) 26.13.03.07-2D(1)(a)-(d) EQ

retention period  
extension 262.57(b) 26.13.03.07-2D(2) MS

**Attorney General Comment:** Maryland is more stringent by providing the Secretary with authority to extend any of the periods of retention of records.

INTERNATIONAL AGREEMENTS

new section  
reserved 262.58 No Analog EQ

## SUBPART F - IMPORTS OF HAZARDOUS WASTE

IMPORTS OF HAZARDOUS WASTE

applicability 262.60(a) 26.13.03.07-3A EQ

manifest requirements 262.60(b) 26.13.03.07-3B(1)&(2) EQ

obtaining manifest 262.60(c) 26.13.03.07-3C EQ

## SUBPART G - FARMERS

FARMERS

provisions for  
variance 262.70 26.13.03.07-4 EQ

## APPENDIX TO PART 262

UNIFORM HAZARDOUS WASTE MANIFEST AND INSTRUCTIONS  
(EPA Forms 8700-22 and 8700-22A)

uniform manifest  
instructions 8700-22 Appendix No Analog EQ

**Attorney General Comment:** Maryland does not include the manifest form and instructions in the State's rules. Maryland does require the use of a manifest form which is equivalent to the Federal form. The Maryland manifest form is included as an attachment to this Attorney General Statement.

## PART 263 - TRANSPORTERS

## SUBPART B - COMPLIANCE WITH THE MANIFEST AND RECORDKEEPING

# RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

SP

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
THE MANIFEST SYSTEM					
conditions for accept- ing exported waste	263.20(a)	26.13.04.02A(1)	EQ		
EPA Acknowledgment of Consent	263.20(c)	26.13.04.02A(3)	EQ		
variance for water transporters	263.20(e)(2)	26.13.04.02A(5)(b)	EQ		
variance for rail transporters	263.20(f)(2)	26.13.04.02A(6)(b)	EQ		
copy to generator	263.20(g)(3)	26.13.04.02A(7)(d)	EQ		
copy to Custom official	263.20(g)(4)	26.13.04.02A(7)(e)	EQ		

MARYLAND REVISION CHECKLIST 32

Standards for Generators -- Waste Minimization Certifications

51 FR 35190-35194

October 1, 1986

(HSWA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 262 - GENERATOR REQUIREMENTS

APPENDIX

UNIFORM HAZARDOUS WASTE MANIFEST

generator's certification (item 16)	Appendix	No State analog	EQ
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see attachment (2 pages) for new form

uniform manifest instructions	8700-22	No State analog	EQ
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**Attorney General Comment:** Maryland does not include the manifest form and instructions in the State's rules. Maryland does require the use of a manifest form which is equivalent to the Federal form. The Maryland manifest form is included as an attachment to this Attorney General Statement.

## MARYLAND REVISION CHECKLIST 33

Listing of EBDC  
51 FR 37725-37729  
October 24, 1986  
(HSA Cluster I)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTES FROM SPECIFIC SOURCES

list of "K" wastes	261.32	26.13.02.17	EQ
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## 261.32 Hazardous wastes from specific sources

Industry and EPA

Hazardous Waste No.	Hazardous Waste	Hazard Code
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## Pesticides:

K123	Process wastewater (including supernates, filtrates and washwaters) from the production of ethylenebisdithiocarbamic acid and its salt.	(T)
K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.	(C,T)
K125	Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.	(T)

## APPENDIX III TO PART 261

## CHEMICAL ANALYSIS TEST METHODS

add constituents to

Table 1	Appendix III	26.13.02.22	Superseded by CL126
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Compound	Method No.
Ethylene thiourea	8250, 8330

RCRA REVISION CHECKLIST 33: Listing of  
EBDC (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add

constituents	Appendix VII	26.13.02.23	EQ
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EPA Hazardous Waste No.	Hazardous constituents for which listed
K123.....	Ethylene thiourea
K124.....	Ethylene thiourea
K125.....	Ethylene thiourea
K126.....	Ethylene thiourea

MARYLAND REVISION CHECKLIST 35

Revised Manual SW-846; Amended Incorporation by Reference  
 52 FR 8072-8073  
 March 16, 1987  
 (Non-HSWA Cluster III)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

REFERENCES

available from the National Technical Information Service	260.11(a)	26.13.01.05A(4)	Superseded by CL 141
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS  
 WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

REFERENCES

available from the National Technical Information Service	270.6(a)	26.13.01.05A(4)	Superseded by CL 126
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## MARYLAND REVISION CHECKLIST 36

## Closure/Post-closure Care for Interim Status Surface Impoundments

52 FR 8704-8709

March 19, 1987

(Non-HSWA Cluster III)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

## SUBPART K - SURFACE IMPOUNDMENTS

## CLOSURE AND POST-CLOSURE

what the owner/ operator must do	265.228(a)	26.13.05.11G(1) 26.13.06.19B(4)	EQ		
removal/ decontamination	265.228(a)(1)	26.13.05.11G(1)(a) 26.13.06.19B(4)	EQ		
closure procedures and post-closure care	265.228(a)(2)	26.13.05.11G(1)(a) 26.13.06.19B(4)	EQ		
eliminate free liquids	265.228(a)(2) (i)	26.13.05.11G(1)(b) 26.13.06.19B(4)	EQ		
stabilize remaining wastes	265.228(a)(2) (ii)	26.13.05.11G(1)(c) 26.13.06.19B(4)	EQ		
final cover design	265.228(a)(2) (iii)(A-E)	26.13.05.11G(1)(d)(i)-(v) 26.13.06.19B(4)	EQ		
addition to Subpart G and 265.310	265.228(b)	26.13.05.11G(2) 26.13.06.19B(4)&4(a)	EQ		
maintaining the final cover	265.228(b)(1)	26.13.05.11G(2)(a) 26.13.06.19B(4)	EQ		
groundwater monitoring	265.228(b)(2)	26.13.05.11G(2)(c) 26.13.06.19B(4)	EQ		
run-on/runoff prevention	265.228(b)(3)	26.13.05.11G(2)(d) 26.13.06.19B(4)	EQ		



## MARYLAND REVISION CHECKLIST 37

Definition of Solid Waste; Technical Corrections

52 FR 21306-21307

June 5, 1987

(Non-HSWA Cluster III)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

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

reference to  
261.2(a)(2)(i);  
uses for land  
application or  
fuel

261.33 intro

26.13.02.19 intro

EQ

PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC WASTES AND  
SPECIFIC TYPES OF WASTE MANAGEMENT FACILITIESSUBPART C - RECYCLABLE MATERIALS USED IN A MANNER  
CONSTITUTING DISPOSAL

## APPLICABILITY

combine 2 & 3;  
remove referenceto "general  
public's use"

266.20(a)(2)

26.13.10.01A(1)(b)

26.13.10.01A(2)

EQ

remove

subparagraph

266.20(a)(3)

No Analog

EQ

MARYLAND REVISION CHECKLIST 38

Amendments to Part B Information Requirements for Disposal Facilities  
 52 ER 23447-23450  
 June 22, 1987  
 as amended on September 9, 1987, at 52 ER 33936  
 (Non-HSWA Cluster III)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

reference to  
 264.98(h)(5);  
 written

authorization	270.14(c)(7)	26.13.07.02-1B(7)	EQ
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add subparagraph  
 on schedule of

submittal	270.14(c)(8)(v)	26.13.07.02-1D	EQ
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1. Also see technical correction to the rule at 52 ER 33936 (September 9, 1987).

## MARYLAND REVISION CHECKLIST 40

List (Phase 1) of Hazardous Constituents for  
Ground-Water Monitoring  
52 FR 25942-25953  
July 9, 1987  
(Non-HSWA Cluster IV)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

DETECTION MONITORING PROGRAM

replace Appendix VIII,  
Part 261 reference  
with reference to

Appendix IX, Part 264      264.98(h)(2)      26.13.05.06-4H(2)      EQ

remove Appendix  
VIII reference      264.98(h)(3)      26.13.05.06-4H(3)      EQ

remove Appendix  
VIII reference      264.98(h)(4)(i)      26.13.05.06-4H(4)(a)      EQ

COMPLIANCE MONITORING PROGRAM

presence/concentration  
of Appendix IX con-  
stituents; remove 261,  
Appendix VIII  
reference

264.99(f)      26.13.05.06-5A(9)&(10)      MS

**Attorney General Comment:** Maryland is more stringent in requiring the owner or operator to report the results of the second analysis regardless of whether the results confirm the initial testing results.

APPENDIX IX - GROUND-WATER MONITORING LIST

add new appendix      Appendix IX      26.13.02.25C      EQ

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

SUBPART B - PERMIT APPLICATION

**RCRA REVISION CHECKLIST 40: List (Phase I) of Hazardous Constituents  
for Ground-Water Monitoring (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
CONTENTS OF PART B: GENERAL REQUIREMENTS					
remove Appendix VIII, Part 261 reference; replace with Appendix IX, Part 264 reference					
	270.14(c)(4)(ii)	26.13.07.02-1B(4)(b)	EQ		

MARYLAND REVISION CHECKLIST 41

Identification and Listing of Hazardous Waste  
 52 FR 26012  
 July 10, 1987  
 (Non-HSWA Cluster IV)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

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

container/inner liner residues	261.33(c)	26.13.02.19C	BIS
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**Attorney General Comment:** The State includes references to COMAR 26.13.02.19F and .19H which include the broader in scope listing of PCB containing wastes.

# MARYLAND REVISION CHECKLIST 42

Exception Reporting for Small Quantity Generators of Hazardous Waste  
52 FR 35894-35899  
September 23, 1987  
(HWSA Cluster II)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

### SUBPART D - RECORDKEEPING AND REPORTING

#### EXCEPTION REPORTING

generators greater  
than 1,000 kg/mo. or  
than 1 kg/mo. of  
acute waste

262.42(a)(1)

26.13.03.06C(1)

MS

**Attorney General Comment:** Maryland is more stringent because the State does not have less stringent requirements for generators of 100 to a 1000 kilograms of hazardous waste per month. All generators of 100 kilograms or more per month are subject to the same reporting requirements.

generators greater  
than 1,000 kg/mo.

262.42(a)(2)

26.13.03.06C(2)

MS

**Attorney General Comment:** Maryland is more stringent because a generator is required to contact the transporter or designated facility if a signed copy of the manifest is not received within 20 days of the date the waste was accepted for shipment by the initial transporter. The Federal program requires an inquiry if the manifest is not received within 35 days of that date.

generators 100 to  
1,000 kg/mo.

262.42(b)

No Analog

MS

#### SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 AND 1000 KG/MO

changes in intro-  
ductory paragraph

262.44

No Analog

MS

additional 262.42(b)  
requirement

262.44(a-c)

No Analog

MS

**Attorney General Comment:** Maryland is more stringent because the State does not have less stringent requirements for generators of 100 to a 1000 kilograms of hazardous waste per month. All generators of 100 kilograms or more per month are subject to the same reporting requirements. Thus, the State does not have analogs to 40 CFR 262.42(b) and 262.44

## MARYLAND REVISION CHECKLIST 43

Liability Requirements for Hazardous Waste Facilities; Corporate Guarantee  
 52 FR 44314-44321  
 November 18, 1987  
 (Non-HSWA Cluster IV)

The standards addressed by Revision Checklist 27 (July 11, 1986, 51 FR 25350) are less stringent than existing Federal requirements; thus, authorized States are not required to adopt them. However, authorized States that have already adopted or choose to adopt the changes addressed by Revision Checklist 27 must revise their program and adopt Revision Checklist 43's changes, as they are more stringent, in some respects, than those addressed by Revision Checklist 27.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART H - FINANCIAL REQUIREMENTS

† LIABILITY REQUIREMENTS

corporations incor- porated in U.S.	264.147(g)(2)(i)	26.13.05.08	EQ
corporations incorpor- ated outside U.S.	264.147(g)(2)(ii)	26.13.05.08	EQ

† WORDING OF THE INSTRUMENTS

corporate guarantee wording change	264.151(h)(2)	26.13.05.08	EQ
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PART 265 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE  
 TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART H - FINANCIAL REQUIREMENTS

† LIABILITY REQUIREMENTS

corporations incor- porated in U.S.	265.147(g)(2)(i)	26.13.06.16	EQ
corporations incorpor- ated outside U.S.	265.147(g)(2)(ii)	26.13.06.16	EQ



## MARYLAND REVISION CHECKLIST 45

Hazardous Waste Miscellaneous Units

52 ER 46946-46965

December 10, 1987

(Non-HSWA Cluster IV)

Note Revision Checklist 59 (January 9, 1989, 54 ER 615) contains technical corrections to the final rule addressed by Revision Checklist 45. States are encouraged to make the Revision Checklist 59 corrections when adopting the requirements addressed by Revision Checklist 45.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 144 - UNDERGROUND INJECTION CONTROL PROGRAM

## SUBPART D - AUTHORIZATION BY PERMIT

## APPLICATION FOR A PERMIT; AUTHORIZATION BY PERMIT

add sentence referring

to Subpart X

144.31(a)

No Analog

MS

**Attorney General Comment:** Maryland prohibits underground injection at COMAR 26.13.05.19.

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## DEFINITIONS

revise "landfill"

260.10

26.13.01.03B(44)

EQ

add "miscellaneous

unit"

260.10

26.13.01.03B(53)

MS

**Attorney General Comment:** Maryland prohibits underground injection; thus, the definition of miscellaneous unit does not include UIC wells.

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

## SUBPART B - GENERAL FACILITY STANDARDS

## APPLICABILITY

reference to

Subpart X

264.10(b)

No analog

MS

**RCRA REVISION CHECKLIST 45: Hazardous Waste  
Miscellaneous Units (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

**Attorney General Comment:** Maryland is more stringent because the State requires all facilities to comply with the siting requirements addressing floodplains.

**GENERAL INSPECTION REQUIREMENTS**

addition and omission

of specific citations 264.15(b)(4) 26.13.05.02E(2)(d) EQ

**LOCATION STANDARDS**

add reference to

"miscellaneous

units" 264.18(b)(1)(ii) No analog MS

**Attorney General Comment:** Maryland is more stringent; at COMAR 26.13.05.02-1B(2), the State does not allow an exemption from the location standards.

**SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING**

**OPERATING RECORD**

corrective action;

change references 264.73(b)(6) 26.13.05.05D(2)(h) EQ

**SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS**

**APPLICABILITY**

add new paragraph

on miscellaneous units 264.90(d) 26.13.05.06A(5) EQ

**SUBPART G - CLOSURE AND POST-CLOSURE**

**CLOSURE PERFORMANCE STANDARD**

addition of

specific references 264.111(c) 26.13.05.07B EQ

**CLOSURE PLAN: AMENDMENT OF PLAN**

Director; add

reference 264.112(a)(2) 26.13.05.07C(1)(h) EQ

**DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES, AND SOILS**

addition of

specific references 264.114 26.13.05.07E EQ

**POST-CLOSURE CARE AND USE OF PROPERTY**

addition of

Subpart "X" 264.117(a)(1)(i) 26.13.05.07G(1)(a) EQ

**RCRA REVISION CHECKLIST 45: Hazardous Waste  
Miscellaneous Units (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
addition of Subpart "X"	264.117(a)(1)(ii)	26.13.05.07G(1)(b)	EQ		
<b>POST-CLOSURE PLAN: AMENDMENT OF PLAN</b>					
addition of Subpart "X"	264.118(b)(1)	26.13.05.07H(2)(a)	EQ		
addition of Subpart "X"	264.118(b)(2)(i)	26.13.05.07H(2)(b)(i)	EQ		
addition of Subpart "X"	264.118(b)(2)(ii)	26.13.05.07H(2)(b)(ii)	EQ		
<b>SUBPART H - FINANCIAL REQUIREMENTS</b>					
<b>COST ESTIMATE FOR CLOSURE</b>					
addition of specific references	264.142(a)	26.13.05.08	EQ		
<b>COST ESTIMATE FOR POST-CLOSURE CARE</b>					
disposal miscellaneous unit; add references	264.144(a)	26.13.05.08	EQ		
<b>LIABILITY REQUIREMENTS</b>					
miscellaneous disposal unit	264.147(b)	26.13.05.08	EQ		
<b>SUBPART X - MISCELLANEOUS UNITS</b>					
<b>APPLICABILITY</b>					
to whom requirements apply	264.600	26.13.05.16-1A	EQ		
<b>ENVIRONMENTAL PERFORMANCE STANDARDS</b>					
introductory paragraph regarding human health and the environment	264.601	26.13.05.16-1B(1) & (2)	EQ		
prevention of releases to ground water	264.601(a)	26.13.05.16-1B(3)	EQ		
characteristics of waste	264.601(a)(1)	26.13.05.16-1B(3)(a)(i)	EQ		
characteristics of unit	264.601(a)(2)	26.13.05.16-1B(3)(a)(ii)	EQ		
existing quality of					

**RCRA REVISION CHECKLIST 4E: Hazardous Waste  
Miscellaneous Units (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRON- GENT	BROAD- ER IN SCOPE
ground water	264.601(a)(3)	26.13.05.16-1B(3)(a)(iii)	EQ		
ground-water flow	264.601(a)(4)	26.13.05.16-1B(3)(a)(iv)	EQ		
ground-water users	264.601(a)(5)	26.13.05.16-1B(3)(a)(v)	EQ		
patterns of land use	264.601(a)(6)	26.13.05.16-1B(3)(a)(vi)	EQ		
deposition or migration of wastes	264.601(a)(7)	26.13.05.16-1B(3)(a)(vii)	EQ		
potential for health risks	264.601(a)(8)	26.13.05.16-1B(3)(a)(viii)	EQ		
potential for damage caused by exposure	264.601(a)(9)	26.13.05.16-1B(3)(a)(ix)	EQ		
prevention of releases to surface waters and soil	264.601(b)	26.13.05.16-1B(3)(b)	EQ		
characteristics of waste	264.601(b)(1)	26.13.05.16-1B(3)(b)(i)	EQ		
migration prevention systems and structures	264.601(b)(2)	26.13.05.16-1B(3)(b)(ii)	EQ		
hydrologic characteristics	264.601(b)(3)	26.13.05.16-1B(3)(b)(iii)	EQ		
precipitation patterns	264.601(b)(4)	26.13.05.16-1B(3)(b)(iv)	EQ		
ground-water flow	264.601(b)(5)	26.13.05.16-1B(3)(b)(v)	EQ		
proximity to surface waters	264.601(b)(6)	26.13.05.16-1B(3)(b)(vi)	EQ		
current and potential uses	264.601(b)(7)	26.13.05.16-1B(3)(b)(vii)	EQ		
existing quality of surface waters and soils	264.601(b)(8)	26.13.05.16-1B(3)(b)(viii)	EQ		
patterns of land use	264.601(b)(9)	26.13.05.16-1B(3)(b)(ix)	EQ		
potential for health risks	264.601(b)(10)	26.13.05.16-1B(3)(b)(x)	EQ		
potential for damage caused by exposure	264.601(b)(11)	26.13.05.16-1B(3)(b)(xi)	EQ		
prevention of releases to the air	264.601(c)	26.13.05.16-1B(3)(c)	EQ		
characteristics of waste	264.601(c)(1)	26.13.05.16-1B(3)(c)(i)	EQ		
emission prevention					

**RCRA REVISION CHECKLIST 45: Hazardous Waste  
Miscellaneous Units (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
systems and structures	264.601(c)(2)	26.13.05.16-1B(3)(c)(ii)	EQ		
operating characteristics	264.601(c)(3)	26.13.05.16-1B(3)(c)(iii)	EQ		
characteristics of unit and area	264.601(c)(4)	26.13.05.16-1B(3)(c)(iv)	EQ		
existing quality of air	264.601(c)(5)	26.13.05.16-1B(3)(c)(v)	EQ		
potential for health risks	264.601(c)(6)	26.13.05.16-1B(3)(c)(vi)	EQ		
potential for damage caused by exposure	264.601(c)(7)	26.13.05.16-1B(3)(c)(vii)	EQ		
<b>MONITORING, ANALYSIS, INSPECTION, RESPONSE, REPORTING, AND CORRECTIVE ACTION</b>					
compliance requirements	264.602	26.13.05.16-1C	EQ		
<b>POST-CLOSURE CARE</b>					
post-closure requirements	264.603	26.13.05.16-1D	EQ		

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

**SUBPART B - PERMIT APPLICATION**

**CONTENTS OF PART B: GENERAL REQUIREMENTS**

changes in specific citations	270.14(b)(5)	26.13.07.02D(19)	EQ		
changes in specific citations	270.14(b)(13)	26.13.07.02D(29)	EQ		

**SPECIFIC PART B INFORMATION REQUIREMENTS FOR MISCELLANEOUS UNITS**

introductory paragraph regarding what owners/operators must provide	270.23	26.13.07.02-9BE(8)	EQ		
detailed description unit's physical characteristics	270.23(a)	26.13.07.02-9B(1)	EQ		
descriptions for compliance	270.23(a)(1)	26.13.07.02-9B(1)(a)	EQ		
	270.23(a)(2)	26.13.07.02-9B(1)(b)	EQ		

RCRA REVISION CHECKLIST 45: Hazardous Waste  
Miscellaneous Units (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
description for post- closure requirements	270.23(a)(3)	26.13.07.02-9B(1)(c)	EQ		
environmental performance standards	270.23(b)	26.13.07.02-9B(2)	EQ		
potential exposure pathways	270.23(c)	26.13.07.02-9B(3)	EQ		
effectiveness of treatment	270.23(d)	26.13.07.02-9B(4)	EQ		
additional information	270.23(e)	26.13.07.02-9B(5)	EQ		

## MARYLAND REVISION CHECKLIST 46

Technical Corrections; Identification and Listing  
of Hazardous Waste  
53 FR 13382-13393  
April 22, 1988  
(Non-HSWA Cluster IV)

Note: This checklist makes extensive technical corrections to the lists of commercial chemical products that are hazardous wastes when discarded (40 CFR 261.33(e) and (f)) and to the list of hazardous constituents (Appendix VIII of 40 CFR Part 261). Because these same lists are also addressed by Revision Checklist 29, States may seek authorization for this checklist without the need to first obtain authorization for Checklist 29.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES,  
CONTAINER RESIDUES, AND SPILL RESIDUES THEREOFcorrect specific  
listings

261.33(e)

26.13.02.19E

EQ

correct specific  
listings

261.33(f)

26.13.02.19G

EQ

## APPENDIX VIII TO PART 261

## HAZARDOUS CONSTITUENTS

add hazardous  
waste numbers

Appendix VIII

26.13.02.24

EQ



# MARYLAND REVISION CHECKLIST 47

Identification and Listing of Hazardous Waste;  
 Technical Correction  
 53 FR 27162-27163  
 July 19, 1988  
 (HSWA Cluster II)

Note: This is a technical correction to the March 24, 1986, 51 FR 10174 addressed by Revision Checklist 23. States already authorized for Revision Checklist 23's provisions should adopt these technical corrections as soon as possible. States not yet authorized for Revision Checklist 23's provisions are encouraged to adopt these technical corrections at the same time the requirements addressed by Revision Checklist 23 are adopted.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

### SUBPART A - GENERAL

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

add comment to end  
 of paragraph

261.5(e)

26.13.02.05C

MS

**Attorney General Comment:** Pursuant to COMAR 26.13.02.05C(3), the State will not exempt generators that have containers with residues of waste listed in 40 CFR 261.33 if such containers are larger than 20 liters in capacity. Pursuant to COMAR 26.13.02.05C(4), generators are not exempt if they accumulate more than 10 kg of inner liners from containers with residues of waste listed in 40 CFR 261.33. The Federal code does not have specific capacity limitations on container size or an accumulation limit on liners. Maryland is more stringent.

change 262.34(d)  
 reference to

262.34(a)

261.5(f)(2)

26.13.02.05D(3)(a)

EQ

## MARYLAND REVISION CHECKLIST 48

Farmer Exemptions; Technical Corrections  
 53 FR 27164-27165  
 July 19, 1988  
 (HWA Cluster II)

This is a technical correction to the August 8, 1986, 51 FR 28664 addressed by Revision Checklist 31. This FR also makes technical corrections (i.e., to 262.51 and 262.70) to the July 8, 1987, 52 FR 25760 addressed by Revision Checklist 39; however, those errors were detected when Revision Checklist 39 was developed. As such, Revision Checklist 39 addresses these corrections and there is no need to address them in this present checklist.

States which are not authorized for Revision Checklist 31 are encouraged to adopt these present technical corrections at the same time the requirements addressed by Revision Checklist 31 are adopted. States already authorized for the provisions addressed by Revision Checklist 31 should adopt these present technical corrections as soon as possible.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF  
HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change 262.51 reference to 262.70	262.10(b)	26.13.03.01B(1)-(6)	EQ
change 262.51 reference to 262.70; insert "268"	262.10(d)	26.13.03.01D	EQ

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

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change 262.51 reference to 262.70	264.1(g)(4)	26.13.05.01A(3)(e)	EQ
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RCRA REVISION CHECKLIST 48: Farmer Exemptions;  
Technical Corrections (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change 262.51

reference to 262.70

265.1(c)(8)

26.13.06.01A(4)(e)

EQ

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change 262.51

reference to 262.70

268.1(c)(5)

No analog

Maryland is not seeking authorization for the Land Disposal Restrictions

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

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

change 262.51

reference to 262.70

270.1(c)(2)(ii)

26.13.07.01A

EQ

<sup>1</sup> Technical corrections to §262.51 and §262.70 cited by this FR were previously addressed by Revision Check 39; thus, there is no need to address them in this checklist.

## MARYLAND REVISION CHECKLIST 49

Identification and Listing of Hazardous Waste;  
 Treatability Studies Sample Exemption  
 53 FR 27290-27302  
 July 19, 1988  
 (Non-HSWA Cluster V)

Note: The standards addressed by 261.4(e) and (f) are less stringent than existing Federal requirements; thus, authorized States are not required to adopt them. EPA strongly encourages States, however, to do so to facilitate evaluating remediation alternatives for CERCLA clean-ups and the RCRA Corrective Action Program. This rule will also speed research and development for treatment alternatives to land disposal and waste minimization, recycling, and reuse.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL					
SUBPART B - DEFINITIONS					
DEFINITIONS					
add "treatability study"	260.10	26.13.01.03B(85) 26.13.02.04-5A(13)	EQ		
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE					
SUBPART A - GENERAL					
EXCLUSIONS					
regulation of treatability study samples and relation to quantity determination of 261.5 and 262.34(d)	261.4(e)(1)	26.13.02.04-4A	EQ		
collection and preparation of sample for transport	261.4(e)(1) (i)	26.13.02.04-4A(1)	EQ		
accumulation or storage of sample prior to transport	261.4(e)(1) (ii)	26.13.02.04-4A(2)	EQ		

RCRA REVISION CHECKLIST 49: Identification and Listing of Hazardous Waste; Treatability Studies Sample Exemption (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
transport of sample to laboratory or testing facility	261.4(e)(1)(iii)	26.13.02.04-4A(3)	EQ		
introductory paragraph regarding provisions for exemption under (e)(1)	261.4(e)(2)	26.13.02.04-4B	EQ		
sample size limit by hazardous waste type for sample collector	261.4(e)(2)(i)	26.13.02.04-4B(1)	EQ		
weight limit for each sample shipment	261.4(e)(2)(ii)	26.13.02.04-4B(2)	EQ		
packaging requirements for sample compliance with U.S. DOT, USPS or other for transport	261.4(e)(2)(iii)(A)	26.13.02.04-4B(3)	EQ		
information required if DOT, USPS, or other do not apply to shipment	261.4(e)(2)(iii)(B)(1)-(5)	26.13.02.04-4B(4)	EQ		
laboratory or testing facility requirements	261.4(e)(2)(iv)	26.13.02.04-4B(5)	EQ		
3 year maintenance of specified records	261.4(e)(2)(v)	26.13.02.04-4B(6)	EQ		
records which must be maintained	261.4(e)(2)(v)(A)-(C)	26.13.02.04-4B(7)	EQ		
biennial report requirements	261.4(e)(2)(vi)	26.13.02.04-4B(7)(a)-(f)	EQ		
granting of requests for additional quantities; application procedure	261.4(e)(2)(vi)	26.13.02.04-4B(8)	EQ		
reason for request and additional quantity needed	261.4(e)(3)	26.13.02.04-4C(1)-(3)	EQ		
required documentation	261.4(e)(3)(i)	26.13.02.04-4C(3)(a)	EQ		
	261.4(e)(3)(ii)	26.13.02.04-4C(3)(b)	EQ		

RCRA REVISION CHECKLIST 49: Identification and Listing of Hazardous  
Waste; Treatability Studies Sample Exemption (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
description of technical modifications	261.4(e)(3) (iii)	26.13.02.04-4C(3)(c)	EQ		
equipment and mechanical failure information	261.4(e)(3)(iv)	26.13.02.04-4C(3)(d)	EQ		
other information	261.4(e)(3)(v)	26.13.02.04-4C(3)(e)	EQ		
requirements for samples undergoing treatability studies at labs and testing facilities	261.4(f)	26.13.02.04-5A & B	EQ		
notification requirements	261.4(f)(1)	26.13.02.04-5A(1)	EQ		
EPA identification number of laboratory or testing facility	261.4(f)(2)	26.13.02.04-5A(2)	EQ		
single day quantity restrictions on initiation of treatment studies	261.4(f)(3)	26.13.02.04-5A(3)	EQ		
limitations on storage of treatability study samples	261.4(f)(4)	26.13.02.04-5A(4)	EQ		
exclusion of treatability study residues	261.4(f)(4)(i)	26.13.02.04-5A(4)	EQ		
exclusion of added treatment materials	261.4(f)(4)(ii)	26.13.02.04-5A(4)	EQ		
90 days/1 year limitations on duration of exemption	261.4(f)(5)	26.13.02.04-5A(5)	EQ		
land placement and open burning of study samples not allowed	261.4(f)(6)	26.13.02.04-5A(6)	EQ		
3 year maintenance and storage of treatability study records	261.4(f)(7)	26.13.02.04-5A(7)	EQ		

RCRA REVISION CHECKLIST 49: Identification and Listing of Hazardous  
Waste; Treatability Studies Sample Exemption (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
list of specific information needed for each treatability study	261.4(f)(7) (i)-(vii)	26.13.02.04-5A(7)(a)-(g) EQ			
3 year maintenance of shipping records and treatability study contract	261.4(f)(8)	26.13.02.04-5A(8)	EQ		
laboratory or treatability study facility annual report requirement	261.4(f)(9)	26.13.02.04-5A(9)	EQ		
required annual report information	261.4(f)(9) (i)-(vii)	26.13.02.04-5A(9)(a)-(g) EQ			
hazardous waste determination for unused samples by facility	261.4(f)(10)	26.13.02.04-5A(10)-(11) EQ			
notification when facility discontinues treatability studies	261.4(f)(11)	26.13.02.04-5A(12)	EQ		



## MARYLAND REVISION CHECKLIST 52

Hazardous Waste Management System; Standards for Hazardous  
Waste Storage and Treatment Tank Systems

53 FR 34079-34087

September 2, 1988

(Non-HSWA Cluster V and HSWA Cluster II)

Note: This checklist provides additional interpretation, clarification, and correction of typographical errors for the final rule issued for hazardous waste tank systems on July 14, 1986 (Revision Checklist 28). That rule was applicable to both non-HSWA Cluster III and HSWA Cluster I. HSWA is implemented only to the extent that the regulations apply to tank systems owned or operated by small quantity generators, establish leak detection requirements for all new underground tank systems, and establish permit standards for underground tank systems that cannot be entered for inspection. They also implement RCRA insofar as they apply to certain other tank systems. In this checklist, HSWA-related regulations are preceded by an asterisk; those not preceded by an asterisk are non-HSWA regulations. This present checklist is placed in both non-HSWA Cluster V and HSWA Cluster II. As was the case for Revision Checklist 28, States are encouraged to apply for this checklist under the non-HSWA Cluster.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## DEFINITIONS

* revise "Elementary neutralization unit"	260.10	26.13.01.03B(17)	EQ
* revise "Wastewater treatment unit"	260.10	26.13.01.03B(92)	EQ

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

## SUBPART G - CLOSURE AND POST-CLOSURE

## DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS

add "264.197" reference	264.114	26.13.05.07E	EQ
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**RCRA REVISION CHECKLIST 52: Hazardous Waste Management System Standards  
for Hazardous Waste Storage and Treatment Tank Systems (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

**SUBPART J - TANK SYSTEMS**

† APPLICABILITY

* replace "Tanks" with "Tank systems"	264.190(a)	26.13.05.10A(2)	EQ		
* replace "Tanks" with "Tank systems"; replace "§264.193 of this subpart" with "§264.193(a)"	264.190(b)	26.13.05.10A(3)	EQ		

CONTAINMENT AND DETECTION OF RELEASES

* add "and sealless valves"	264.193(f)(3)	26.13.05.10-4F(3)	EQ		
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RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE TANK SYSTEMS

* replace "3004(u)" in first Note with "3004(v)"	264.196	26.13.05.10-6A(1)	EQ		
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**PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF  
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

**SUBPART G - CLOSURE AND POST-CLOSURE**

APPLICABILITY

* redesignate current (b)(2) as (b)(3); add new paragraph (b)(2) on waste piles and surface impoundments	265.110(b)(2)	26.13.06.07A 26.13.06.12A(2)	EQ		
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DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS

add "265.197" reference	265.114	26.13.06.10	EQ		
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**SUBPART J - TANK SYSTEMS**

**RCRA REVISION CHECKLIST 52: Hazardous Waste Management System Standards  
for Hazardous Waste Storage and Treatment Tank Systems (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

† APPLICABILITY

* replace "Tanks... containing no" with "Tank systems... which contain no"	265.190(a)	26.13.05.10A(2) 26.13.06.18A	EQ		
* replace "Tanks" with "Tank systems"; replace "§265.193" with "§265.193(a)"	265.190(b)	26.13.05.10A(3) 26.13.06.18A	EQ		

† CONTAINMENT AND DETECTION OF RELEASES

* add "and sealless valves"	265.193(f)(3)	26.13.05.10-4F(3) 26.13.06.18A	EQ		
* replace "264.197(b)" reference with "265.197(b)"	265.193(g)(3) (iii)	26.13.05.10-6B(3) 26.13.06.18A	EQ		

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

* replace "3004(w)" in first Note with "3004(v)"	265.196	26.13.05.10-6A(1) 26.13.06.18A	EQ		
--	---------	-----------------------------------	----	--	--

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

replace reference "265.192(c)" with "265.201(b)(3)"	265.201(c)(3)	No analog		MS	
---	---------------	-----------	--	----	--

**Attorney General Comment:** Maryland does not have reduced requirements for small quantity generators; the State is more stringent.

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

**SUBPART A - GENERAL INFORMATION**

DEFINITIONS

revise "Elementary

**RCRA REVISION CHECKLIST 52: Hazardous Waste Management System Standards  
for Hazardous Waste Storage and Treatment Tank Systems (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
neutralization unit"	270.2	26.13.01.03B(17)	EQ		
revise "Wastewater treatment unit"	270.2	26.13.01.03B(92)	EQ		

\* HSWA-related regulations

<sup>1</sup> Note the FR addressed by this checklist incorrectly omits the changes to the CFR made by Revision Checklist 45 & FR 46946 (December 10, 1987).

# MARYLAND REVISION CHECKLIST 53

Identification and Listing of Hazardous Waste; and  
Designation, Reportable Quantities, and Notification  
53 FR 35412-35421  
September 13, 1988  
(Non-HSWA Cluster V)

Note that the 261.4(b)(7) change contained in the final rule addressed by this checklist has not been included in the checklist because the Office of General Counsel does not feel it is necessary for States to include this change in their regulations. States need only add the materials indicated in this checklist to their analogs for 1) the 261.32 list of hazardous wastes and 2) the Part 261, Appendix VII.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

### SUBPART D - LISTS OF HAZARDOUS WASTES

#### HAZARDOUS WASTES FROM SPECIFIC SOURCES

add after entries for  
"Iron and steel" and  
before entries for  
"Secondary lead," the  
following:

261.32

26.13.02.17

EQ

Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
* * * * *	* * * * *	
Primary copper: K064.....	Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production	(T)
Primary lead: K065.....	Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities	(T)
Primary zinc: K066.....	Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production	(T)
Primary aluminum: K088.....	Spent potliners from primary aluminum reduction	(T)

RCRA REVISION CHECKLIST 53: Identification and Listing of Hazardous Waste;  
and Designation, Reportable Quantities, and Notification (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
Industry and EPA hazardous waste No.		Hazardous waste			Hazard code
Ferroalloys:					
K090.....		Emission control dust or sludge from ferrochromiumsilicon production			(T)
K091.....		Emission control dust or sludge from ferrochromium production			(T)
*	*	*	*	*	*

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add the following in  
the appropriate  
numerical sequence:

Appendix VII

26.13.02.23

EQ

EPA hazardous waste No.	Hazardous constituents for which listed
* * * * *	
K064.....	Lead, cadmium.
K065.....	Do.
K066.....	Do.
K088.....	Cyanide (complexes).
K090.....	Chromium.
K091.....	Do.
* * * * *	

# MARYLAND REVISION CHECKLIST 54

Permit Modifications for Hazardous Waste Management Facilities  
 53 FR 37912-37942  
 September 28, 1988  
 as amended on October 24, 1988, at 53 FR 41649  
 (Non-HSWA Cluster V)

Note: The standards addressed by this checklist are less stringent than existing Federal requirements; thus, authorized States are not required to adopt them. However, EPA strongly encourages States to adopt this permit modification rule as promulgated. If preferred, States may amend their programs to incorporate only selected portions of the rule. See 53 FR 37933-37934 for a discussion of this option.

**Attorney General Comment:** Maryland has kept the minor and major modification classifications instead of adopting the Class 1, 2, and 3 system introduced by this Revision Checklist. In doing so, the State has classified all Federal Class 1 modifications as minor modifications and all Federal Class 2 and 3 modifications as major modifications. Thus, the State is more stringent. The State's procedures for minor modifications are at COMAR 26.13.07.13 and the list of minor modifications is at 26.13.07.13-2.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 124 - PROCEDURES FOR DECISIONMAKING

### SUBPART A - GENERAL PROGRAM REQUIREMENTS

#### † MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF PERMITS

add reference "or  
 270.42(c)"

124.5(c)(1)

26.13.07.20B(3)

EQ

add references to  
 "Classes 1 and 2  
 modifications as  
 defined in §270.42  
 (a) and (b)"

124.5(c)(3)

26.13.07.20B(5)

MS

**Attorney General Comment:** The State is more stringent as it treats all class 2 and 3 modifications as major modifications.

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

### SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES

#### † AMENDMENT OF CONTINGENCY PLAN

remove the comment

264.54(e)

26.13.05.04E(5)

EQ



RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste  
Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART G - CLOSURE AND POST-CLOSURE

† CLOSURE PLAN; AMENDMENT OF PLAN

add wording on

"notification" and

"review" to text

264.112(c)

26.13.05.07C(3)(a)

EQ

insert "notification

or" prior to

"request"

264.112(c)(1)

26.13.05.07C(3)(b)

EQ

insert "notification

of or" prior to

"request"

264.112(c)(2)

26.13.05.07C(3)(c)

EQ

† POST-CLOSURE PLAN; AMENDMENT OF PLAN

add wording on

"notification" and

"review" to text

264.118(d)

26.13.05.07H(4)(a)

EQ

insert "notification

or" prior to

"request"

264.118(d)(1)

26.13.05.07H(4)(b)

EQ

insert "notification

of or" prior to

"request"

264.118(d)(2)

26.13.05.07H(4)(c)

EQ

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

SUBPART G - CLOSURE AND POST-CLOSURE

CLOSURE PLAN; AMENDMENT OF PLAN

revise last sentence

of paragraph by

deleting "major" and

inserting "Class 2 or

3" preceding "modifi-

cation" and delete

reference to "§270.41."

265.112(c)(3)

26.13.06.08D(7),  
(8)&(9)

EQ

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
revise last sentence of paragraph by deleting "major" and inserting "Class 2 or 3" preceding "modification" and delete reference to "\$270.41."	265.112(c)(4)	26.13.06.08D(10)	EQ		
replace "major modification" with "Class 2 or 3 modification" and delete reference to "\$270.41"	265.118(d)(3)	26.13.06.13F(5), (6)&(7)	EQ		
replace "major modification" with "Class 2 or 3 modification" and delete reference to "\$270.41"	265.118(d)(4)	26.13.06.13F(8)	EQ		

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

SUBPART A - GENERAL INFORMATION

† DEFINITIONS

add "Component"	270.2	26.13.01.03B(6-1)	EQ		
add "Facility mailing list"	270.2	No Analog	EQ		
<b>Attorney General Comment:</b> The State has no analog as the term "facility mailing list" is not used in Maryland's regulations.					
add "Functionally equivalent component"	270.2	No Analog	EQ		
<b>Attorney General Comment:</b> The State has not adopted the three-class modification system and thus, this definition is not necessary.					

† EFFECT OF A PERMIT

modification under 270.42	270.4(a)	No Analog		MS	
<b>Attorney General Comment:</b> Maryland does not have an analog which shields owner/operators from enforcement when in compliance with their permit, and as such, the State is more stringent.					

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste  
Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART C - PERMIT CONDITIONS

† CONDITIONS APPLICABLE TO ALL PERMITS

add provision for		26.13.07.15C			
270.42	270.30(l)(2)	26.13.07.04L(2)	EQ		

SUBPART D - CHANGES TO PERMITS

† TRANSFER OF PERMITS

renumber old 270.40					
as 270.40(a); change					
parenthetical clauses	270.40(a)	26.13.07.10	EQ		
ownership change					
procedures as Class		26.13.07.13-2A(1)(d)			
1 modifications	270.40(b)	26.13.07.13-2B	EQ		

† MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS

remove "Major" from					
section heading;					
remove reference to					
270.42; request of					
permittee, approval/					
denial under 270.42	270.41	26.13.07.11A	EQ		
insert "by statute,					
through" before					
"promulgation";					
insert "new or"					
before "amended"	270.41(a)(3)	26.13.07.11B(3)	EQ		
remove 270.41(a)(3)(i)-					
(ii)	270.41(a)(3)(i)-(iii)	26.13.07.11B(3)	EQ		
remove (a)(5) and					
redesignate existing					
(a)(6) as (a)(5)	270.41(a)(5)	No Analog			

**Attorney General Comment:** Maryland does not have an analog to this provision, which was added by Revision Checklist 17N, a checklist for which the State is not seeking authorization.

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste  
Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE					
revise section heading; remove introductory material					
	270.42(a)-(c)	No Analogs		MS	
<b>Attorney General Comment:</b> Since Maryland is not adopting the Revision Checklist 54 modification classification system, the State has not adopted the procedures found Classes 1, 2, and 3 in 40 CFR 270.42(a)-(c). Minor modifications remain subject to the procedures outlined at COMAR 26.13.07.13, and major modifications are subject to the permit procedures.					
heading for "Other modifications"	270.42(d)	26.13.07.13-3A	EQ		
other modifications not explicitly listed in Appendix I					
determination of appropriate class:	270.42(d)(1)	26.13.07.13-3A(1)&(2)	EQ		
changes that necessitate Class I modifications	270.42(d)(2)	26.13.07.13-3A(3)&B	EQ		
changes that necessitate Class 2 modifications; Class 3 modifications description	270.42(d)(2)(i)	26.13.07.13-3C	EQ		
<b>Attorney General Comment:</b> The State treats all Class 2 and 3 modifications as major modifications.					
heading for "Tempo- rary authorizations"	270.42(d)(2)(ii)&(iii)	No Analog		MS	
<b>Attorney General Comment:</b> Maryland does not provide for temporary authorizations. Maryland does provide for emergency, phased, and short-term permits under COMAR 26.13.07.14.					
heading for "Public notice and appeals of permit modification decisions"	270.42(e)	No Analog		MS	
<b>Attorney General Comment:</b> Procedures for major modifications are found in 26.13.07.20G. Thus, Maryland is more stringent because all Class 2 and 3 modifications are subject to the public participation requirements for draft permits.					
heading for "Newly listed or identified wastes"	270.42(f)	No Analog		MS	
<b>Attorney General Comment:</b> Procedures for major modifications are found in 26.13.07.20G. Thus, Maryland is more stringent because all Class 2 and 3 modifications are subject to the public participation requirements for draft permits.					
continued authority to manage wastes listed in Part 261:	270.42(g)	26.13.07.13-1	EQ		
	270.42(g)(1)	26.13.07.13-1A	EQ		

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste  
Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
in existence as a hazardous waste facility on effective date of final rule listing or identifying waste	270.42(g)(1)(i)	26.13.07.13-1A(1)	EQ		
submit Class 1 modification request	270.42(g)(1)(ii)	26.13.07.13-1A(2)	EQ		
in compliance with 265 standards	270.42(g)(1)(iii)	26.13.07.13-1A(3)	EQ		
for Class 2 or 3 modifications, submit complete modification request within 180 days	270.42(g)(1)(iv)	26.13.07.13-1A(4)	EQ		
certification that land disposal units are in compliance within 12 months	270.42(g)(1)(v)	26.13.07.13-1A(5) 26.13.07.13-1B	EQ		
expansions are not under 25 percent capacity limit for Class 2 modifications	270.42(g)(2)	No Analog		MS	
<b>Attorney General Comment:</b> Because Maryland has not adopted the three tiered approach for processing permit modifications, the State is more stringent by treating all Class 2 modifications as major modifications.					
maintenance and notice of updated list of permit modifications	270.42(h)	No Analog			
remove 270.42(i) through 270.42(p)	270.42(i)-(p)	No Analog			
<b>Attorney General Comment:</b> Maryland has no analogs to remove. The provisions applied to land disposal regulations for which Maryland is not seeking authorization.					
add Appendix I; classification of modifications	270.42, Appendix I	26.13.07.13-2		MS	
<b>Attorney General Comment:</b> Maryland only lists minor modifications in 26.13.07.13-2. Maryland's minor modifications are equivalent to the Class 1 in 40 CFR 270.42, Appendix I. The State is more stringent as it treats all Class 2 and 3 modifications as major modifications.					

RCRA REVISION CHECKLIST 54: Permit Modifications for Hazardous Waste  
Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART F - SPECIAL FORMS OF PERMITS

† HAZARDOUS WASTE INCINERATOR PERMITS

revise last sentence

by omitting

parenthetical phrase

270.62(a)

26.13.07.17A(1)

EQ

revise last sentence

by omitting "as a

minor modification"

270.62(b)(10)

26.13.07.17B(11)

EQ

† PERMITS FOR LAND TREATMENT DEMONSTRATIONS USING FIELD TEST OR LABORATORY ANALYSES

remove "as a minor

modification"; add

a new sentence on

second phase of

permit

270.63(d)(1)

26.13.07.18D(2)&(4)

EQ

remove phrase on

minor modifications

270.63(d)(2)

26.13.07.18D(3)

EQ

remove paragraph

270.63(d)(3)

No Analog

EQ



## MARYLAND REVISION CHECKLIST 55

Statistical Methods for Evaluating Ground-Water Monitoring  
 Data from Hazardous Waste Facilities  
 53 FR 39720-39731  
 October 11, 1988  
 (Non-HSWA Cluster V)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

REQUIRED PROGRAMS

definition of  
 "detected" as in

264.98(f) 264.91(a)(1) 26.13.05.06B(1)(a)(i)-(v) EQ

definition of  
 "exceeded" as in

264.99(d) 264.91(a)(2) 26.13.05.06B(1)(b)(i) EQ

GROUND-WATER PROTECTION STANDARD

replace "entering"  
 after 264.93 with  
 "detected in"; in  
 the last clause  
 replace everything  
 after "constituents  
 have" with "been  
 detected in the  
 ground water."

264.92 26.13.05.06-1A(1) & (2) EQ

remove "and" from  
 end of paragraph

264.97(a)(1) 26.13.05.06-2B(1) EQ

redesignate  
 264.97(g)(3) as  
 264.97(a)(1)(i);  
 sampling of wells  
 not hydraulically  
 upgradient

264.97(a)(1)(i) 26.13.05.06-2B(2) EQ



RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water Monitoring Data from Hazardous Waste Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
old 264.97(g)(3)(i) becomes 264.97(a)(1)(i)(A); insert "hydraulical- ly" preceding "up- gradient"; replace "or" at end of paragraph with "and"	264.97(a)(1)(i)(A)	26.13.05.06-2B(2)(a)	EQ		
old 264.97(g)(3)(ii) becomes 264.97(a)(1)(i)(B); add "; and " to end of paragraph	264.97(a)(1)(i)(B)	26.13.05.06-2B(2)(b)	EQ		
contamination detec- tion when migration to uppermost aquifer detection monitoring --sampling procedure, number and kinds of samples, sample size	264.97(a)(3)	26.13.05.06-2C(2)	EQ		
sequencing of at least four samples; requirements of interval between	264.97(g)	26.13.05.06-2J	EQ		
alternate sampling procedure	264.97(g)(1)	26.13.05.06-2K(1)	EQ		
redesignate as 264.97(a)(1)(i)	264.97(g)(2)	26.13.05.06-2K(2)	EQ		
specify statistical evaluation methods for ground-water data and specify in permit; requirements for use of listed methods:	264.97(g)(3)	26.13.05.06-2B(2)	EQ		
parametric ANOVA followed by multiple comparisons procedures	264.97(h)	26.13.05.06-3A	EQ		
ANOVA based on ranks followed by multiple comparisons procedures	264.97(h)(1)	26.13.05.06-3B(1)	EQ		
	264.97(h)(2)	26.13.05.06-3B(2)	EQ		

RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-  
Water Monitoring Data from Hazardous Waste Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
tolerance or predic- tion interval procedure	264.97(h)(3)	26.13.05.06-3B(3)	EQ		
control chart approach	264.97(h)(4)	26.13.05.06-3B(4)	EQ		
another statistical method approved by the Regional Administrator	264.97(h)(5)	26.13.05.06-3B(5)	EQ		
performance standards for statistical methods chosen under 264.97(h):	264.97(i)	26.13.05.06-3C	EQ		
appropriate for dis- tribution of chemical parameters or hazard- ous constituents; transformed or dis- tribution-free test	264.97(i)(1)	26.13.05.06-3C(1)-(4)	EQ		
individual well comparison--0.01 Type I error; multiple compari- sons--0.05 Type I error, but maintain 0.01 Type I error for individual wells	264.97(i)(2)	26.13.05.06-3C(5)	EQ		
for control chart approach, what must be approved by Re- gional Administrator	264.97(i)(3)	26.13.05.06-3C(6)	EQ		
for tolerance or prediction interval, what must be approved by Regional Administrator	264.97(i)(4)	26.13.05.06-3C(7)	EQ		
account for data below detection limit and require- ments	264.97(i)(5)	26.13.05.06-3A(5)(a) 26.13.05.06-3C(8) & (9)	EQ		
procedures to correct or control for seasonal and spatial variability	264.97(i)(6)	26.13.05.06-3C(10)	EQ		

RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-  
Water Monitoring Data from Hazardous Waste Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
maintenance of ground-water monitoring data in facility operating record; when data must be reviewed	264.97(j)	26.13.05.06-2L & M	EQ		
<u>DETECTION MONITORING PROGRAM</u>					
ground-water monitor- ing program for each chemical parameter and hazardous con- stituent; record of ground-water analytical data	264.98(c)	26.13.05.06-4C	EQ		
Regional Administra- tor specifies fre- quency of samples and tests; four samples per well semi-annually	264.98(d)	26.13.05.06-4D & E	EQ		
determine if statistically sig- nificant evidence of contamination	264.98(f)	26.13.05.06-4G 26.13.05.06-4G(1)	EQ		
methods which can be used	264.98(f)(1)	26.13.05.06-4G(2)	EQ		
determine evidence of contamination at each monitoring well at compliance point; time period deter- mined by Regional Administrator	264.98(f)(2)	26.13.05.06-4G(3)	EQ		
what owner/operator must do if sta- tistically significant evidence of contamination	264.98(g)	26.13.05.06-4H	EQ		

RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-Water Monitoring Data from Hazardous Waste Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
notification of Regional Administrator	264.98(g)(1)	26.13.05.06-4H(1)	EQ		
immediate determina- tion if Appendix IX constituents are in ground water	264.98(g)(2)	26.13.05.06-4H(2)	EQ		
for constituents found, resample in one month; if con- firmed, form basis of compliance moni- toring; no resample-- initial analysis is basis	264.98(g)(3)	26.13.05.06-4H(3)	EQ		
application for permit modification	264.98(g)(4)	26.13.05.06-4H(4)	EQ		
Appendix IX constituent concentration	264.98(g)(4)(i)	26.13.05.06-4H(4)(a)	EQ		
proposed changes to ground-water monitoring system	264.98(g)(4) (ii)	26.13.05.06-4H(4)(b)	EQ		
proposed additions or changes	264.98(g)(4) (iii)	26.13.05.06-4H(4)(c)	EQ		
proposed concentra- tion limit or notice of intent for alternate concentration limit	264.98(g)(4) (iv)	26.13.05.06-4H(4)(d)	EQ		
what must be sub- mitted within 180 days	264.98(g)(5)	26.13.05.06-4H(5)	EQ		
data to justify alternate concen- tration limit	264.98(g)(5)(i)	26.13.05.06-4H(5)(a)	EQ		
engineering feasibility plan for corrective action	264.98(g)(5)(ii)	26.13.05.06-4H(5)(b)	EQ		
concentration of 264.98(g)(2) con- stituents does not exceed values of	264.98(g)(5)(ii)				

RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-  
Water Monitoring Data from Hazardous Waste Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
Table 1, 264.94	(A)	26.13.05.06-4H(5)(b)(i)	EQ		
alternate concen- tration limit	264.98(g)(5)(ii)				
	(B)	26.13.05.06-4H(5)(b)(ii)	EQ		
demonstration that a source other than regulated unit caused contamination	264.98(g)(6)	26.13.05.06-4I & J	EQ		
notify Regional Administrator of intent to submit demonstration	264.98(g)(6)(i)	26.13.05.06-4K(1)	EQ		
report demonstrating that another source caused contamination or error in sampling, analysis or evaluation	264.98(g)(6)(ii)	26.13.05.06-4K(2)	EQ		
application for permit modification	264.98(g)(6)(iii)	26.13.05.06-4K(3)	EQ		
continue to monitor	264.98(g)(6)(iv)	26.13.05.06-4K(4)	EQ		
what must be done if detection monitoring program no longer satisfies requirements	264.98(h)	26.13.05.06-4L	EQ		
delete paragraph	264.98(i)	N/A	EQ		
delete paragraph	264.98(j)	N/A	EQ		
delete paragraph	264.98(k)	N/A	EQ		
<b>COMPLIANCE MONITORING PROGRAM</b>					
Regional Admin- istrator specifies procedures and statistical methods	264.99(c)	26.13.05.06-5A(4) 26.13.05.06-5A(4)(a)	EQ		
sampling program for each chemical parameter or hazard- ous constituent	264.99(c)(1)	26.13.05.06-5A(4)(b)	EQ		
records of ground- water analytical data	264.99(c)(2)	26.13.05.06-5A(4)(c)	EQ		

RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-  
Water Monitoring Data from Hazardous Waste Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
statistical evidence of increased contam- ination of any chemical parameter or hazardous constituent	264.99(d)	26.13.05.06-5A(5)(a)	EQ		
method(s) to deter- mine statistically significant evidence of increased contamination	264.99(d)(1)	26.13.05.06-5A(5)(b)&(c)	EQ		
within reasonable time period, deter- mine if statis- tically significant evidence of increased contamination at each monitoring well at compliance point	264.99(d)(2)	26.13.05.06-5A(5)(d)	EQ		
Regional Administrator specification of sample and test frequencies; four samples per well semi-annually	264.99(f)	26.13.05.06-5A(7) & (8)	EQ		
annual analysis at each well's compli- ance point for all 264, Appendix IX constituents; pro- cedures regarding new constituents not in permit	264.99(g)	26.13.05.06-5A(9) & (10)		MS	

**Attorney General Comment:** Maryland is more stringent in requiring the owner or operator to report the results of the second analysis regardless of whether the results confirm the initial testing results.

RCRA REVISION CHECKLIST 55: Statistical Methods for Evaluating Ground-  
Water Monitoring Data from Hazardous Waste Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
remove old 264.99(h) and redesignate old 264.99(i) as 264.99(h); revise new 264.99(h)-- change "(h)" to "(d)"; replace "the ground-water protec- tion standard" with "any concentration limits under 264.94 are"; insert "or she" after "he"	264.99(h)	26.13.05.06-5A(11)	EQ		
redesignate old 264.99(j) as 264.99(i); revise new 264.99(i)-- change "(h)" to "(d)"; replace "protection standard" with "concentration limits under this section are"; insert "or she" after "he"; revise rest of paragraph after "regulated unit caused" retaining clause "In making demonstration..."	264.99(i)	26.13.05.06-5B(1)	EQ		
redesignate old 264.99(k) as 264.99(j)	264.99(j)	26.13.05.06-5C	EQ		
redesignate as 264.99(j) so that 264.99(k) no longer exists	264.99(k)	26.13.05.06-5C	EQ		
remove paragraph	264.99(l)	No Analog	EQ		



MARYLAND REVISION CHECKLIST 56

Identification and Listing of Hazardous Waste; Removal of  
Iron Dextran from the List of Hazardous Wastes

53 FR 43878-43881

October 31, 1988

(Non-HSWA Cluster V)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

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

†	remove listing	261.33(f)	26.13.02.19G	EQ
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The following waste has been removed from the 261.33(f) list:

"U139...9004-66-4...Iron dextran"

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

†	remove listing	Appendix VIII	26.13.02.24	EQ
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The following waste has been removed from Appendix VIII:

"Iron dextran...Same...9004-66-4"

## MARYLAND REVISION CHECKLIST 57

Identification and Listing of Hazardous Waste; Removal of  
Strontium Sulfide from the List of Hazardous Wastes

53 FR 43881-43884

October 31, 1988

(Non-HSWA Cluster V)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

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

remove listing 261.33(e) 26.13.02.19E EQ

The following waste has been removed from the 261.33(e) list:

"P107...1314-96-1...Strontium sulfide"

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

† remove listing Appendix VIII 26.13.02.24 EQ

The following waste has been removed from Appendix VIII:

"Strontium sulfide...Same...1314-96-1"

## MARYLAND REVISION CHECKLIST 58

Standards for Generators of Hazardous Waste  
 53 FR 45089-45093  
 November 8, 1988  
 (Non-HSWA Cluster V)

The Office of Management and Budget has decided that printers and users of the manifest need not include the "burden disclosure statement" on the manifest if to do so places an additional burden on them. OMB encourages States that have already incorporated the statement to retain it, and encourages those who have not yet incorporated it to add it at a future date. However, the decision regarding whether or not to add the statement is entirely up to the State using the form. Thus, this checklist is optional.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

## SUBPART B - THE MANIFEST

## † GENERAL REQUIREMENTS

Amend OMB control  
number

262.20(a)

26.13.03.04A(1)

EQ

## APPENDIX TO PART 262

## † UNIFORM HAZARDOUS WASTE MANIFEST

change expiration  
date; add burden

disclosure statement

8700-22

No analog

EQ

**Attorney General Comment:** Maryland does not include the manifest form and instructions in the State's rules. Maryland does require the use of a manifest form which is equivalent to the Federal form. The Maryland manifest form is included as an attachment to this Attorney General Statement.

change expiration

date

8700-22A

No analog

EQ

**Attorney General Comment:** Maryland does not include the manifest form and instructions in the State's rules. Maryland does require the use of a manifest form which is equivalent to the Federal form. The Maryland manifest form is included as an attachment to this Attorney General Statement.

# MARYLAND REVISION CHECKLIST 59

Hazardous Waste Miscellaneous Units;  
Standards Applicable to Owners and Operators  
54 FR 615-617  
January 9, 1989  
(non-HSWA Cluster V)

Note: This is a correction and clarification of 52 FR 46946 (December 10, 1987) addressed by Revision Checklist 45. States are encouraged to adopt these corrections at the same time that the requirements for Revision Checklist 45 are adopted.

A June 22, 1989 (54 FR 26198) final rule amended the preamble of the December 10, 1987 rule addressed by Revision Checklist 45. Because this was the only change made by this final rule, a checklist was not developed for it, nor was it incorporated into this present checklist.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

### SUBPART B - PERMIT APPLICATION

#### CONTENTS OF PART B: GENERAL REQUIREMENTS

change "264.194" to

"264.193(i)"; add

"264.195"

270.14(b)(5)

26.13.07.02D(19)

EQ

add reference to

264.197

270.14(b)(13)

26.13.07.02D(29)

EQ

## MARYLAND REVISION CHECKLIST 60

Amendment to Requirements for Hazardous Waste  
Incinerator Permits  
54 FR 4286-4288  
January 30, 1989  
(RCRA Cluster V, Non-HSWA provisions)

Note: In lieu of making the changes addressed by this checklist, a State may submit a certification by the State Attorney General that he/she interprets his/her State's existing regulations in the manner described in this rule. Such a simplified application is allowed because EPA is only clarifying current regulatory language, and the Agency assumes that these requirements are already in effect in most States. If a State Attorney General cannot certify that he/she interprets his/her State's existing regulations in the manner described in this rule, the State's regulations must be amended to reflect this clarification.

RCRA REVISION CHECKLIST 60: Amendment to Requirements for  
Hazardous Waste Incinerator Permits (cont'd)

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

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

SUBPART F - SPECIAL FORMS OF PERMITS

HAZARDOUS WASTE INCINERATOR PERMITS

after "permit," replace "to" with "for"; after "incinerate," replace "may" with "must"; after "in accordance with," insert "270.19(b) and"; before "(9)" insert "(b)"; after "section," add clause regarding information in "270.19(c) and a sentence regarding exemption from "264.343 and 264.345; after "trial burn results" add sentence regarding submission of trial burn results prior to permit issuance; in last sentence replace "if" with "when"; change requirements so that the director specifies a time period prior to permit issuance in which the trial burn must be submitted	270.62(d)	26.13.07.17D	EQ			
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# MARYLAND REVISION CHECKLIST 61

Changes to Interim Status Facilities for  
Hazardous Waste Management Permits; Procedures  
for Post-Closure Permitting  
54 FR 9596-9609  
March 7, 1989  
(Non-HSWA Cluster V)

Note: This rule does not impose a requirement or prohibition pursuant to HSWA. However, portions of the Federal requirements may be necessary to implement HSWA. These necessary rules will be immediately effective and administered by EPA in all States pursuant to RCRA Section 3006(g). For example, use of a Class I modification to add waste codes and/or narrative descriptions of treatment residues to RCRA permits may be necessary in appropriate situations to effectively implement the treatment requirements and prohibitions of the HSWA land disposal restrictions program. Other examples involve a change in interim status needed to comply with an EPA-issued Section 3008(h) corrective action order to comply with the minimum technology requirements of HSWA Section 3004(b).

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 124 - PROCEDURES FOR DECISIONMAKING

### SUBPART A - GENERAL PROGRAM REQUIREMENTS

†	<u>PURPOSE AND SCOPE</u> add sentence to end on denial of a permit under 270.29	124.1(a)	No Analog	(not required for authorization)
†	<u>ISSUANCE AND EFFECTIVE DATE OF PERMIT</u> add parenthetical clause on denial of permit under 270.29	124.15(a)	26.13.07.20L(1)&(2)	EQ
	add parenthetical clause on denial of permit under 270.29	124.15(b)	26.13.07.20L(3)	EQ
†	<u>APPEAL OF RCRA, UIC, AND PSD PERMITS</u> add parenthetical clause on denial of permit under 270.29	124.19(a)	No Analog	(not required for authorization)

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



RCRA REVISION CHECKLIST 61: Changes to Interim Status Facilities  
for Hazardous Waste Management Permits; Procedures for  
Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART A - GENERAL INFORMATION

† PURPOSE AND SCOPE OF THESE REGULATIONS

add sentence to end  
on effect of permit  
denial on post-closure  
permit requirements

270.1(c)

26.13.07.01A

EQ

SUBPART B - PERMIT APPLICATION

† GENERAL REQUIREMENTS

add sentence to end--  
Director may deny a  
permit for active life  
without a complete  
permit application

270.10(c)

26.13.07.02C

EQ

† PERMIT DENIAL

director denial of entire  
permit application or  
active life of hazardous  
waste facility or unit

270.29

26.13.07.03-1

EQ

SUBPART D - CHANGES TO PERMIT

† PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

make the listed  
changes as  
shown below

270.42,

Appendix I

26.13.07.13-2

MS

Amend items F(1)(a), F(1)(b), F(3), G(1)(a), G(1)(b), (G)(5)(a) and G(5)(b); add items F(1)(c), F(4)(a), F(4)(b), G(1)(e), G(5)(c), G(5)(d), H(5)(c), H(5)(d), J(6)(c) & J(6)(d) as is shown below.

**Attorney General Comment:** Maryland is more stringent by not adopting the Class 1, 2, and 3 system for modifications. The State only lists minor modifications at COMAR 26.13.07.13-2 which are analogous to the Federal Class 1 modifications. All other modifications are treated as major modifications and subject to the more stringent modification procedures. Note that Maryland has not adopted the land disposal restrictions at this time.

RCRA REVISION CHECKLIST 61: Changes to Interim Status Facilities  
for Hazardous Waste Management Permits; Procedures for  
Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART G - INTERIM STATUS

† <u>CHANGES DURING INTERIM STATUS</u>					
add introductory paragraph addressing changes during interim status	270.72(a)	26.13.07.23C(1)	EQ		
redesignate former 270.72(a) as 270.72(a)(1); reword and include wording on newly listed or identified wastes regarding units used to handle such waste	270.72(a)(1)	26.13.07.23C(1)(a)	EQ		
redesignate former 270.72(b) as 270.72(a)(2); slightly reword and reorganize	270.72(a)(2)	26.13.07.23C(1)(b)	EQ		
redesignate this portion of former 270.72(b) regarding lack of capacity and reword slightly	270.72(a)(2)(i)	26.13.07.23C(1)(b)(i)	EQ		
add subsection regarding compliance with Federal, State, or local requirements	270.72(a)(2)(ii)	26.13.07.23C(1)(b)(ii)	EQ		
redesignate former 270.72(c) as 270.72(a)(3); remove "may be made at a facility" after "hazardous waste"	270.72(a)(3)	26.13.07.23C(1)(c)	EQ		
redesignate former 270.72(c)(1) as 270.72(a)(3)(i); replace "it is" with "the change."	270.72(a)(3)(i)	26.13.07.23C(1)(c)(iii)	EQ		

RCRA REVISION CHECKLIST 61: Changes to Interim Status Facilities  
for Hazardous Waste Management Permits; Procedures for  
Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
redesignate former 270.72(c)(2) as 270.72(a)(3)(ii); replace "It is" with "The change"; remove parenthetical statement and "regulations"; replace "local laws" with "local requirement"	270.72(a)(3)(ii)	26.13.07.23C(1)(c)(iii)	EQ		
redesignate former 270.72(d) as 270.72(a)(4); remove "may be made" after "facility"; remove "ownership or" before "operational control"	270.72(a)(4)	26.13.07.23C(1)(d); (d)(i)-(v)	EQ		
add new section allowing changes made in accordance with a corrective action order or a court order; limited to the TS or D of releases originating within facility's boundaries	270.72(a)(5)	26.13.07.23C(1)(e), (e)(i)-(iii)	EQ		
redesignate former 270.72(e) as 270.72(b); revise first sentence; replace last sentence with list of changes that can be made if they amount to reconstruction:	270.72(b)	26.13.07.23C(2)&(3)	EQ		
changes solely to comply with 265.193	270.72(b)(1)	26.13.07.23C(3)(a)	EQ		
changes necessary to satisfy standards of 3004(o) because of Federal, State or local requirements	270.72(b)(2)	26.13.07.23C(3)(b), (b)(i)-(iii)	EQ		

RCRA REVISION CHECKLIST 61: Changes to Interim Status Facilities  
for Hazardous Waste Management Permits; Procedures for  
Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
changes necessary to allow continuing treat- ment of newly listed or identified wastes TSD'd prior to rule's effective date	270.72(b)(3)	26.13.07.23C(3)(c)	EQ		
changes during closure in accordance with approved closure plan	270.72(b)(4)	26.13.07.23C(3)(d)	EQ		
changes necessary to comply with interim status corrective action order or court order; changes limited to TS or D of waste originated within boundary of facility	270.72(b)(5)	26.13.07.23C(3)(e)	EQ		
changes to treat or store, in tanks or containers, wastes subject to 268 or RCRA Section 3004 disposal restriction, if solely made for compliance with these requirements	270.72(b)(6)	26.13.07.23C(3)(f)	EQ		
redesignate and revise as 270.72(a)(3)	270.72(c)	26.13.07.23C(1)(c), (c)(i)&(ii)	EQ		
redesignate and revise as 270.72(a)(4)	270.72(d)	26.13.07.23C(1)(d), (d)(i)-(v)	EQ		
redesignate and revise as 270.72(b)	270.72(e)	26.13.07.23C(2)&(3)	EQ		

† TERMINATION OF INTERIM STATUS

redesignate former 270.73(e) as 270.73(f); add new paragraph on termination 12 months after effective date for land disposal units operating under 270.72(a)(1), (2) or (3)	270.73(e)	26.13.07.23D(2)(c)	EQ		
redesignate former 270.73(e) as					

RCRA REVISION CHECKLIST 61: Changes to Interim Status Facilities  
for Hazardous Waste Management Permits; Procedures for  
Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
270.73(f)	270.73(f)	26.13.07.23D(2)(d)	EQ		
redesignate former 270.73(f) as					
270.73(g)	270.73(g)	26.13.07.23D(2)(e)	EQ		

# MARYLAND REVISION CHECKLIST 64

Delay of Closure Period for Hazardous Waste  
Management Facilities  
54 FR 33376-33398  
August 14, 1989  
(Non-HSWA Cluster VI)

The June 26, 1990 (55 FR 25975) notice corrected the May 2, 1986 (51 FR 16422; Revision Checklist 24) final rule which erroneously designated the amendments to 40 CFR 264.113 and 265.113 as less stringent. The June 26, 1990 notice also explains that States must adopt the May 2, 1986 amendments to 40 CFR 264.113 and 265.113 prior to or simultaneous with receiving authorization for the Delay of Closure provisions addressed by Revision Checklist 64. While this checklist's provisions are optional, States choosing not to adopt them must still adopt the May 2, 1986 amendments to 40 CFR 264.113 and 265.113 because they are required changes. See the amended version of Revision Checklist 24 for further information.

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- ALENT I	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE

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

### SUBPART B - GENERAL FACILITY STANDARDS

#### † GENERAL WASTE ANALYSIS

insert ", or non-  
hazardous wastes if  
applicable under  
264.113(d)" after  
"hazardous wastes"

264.13(a)(1)

26.13.05.02D(1)(a)

EQ

insert ", or non-  
hazardous wastes if  
applicable under  
264.113(d)" after  
"hazardous wastes"

264.13(a)(3)(i)

26.13.05.02D(1)(c)(i)

EQ

add ", or non-  
hazardous waste if  
applicable under  
264.113(d)" after  
"hazardous waste"

264.13(b)(1)

26.13.05.02D(2)(c)(i)

EQ

### SUBPART G - CLOSURE AND POST-CLOSURE

#### † CLOSURE PLAN; AMENDMENT OF PLAN

place "(i)" after  
"either:" and re-  
designate as below:

264.112(d)(2)

26.13.05.07C(4)(b)

EQ

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- I ALENTI	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
redesignate the re- mainder of the old 264.112(d)(2) as 264.112(d)(2)(i); remove ", and will continue to take," after "he has taken"	264.112(d)(2)(i)	26.13.05.07C(4)(b)&(c)	EQ		
add new subparagraph on the receipt of final volume of non- hazardous wastes by units meeting 264.113(d) rEQuire- ments; extension by Regional Administrator	264.112(d)(2)(ii)	26.13.05.07C(4)(d)&(e)	EQ		
† CLOSURE: TIME ALLOWED FOR CLOSURE					
after "hazardous wastes" add language regarding the final volume of non- hazardous wastes and owner/operator compliance with 264.113(d)&(e)	264.113(a)	26.13.05.07D(1)	EQ		
after "hazardous wastes" add language regarding capacity to receive non- hazardous waste and owner/operator com- pliance with 264.113(d)&(e)	264.113(a)(1)(ii)(A)	26.13.05.07D(2)(b)(i)	EQ		
after "hazardous wastes" add language regarding the final volume of non- hazardous wastes and owner/operator in compliance with 264.113(d)&(e)	264.113(b)	26.13.05.07D(3)	EQ		



RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- I ALENTI	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
after "hazardous wastes" add language regarding capacity to receive non-hazardous wastes and owner/ operator compliance with 264.113(d)&(e)	264.113(b)(1)(ii)(A)	26.13.05.07D(4)(b)(ii)	EQ		
replace reference to "(a) and (b)" with "(a)(1) and (b)(1)"	264.113(c)	26.13.05.07D(5)	EQ		
replace first reference to "(a)" with "(a)(1)"	264.113(c)(1)	26.13.05.07D(5)(a)	EQ		
replace first reference to "(b)" with "(b)(1)"; exception if owner/ operator subject to 264.113(d) deadlines	264.113(c)(2)	26.13.05.07D(5)(b)	EQ		
add new paragraph regarding receipt of non-hazardous waste; conditions which must be met:	264.113(d)	26.13.05.07D(6)	EQ		
permit modification rEQuest meeting 270 and 124 rEQuirements demonstrating:	264.113(d)(1)	26.13.05.07D(6)(a)	EQ		
has existing design capacity to receive non-hazardous wastes	264.113(d)(1)(i)	26.13.05.07D(6)(b)(i)	EQ		
likely to receive non- hazardous wastes within one year after final receipt of hazardous wastes	264.113(d)(1)(ii)	26.13.05.07D(6)(b)(ii)	EQ		
not incompatible with remaining wastes or with design and operating rEQuirements	264.113(d)(1)(iii)	26.13.05.07D(6)(b)(iii)	EQ		
closure of hazardous waste unit incom- patible with continued operation	264.113(d)(1)(iv)	26.13.05.07D(6)(b)(iv)	EQ		
operate in compliance with all applicable permit rEQuirements	264.113(d)(1)(v)	26.13.05.07D(6)(b)(v)	EQ		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- I ALENTI	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
what the rEQuest to modify the permit should include	264.113(d)(2)	26.13.05.07D(6)(c)&(d)	EQ		
permit modification rEQuest includes re- visions to account for non-hazardous waste receipt after final volume of hazardous wastes	264.113(d)(3)	26.13.05.07D(6)(e)	EQ		
submission to Regional Administrator special rEquirements for surface impound- ments not in com- pliance with liner and leachate collection system rEquirements	264.113(d)(4)	26.13.05.07D(6)(f)	EQ		
permit modification rEQuest:	264.113(e)	26.13.05.07D(6)(g),(7)&(8)	EQ		
contingent corrective measures plan	264.113(e)(1)	26.13.05.07D(7)(a)	EQ		
hazardous waste removal plan	264.113(e)(1)(i)	26.13.05.07D(7)(a)(i)	EQ		
removal of all hazard- ous wastes including liquids and sludges to extent practicable	264.113(e)(1)(ii)	26.13.05.07D(7)(a)(ii)	EQ		
when removal takes longer than 90 days; extension by Regional Administrator	264.113(e)(2)	26.13.05.07D(7)(b)	EQ		
actions if detect a statistically significant release:	264.113(e)(3)	26.13.05.07D(7)(c)	EQ		
corrective measures in accordance with plan rEQuired by 264.113(e)(1)	264.113(e)(4)	26.13.05.07D(7)(d)	EQ		
conditions under which wastes may continue to be received	264.113(e)(4)(i)	26.13.05.07D(7)(d)(i)	EQ		
	264.113(e)(4)(ii)	26.13.05.07D(7)(d)(ii)	EQ		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- I ALENT I	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
corrective measures in less than one year if necessary to protect human health and environment	264.113(e)(4)(iii)	26.13.05.07D(7)(d)(iii)	EQ		
semi-annual reports	264.113(e)(5)	26.13.05.07D(7)(e)	EQ		
conditions under which Regional Administrator may rEquire closure if fail to implement corrective measures or no substantial progress, the Regional Administrator shall:	264.113(e)(6)	26.13.05.07D(7)(f)	EQ		
notify in writing that closure rEquired according to 264.113(a) and (b) deadlines	264.113(e)(7)(i)	26.13.05.07D(8)(a)	EQ		
newspaper notice; opportunity for public comment	264.113(e)(7)(ii)	26.13.05.07D(8)(b)	EQ		
Regional Administrator actions when no written comments are received	264.113(e)(7)(iii)	26.13.05.07D(8)(c)	EQ		
Regional Administrator actions when written comments are received	264.113(e)(7)(iv)	26.13.05.07D(8)(d)&(e)	EQ		
no administrative appeal	264.113(e)(7)(v)	26.13.05.07D(8)(f)	EQ		

SUBPART H - FINANCIAL REQUIREMENTS

† COST ESTIMATE FOR CLOSURE

after "hazardous  
wastes" insert ", or  
non-hazardous wastes  
if applicable under  
264.113(d)."

264.142(a)(3)

26.13.05.08

EQ

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- ALENT I	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
after "hazardous wastes" insert ", or non-hazardous wastes if applicable under 264.113(d)."	264.142(a)(4)	26.13.05.08	EQ		

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

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

after "hazardous wastes" add ", or non- hazardous wastes if applicable under 265.113(d)."	265.13(a)(1)	26.13.06.02A 26.13.05.02D(1)(a)	EQ
after "hazardous wastes" add ", or non- hazardous wastes if applicable under 265.113(d)."	265.13(a)(3)(i)	26.13.06.02A 26.13.05.02D(1)(c)(i)	EQ
after "hazardous waste" add ", or non- hazardous waste if applicable under 265.113(d)."	265.13(b)(1)	26.13.06.02A 26.13.05.02D(2)(c)(i)	EQ

SUBPART G - CLOSURE AND POST-CLOSURE

CLOSURE PLAN; AMENDMENT OF PLAN

add "(i)" after "either:" and redesignate re- mainder of paragraph as below	265.112(d)(2)	26.13.06.08E(3)	EQ
redesignate remainder of old 265.112(d)(2) as 265.112(d)(2)(i)	265.112(d)(2)(i)	26.13.06.08E(3)(a)-(c)&(4)	EQ

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- I ALENTI	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
add new subparagraph on receipt of final volume of non- hazardous wastes by units meeting 265.113(d) rEquire- ments; extension by Regional Administrator	265.112(d)(2)(ii)	26.13.06.08E(5)&(6)	EQ		
† CLOSURE: TIME ALLOWED FOR CLOSURE					
after "hazardous wastes" add language regarding the final volume non-hazardous wastes and owner/ operator compliance with 265.113(d)&(e)	265.113(a)	26.13.06.09A&B	EQ		
after "hazardous wastes" add language regarding the capacity to receive non- hazardous wastes and owner/operator compliance with 265.113(d)&(e)	265.113(a)(1)(ii)(A)	26.13.06.09B(2)(a)	EQ		
after "hazardous wastes" add language regarding the final volume of non- hazardous wastes and owner/operator com- pliance with 265.113(d)&(e)	265.113(b)	26.13.06.09D&E	EQ		
after "hazardous wastes" add language regarding the capacity to receive non- hazardous wastes and owner/operator com- pliance with 265.113(d)&(e)	265.113(b)(1)(ii)(A)	26.13.06.09E(2)(a)	EQ		
replace references to "(a) and (b)" with "(a)(1) and (b)(1)"	265.113(c)	26.13.06.09G	EQ		
replace first reference					

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- I ALENTI	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
to "(a)" with "(a)(1)" replace first reference to "(b)" with "(b)(1)"; add exception if owner/operator subject to 265.113(d)	265.113(c)(1)	26.13.06.09G(1)	EQ		
deadlines	265.113(c)(2)	26.13.06.09G(2)	EQ		
add new paragraph regarding receipt of non-hazardous wastes; conditions which must be met:	265.113(d)	26.13.06.09H	EQ		
submits an amended Part B application or a Part B application if not previously rEQuired demonstrating:	265.113(d)(1)	26.13.06.09H(1)	EQ		
has existing design capacity to receive non-hazardous wastes	265.113(d)(1)(i)	26.13.06.09H(2)(a)	EQ		
likely to receive non- hazardous wastes within one year after final receipt of hazardous wastes	265.113(d)(1)(ii)	26.13.06.09H(2)(b)	EQ		
not incompatible with remaining wastes or with design and operating rEQuirements	265.113(d)(1)(iii)	26.13.06.09H(2)(c)	EQ		
closure of hazardous waste unit incompat- ible with continued operation	265.113(d)(1)(iv)	26.13.06.09H(2)(d)	EQ		
operate in compliance with all applicable interim states rEQuirements	265.113(d)(1)(v)	26.13.06.09H(2)(e)	EQ		
what the Part B application should include	265.113(d)(2)	26.13.06.09H(3)&(4)	EQ		
Part B modification is amended to account for non-hazardous waste receipt after final volume of hazardous					

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- ALENT I	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
waste	265.113(d)(3)	26.13.06.09H(5)	EQ		
submission to Regional Administrator	265.113(d)(4)	26.13.06.09H(6)	EQ		
special rEquirements for surface impound- ments not in com- pliance with liner and leachate collection system rEquirements	265.113(e)	26.13.06.09H(7)&.09I	EQ		
submit with the Part B application:	265.113(e)(1)	26.13.06.09I(1)	EQ		
contingent corrective measures plan	265.113(e)(1)(i)	26.13.06.09I(1)(a)	EQ		
hazardous waste removal plan	265.113(e)(1)(ii)	26.13.06.09I(1)(b)	EQ		
removal of all hazardous wastes including liquids and sludges to extent practicable	265.113(e)(2)	26.13.06.09I(2)	EQ		
when removal must take place; extension by Regional Administrator	265.113(e)(3)	26.13.06.09I(3)	EQ		
actions if detect a statistically significant release:	265.113(e)(4)	26.13.06.09I(4)	EQ		
corrective measures in accordance with plan rEQuired by 265.113(e)(1)	265.113(e)(4)(i)	26.13.06.09I(4)(a)	EQ		
conditions under which wastes may continue to be received	265.113(e)(4)(ii)	26.13.06.09I(4)(b)	EQ		
corrective measures in less than one year or cease receipt of wastes until imple- mented if necessary to protect human health and environment	265.113(e)(4)(iii)	26.13.06.09I(4)(c)	EQ		
semi-annual reports	265.113(e)(5)	26.13.06.09I(5)	EQ		
conditions under which					



RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	ANALOGOUS STATE CITATION	EQUIV- ALENTI	STATE ANALOG IS:	
				MORE STRINGENT I	BROADER IN SCOPE
Regional Administrator may rEQuire closure if fail to implement corrective measures or no substantial progress, the Regional Administrator shall:	265.113(e)(6)	26.13.06.09J	EQ		
notify in writing that closure rEQired according to 265.113(a) and (b)	265.113(e)(7)	26.13.06.09K	EQ		
newspaper notice: opportunity for public comment	265.113(e)(7)(i)	26.13.06.09K(1)&(2)	EQ		
Regional Administrator actions when no written comments are received	265.113(e)(7)(ii)	26.13.06.09K(3)	EQ		
Regional Administrator actions when written comments are received	265.113(e)(7)(iii)	26.13.06.09L	EQ		
no administrative appeal	265.113(e)(7)(iv)	26.13.06.09M&N	EQ		
	265.113(e)(7)(v)	26.13.06.09O	EQ		

SUBPART H - FINANCIAL REQUIREMENTS

† COST ESTIMATE FOR CLOSURE

after "hazardous wastes" add ", or non- hazardous wastes if applicable under 265.113(d)"	265.142(a)(3)	26.13.06.16	EQ		
after "hazardous wastes" add ", or non- hazardous wastes if applicable under 265.113(d)"	265.142(a)(4)	26.13.06.16	EQ		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for  
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT I	FEDERAL RCRA CITATION I	STATE ANALOG IS:		
		ANALOGOUS STATE CITATION	EQUIV- ALENT MORE STRINGENT I	BROADER IN SCOPE

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

SUBPART D - CHANGES TO PERMIT

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

add D.1.f. to

Appendix I

270.42, Appendix I

No State analog

MS

Modifications

Class

\*\*\*\*\*

D.\*\*\*

1.\*\*\*

f. Extension of the closure period to  
allow a landfill, surface impoundment  
or land treatment unit to receive  
non-hazardous wastes after final  
receipt of hazardous wastes under

□ 264.113(d) and (e).....

2

\*\*\*\*\*

**Attorney General Comment:** Maryland does not follow the Federal Class 1, Class 2, and Class 3 modification system. The State is more stringent because all Class 2 and 3 modifications are treated like Class 2 modifications. Thus, the rules only list minor modifications which are equivalent to the Federal Class 1 modifications.

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## MARYLAND REVISION CHECKLIST 65

## Mining Waste Exclusion I

54 FR 36592-36642

September 1, 1989

(Non-HSWA Cluster VI)

This present checklist is titled "Mining Waste Exclusion I" indicating that it is the first of two amendments to this exclusion. The second amendment occurred at 55 FR 2322 on January 23, 1990 and is addressed by Revision Checklist 71 - Mining Waste Exclusion II. This latter checklist will be made available through SPA 9.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF  
HAZARDOUS WASTES

SUBPART A - GENERAL

add exception for  
mixture of a  
261.4(b)(7) waste and  
a solid waste  
exhibiting a Subpart C  
characteristic unless  
resultant mixture  
meets certain charac-  
teristic conditions;  
mixture is hazardous  
relative to the EP  
toxicity characteristic

261.3(a)(2)(i)

26.13.02.03A(2)(a)

26.13.02.03A-1

26.13.02.03A-1(1) &amp; (2) EQ

add "of this part" after  
"Subpart D"; add  
language excepting  
mixtures of hazardous  
waste and solid waste  
excluded under  
261.4(b)(7) and the  
mixture no longer  
exhibits hazardous  
characteristics for  
which the hazardous  
waste was listed in  
Subpart D

261.3(a)(2)(iii)

26.13.02.03A(2)(c)

26.13.02.03A(2)(c)(i)&amp;(ii) EQ

RCRA REVISION CHECKLIST 65: Mining Waste  
Exclusion I (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
define beneficiation; replace the last three words of the para- graph, "does not include", with "includes only"	261.4(b)(7)	26.13.02.04-1A(7) 26.13.02.04-1E & F	EO		
solid wastes, from ore and mineral processing, that are re- tained within exclusion	261.4(b)(7)(i)(A)-(E)	26.13.02.04-1F		Superseded by CL 71	
solid wastes from ore and mineral process- ing that are condi- tionally retained within the exclusion	261.4(b)(7)(ii)(A)-(T)	26.13.02.04-1F		Superseded by CL 71	

See subsequent technical correction to the definition of "beneficiation" as addressed by Revision Checklist 71 (55 FR 2322, January 23, 1990).

# MARYLAND REVISION CHECKLIST 67

Testing and Monitoring Activities

54 FR 40260-40269

September 29, 1989

(Non-HSWA Cluster VI)

Technical corrections were made to this rule at 55 FR 8948 (March 9, 1990). These corrections are addressed by Revision Checklist 73 which will be made available through SPA 9. States are encouraged to adopt the technical corrections at the same time that the Revision Checklist 67 provisions are adopted.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

### SUBPART B - DEFINITIONS

change last clause  
of sentence regarding  
the Second Edition into  
a sentence combining  
it with the price  
information

260.11(a)

26.13.01.05A(4)

Superseded by CL 141

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

### APPENDIX III - CHEMICAL ANALYSIS TEST METHODS

revise Table 2 as  
shown, replacing First  
Edition information  
with Third Edition  
information

Appendix III

26.13.02.22

Superseded by CL 126

revise Table 3, as  
shown, replacing First  
Edition information  
with Third Edition  
information

Appendix III

26.13.02.22

Superseded by CL 126

## MARYLAND REVISION CHECKLIST 68

Reportable Quantity Adjustment Methyl Bromide Production Wastes

54 FR 41402-41408

October 6, 1989

(HWA Cluster II)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTES FROM SPECIFIC SOURCES

add K131 and K132  
to the subgroup

"Pesticides"

261.32

26.13.02.17

EQ

## APPENDIX III - CHEMICAL ANALYSIS TEST METHODS

add, in alphabetic  
order, to Table 1,  
two compounds and  
methods for their  
analysis

Appendix III

26.13.02.22

Superseded by CL126

## APPENDIX VII - BASIS FOR LISTING HAZARDOUS WASTE

add, in numeric order,  
entries for K131 and  
K132

Appendix VII

26.13.02.23

EQ



## MARYLAND REVISION CHECKLIST 69

## Reportable Quantity Adjustment

54 FR 50968-50979

December 11, 1989

(HWA Cluster II)

Note: On January 8, 1991, an amendment to the preamble of the December 11, 1989 rule was published in the Federal Register (56 FR 643). This amendment elaborates upon the Agency's current position regarding the weight-of-evidence classification of tetrachloroethylene (perchloroethylene). It does not affect the listing of Waste No. F025 nor the identification of tetrachloroethylene (perchloroethylene) as a hazardous constituent of F025, both of which are addressed by this checklist.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTES FROM NONSPECIFIC SOURCES

revise listing  
for F024

261.31

26.13.02.16A

EQ

F024

Process wastes... from the production of certain chlorinated... These  
chlorinated aliphatic hydrocarbons...

add F025 listing

261.31

26.13.02.16A

EQ

## APPENDIX VII - BASIS FOR LISTING HAZARDOUS WASTE

add F025 entry

Appendix VII

26.13.02.23

EQ

## APPENDIX VIII - HAZARDOUS CONSTITUENTS

add compound

Appendix VIII

26.13.02.24

EQ

## MARYLAND REVISION CHECKLIST 70

## Changes to Part 124 Not Accounted for by Present Checklists

48 FR 14146-14295, April 1, 198348 FR 30113-30115, June 30, 198353 FR 28118-28157, July 26, 198853 FR 37396-37414, September 26, 198854 FR 246-258, January 4, 1989

(Non-HSWA Cluster VI)

Note: Part 124 was affected by the deconsolidation of EPA's Consolidated Permit Regulations (48 FR 14146, April 1, 1983). In reprinting the Part 124 in the FR, a number of typographical errors and inadvertent omissions of paragraphs were made. On June 30, 1983 (48 FR 30113) and on January 4, 1989 (54 FR 246), these errors were corrected so that most of Part 124 again reads as it was originally printed in the July 1, 1982 CFR. Of the changes made by the April 1, 1983 article, only those which were not negated by the June 30, 1983 or January 4, 1989 articles are included in this checklist. Similarly, only those changes made by the June 30, 1983 or January 4, 1989 notices which are not merely corrections of errors in the April 1, 1983 article have been included in this checklist.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
PART 124 - PROCEDURES FOR DECISION MAKING					
SUBPART A - GENERAL PROGRAM REQUIREMENTS					
APPLICATION FOR A PERMIT					
	124.3(a)	26.13.07.20A	EQ		
	124.3(a)(1)	26.13.07.20A(1)	EQ		
change cross- references regarding RCRA permits	124.3(a)(2)	26.13.07.20A(2)	EQ		
	124.3(a)(3)	26.13.07.20A(3)	EQ		
MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF PERMITS					
	124.5(a)	26.13.07.20B(1)	EQ		
change cross- references regarding RCRA	124.5(c)(1) & (3)	26.13.07.20B(3) & (5)		MS	
	124.5(d)	26.13.07.20B(6)	EQ		
Attorney General Comment: The State is more stringent as it treats all class 2 and 3 modifications as major modifications.					
DRAFT PERMITS					
change cross- references regarding RCRA permits	124.6(d)(1)-(3)	26.13.07.20C(3)	EQ		

RCRA REVISION CHECKLIST 70: Changes to Part 124  
Not Accounted for by Present Checklists (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
change "§ 122.28" to "Section 270.30"	124.6(d)(4)(i)	26.13.07.20C(3)	EQ		

PUBLIC NOTICE OF PERMIT ACTIONS AND PUBLIC COMMENT PERIOD

delete "and other  
appropriate govern-  
ment agencies"; add  
"(Indian Tribes)" after  
"States"; add paren-  
thetical statement  
regarding Indian Tribes  
treated as States

124.10(c)(1)(iii)

26.13.07.20G(5)(a)(iii)

EQ

**Attorney General Comment:** Note that there are no Indian Tribes within Maryland.

redesignate old  
124.10(c)(1)(viii)(A)-(C)  
as 124.10(c)(1)(ix)  
(A)-(C)

124.10(c)(1)(ix)

26.13.07.20G(5)(a)(iv)

EQ

redesignate old  
124.10(c)(1)(ix)  
(A) and (B) as  
124.10(c)(1)(x)(A) and  
(B); delete "For RCRA  
permits only"

124.10(c)(1)(x)

Maryland has issued a policy titled "Permitting and Public  
Participation" (dated July, 1993) that provides for notification of  
local officials (see enclosed policy, page 4).

PUBLIC HEARINGS

insert ", " after  
"whenever"

124.12(a)(2)

26.13.07.20I(1)

EQ

## MARYLAND REVISION CHECKLIST 71

Mining Waste Exclusion II  
 55 FR 2322-2354  
 January 23, 1990  
 (Non-HSWA Cluster VI)

Note: This is the second revision to the mining waste exclusion. The first occurred at 54 FR 36592 (September 1, 1989) and is addressed by Revision Checklist 65.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL					
SUBPART B - DEFINITIONS					
DEFINITIONS					
revise "designated facility"	260.10	26.13.01.03B(12)	EQ		
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE					
SUBPART A - GENERAL					
EXCLUSIONS					
"§261.4(b)(7)" replaces "this paragraph" twice; "roasting, autoclaving, and/or chlorination" replaces "roasting"; insert "(and/or autoclaving and/or chlorination)" after "roasting" within existing parenthetical clause; semi-colons replace a number of commas; significant revisions to last sentence which introduces list of wastes	261.4(b)(7)	26.13.02.04-1A(7) 26.13.02.04-1E 26.13.02.04-1F	EQ		

## RCRA REVISION CHECKLIST 71: Mining Waste Exclusion II (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
	261.4(b)(7)(i)	26.13.02.04-1F(1)	EQ		
	261.4(b)(7)(ii)	26.13.02.04-1F(2)	EQ		
	261.4(b)(7)(iii)	26.13.02.04-1F(3)	EQ		
	261.4(b)(7)(iv)	26.13.02.04-1F(4)	EQ		
	261.4(b)(7)(v)	26.13.02.04-1F(5)	EQ		
	261.4(b)(7)(vi)	26.13.02.04-1F(6)	EQ		
	261.4(b)(7)(vii)	26.13.02.04-1F(7)	EQ		
	261.4(b)(7)(viii)	26.13.02.04-1F(8)	EQ		
	261.4(b)(7)(ix)	26.13.02.04-1F(9)	EQ		
	261.4(b)(7)(x)	26.13.02.04-1F(10)	EQ		
	261.4(b)(7)(xi)	26.13.02.04-1F(11)	EQ		
	261.4(b)(7)(xii)	26.13.02.04-1F(12)	EQ		
	261.4(b)(7)(xiii)	26.13.02.04-1F(13)	EQ		
	261.4(b)(7)(xiv)	26.13.02.04-1F(14)	EQ		
	261.4(b)(7)(xv)	26.13.02.04-1F(15)	EQ		
revisions to list of excluded wastes; (i)(A)-(E) and (ii)(A)-(T) are replaced by (i)-(xx), with deletion of five conditionally retained wastes and some revisions in wording for retained wastes	261.4(b)(7)(xvi)	26.13.02.04-1F(16)	EQ		
	261.4(b)(7)(xvii)	26.13.02.04-1F(17)	EQ		
	261.4(b)(7)(xviii)	26.13.02.04-1F(18)	EQ		
	261.4(b)(7)(xix)	26.13.02.04-1F(19)	EQ		
	261.4(b)(7)(xx)	26.13.02.04-1F(20)	EQ		

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART B - THE MANIFEST

USE OF THE MANIFEST

add new paragraph  
stating requirements  
when shipping  
hazardous waste to a  
designated facility in  
an authorized State  
which has not yet  
obtained authorization  
to regulate that  
particular waste as  
hazardous

262.23(e)

26.13.03.04E(6)

EQ

Note that this definition in the Federal Register (55 FR 2353, January 23, 1990) and in the July 1, 1990 CFR contains a typographical error. The reference to 260. should be 262.20.

# MARYLAND REVISION CHECKLIST 72

Modification of F019 Listing  
 55 FR 5340-5342  
 February 14, 1990  
 (Non-HSWA Cluster VI)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

### SUBPART D - LISTS OF HAZARDOUS WASTES

#### HAZARDOUS WASTE FROM NON-SPECIFIC SOURCES

revise entry

"F019"	261.31	26.13.02.16A	EQ
--------	--------	--------------	----

Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
---	-----------------	----------------

* * * * *		
F019.....	Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.	(T)
* * * * *		



## MARYLAND REVISION CHECKLIST 73

## Testing and Monitoring Activities; Technical Corrections

55 FR 8948-8950

March 9, 1990

(Non-HSWA Cluster VI)

Note: This checklist contains technical corrections to the final rule addressed by Revision Checklist 67 (54 FR 40260; September 29, 1989). States are encouraged to adopt the corrections addressed by this present checklist at the same time that the Revision Checklist 67 provisions are adopted.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## REFERENCES

add a list of the  
47 analytical testing  
methods incorporated  
by reference

260.11(a)

26.13.01.05A(4)

Superseded by CL 141

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## APPENDIX III TO PART 261

## CHEMICAL ANALYSIS TEST METHODS

revise Footnote "a"  
of Table 2

Appendix III/Table 2

26.13.02.22

Superseded by CL 126

revise Methods 7081  
and 7420 in Table 3

Appendix III/Table 3

26.13.02.22

Superseded by CL 126

revise Footnote "a"  
of Table 3

Appendix III/Table 3

26.13.02.22

Superseded by CL 126

## MARYLAND REVISION CHECKLIST 74

## Toxicity Characteristic Revisions

55 FR 11798-11877

March 29, 1990

as amended on June 29, 1990, at 55 FR 26986-26998

(RCRA Cluster II)

Note: 1) A correction to the preamble of the March 29, 1990 rule was published on August 2, 1990 (55 FR 31387). This notice corrected an implementation timetable and extended the period of time within which affected small quantity generators must comply with the new modification requirements. An August 10, 1990 (55 FR 32733) notice corrected the August 2, 1990 notice. On September 27, 1990, a clarification to the March 29 final rule was published in the Federal Register (55 FR 39409) regarding four implementation issues. The clarification did not affect the Federal code addressed by this checklist. An interim final rule promulgated on October 5, 1990 (55 FR 40834) did affect the Federal code relevant to the Toxicity Characteristic. A separate revision checklist (Revision Checklist 80) was developed to address those changes effected by the interim final rule.

2) Two interim final rules (55 FR 40834; October 5, 1990 and 56 FR 3978; February 1, 1991) and a final rule (56 FR 13406; April 2, 1991) extended the compliance date of the Toxicity Characteristic (TC) rule for certain hydrocarbon recovery and remediation operations. This extension is addressed by Revision Checklist 80. Because a less stringent requirement than that imposed by the TC rule is in effect until January 23, 1993, that Revision Checklist is optional.

3) States are strongly encouraged to adopt the Permit Modifications rule (53 FR 37912; September 28, 1988; Revision Checklist 54) and the "Christmas Tree Rule" (54 FR 9596; March 7, 1989; Revision Checklist 61) to ease implementation of the Toxicity Characteristic Rule and future waste listings. While both of these rules are optional, they will greatly reduce the immediate permit burden resulting from the TC rule.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART A - GENERAL

## EXCLUSIONS

replace "characteristic  
of EP toxicity" with

"Toxicity Characteristic"	261.4(b)(6)(i)	26.13.02.04-1A(10)(a)	EQ
---------------------------	----------------	-----------------------	----

replace "characteristic  
of EP toxicity" with

"Toxicity Characteristic solely for arsenic"	261.4(b)(9)	26.13.02.04-1A(9)	EQ
---	-------------	-------------------	----

## RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph regulating petroleum- contaminated media and debris that fail the 261.24 Toxicity Char- acteristic test and are subject to Part 280 corrective action	261.4(b)(10)	26.13.02.04-1A(12)	EQ		

PCB WASTES REGULATED UNDER TOXIC SUBSTANCE CONTROL ACT

exemption for PCB-  
containing wastes,  
already regulated  
under Part 761  
(TSCA), that fail the  
261.24 Toxicity Char-  
acteristic test (D018  
through D043 only)

261.8

No Analog

BIS

**Attorney General Comment:** Maryland regulates PCB containing wastes as hazardous waste; the State's program is broader in scope.

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTETOXICITY CHARACTERISTIC

remove "EP" before  
"toxicity"; insert "using  
the methodology  
outlined in Appendix II"  
after "after filtering";  
change "purposes" to  
"purpose"

261.24(a)

26.13.02.14A

EQ

## RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
remove "EP" before "toxicity"; add D018 through D043 to Table I; as per technical correction, change the word "hydroxide" in the contaminant for D031 to "epoxide"; add new column with CAS numbers	261.24(b)	26.13.02.14B	EQ		

## SUBPART D - LISTS OF HAZARDOUS WASTES

GENERAL

replace "EP Toxic  
Waste" in the hazard  
codes and in the text  
following the hazard  
codes with "Toxicity  
Characteristic Waste"

261.30(b)

26.13.02.15B &amp; .15C

EQ

## APPENDIX II TO PART 261

METHOD 1311 TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

- <sup>2</sup> EP toxicity test PRO-  
cedures are replaced  
by Method 1311  
Toxicity Character-  
istic Leaching  
Procedures (TCLP)

Appendix II

26.13.02.21

Superseded by CL126

## RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

SPA

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART N - LANDFILLS

DESIGN AND OPERATING REQUIREMENTS

replace "EP Toxicity  
Characteristics" with  
"Toxicity Character-  
istics"; insert "with  
EPA Hazardous  
Waste Numbers D004  
through D017"  
after "chapter"

264.301(e)(1)

26.13.05.14B(5)(a)

EO

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

SUBPART K - SURFACE IMPOUNDMENTS

DESIGN REQUIREMENTS

replace "EP Toxicity  
Characteristics" with  
"Toxicity Character-  
istics"; insert "with EPA  
Hazardous Waste  
Numbers D004 through  
D017" after "chapter"

265.221(d)(1)

26.13.05.11D(6)

26.13.06.19D(1)&amp;(2)

EO

## RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- VALENT	MORE STRINGENT	BROADER IN SCOPE

## SUBPART M - LAND TREATMENT

## WASTE ANALYSIS

replace "exceed" with  
"equal or exceed";  
replace "EP Toxicity  
Characteristic"  
with "Toxicity  
Characteristic"

265.273(a)

26.13.06.21A, B(1)&amp;(2)

EQ

## PART 268 - LAND DISPOSAL RESTRICTIONS

## APPENDIX I TO PART 268

## TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

replace Appendix with  
note stating the TCLP  
is located in  
Appendix II of  
Part 261

Appendix I

No analog

Maryland is not seeking  
authorization for the Land  
Disposal Restrictions

Also see technical corrections to the rule at 55 FR 26986 (June 29, 1990).

Because the June 29, 1990 (55 FR 26986) notice made extensive corrections to Appendix II, Part 261, the Appendix in that notice should be used instead of the one in the March 29, 1990 (55 FR 11798) notice.

As background, the TCLP was originally promulgated in 268, Appendix I, on November 7, 1986 (51 FR 40572; Revision Checklist 34) for use in the Land Disposal Restrictions (LDR) program to determine whether certain wastes require treatment prior to land disposal and to determine whether certain treated wastes meet the applicable treatment standards. The TC rule and its June 29, 1990 modification promulgated a revised TCLP at 268, Appendix II, with modifications based on the Agency's own research and public comment. This TCLP is to be used in both the TC and the LDR programs. The objective of the above footnoted revision to 268, Appendix I, is to assure that the TCLP entered into the code by the November 7, 1986 notice (51 FR 40572; Revision Checklist 34) is removed and replaced by the TCLP entered into the code and amended by the final rules (55 FR 11798 and 55 FR 26986) addressed by Revision Checklist 74. The actual placement of the TCLP within a State's code is not that important; what is important is that a State's code contains only the Revision Checklist 74 TCLP. States that have not yet adopted Revision Checklist 34 (first of the LDR restrictions) need not make this particular revision to 268, Appendix I, as they would not yet have entered the original Part 268 TCLP into their code. Also, the change on page 2 of this checklist for 261, Appendix II, assures that they add the Revision Checklist 74 TCLP to their code. However, such States must be careful when adding the LDR restrictions to their code, i.e., the Revision Checklist 34 TCLP should not be added at that time--rather, the Revision Checklist 74 TCLP should remain the only TCLP in their code. States using the Consolidated LDR Checklist should be sure to read Footnote 40 on that checklist regarding this issue.

## MARYLAND REVISION CHECKLIST 75

## Listing of 1,1-Dimethylhydrazine Production Wastes

55 FR 18496-18506

May 2, 1990

HSWA Cluster II

FEDERAL REQUIREMENT	FEDERAL BROAD- RCRA CITATION	ANALOGOUS  STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	STRIN- GENT	ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTES FROM SPECIFIC SOURCES

add K107-K110 to

the subgroup

"Organic Chemicals"

261.32

26.13.02.17

EQ

Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
* * * *	* * * *	
Organic chemicals:		
* * * *	* * * *	
K107.....	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C,T)
K108.....	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I,T)
K109.....	Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)



RCRA REVISION CHECKLIST 75: Listing of 1,1-Dimethylhydrazine Production Wastes  
(cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
K110.....		Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.			(T)
*	*	*	*	*	*

APPENDIX III TO PART 261

CHEMICAL ANALYSIS TEST METHODS

add compound and  
analysis method to

Table 1                      Appendix III                      26.13.02.22                      Superseded by CL126

\* \* \* \* \*

TABLE 1. - ANALYSIS METHODS FOR ORGANIC  
CHEMICALS CONTAINED IN SW-846

\* \* \* \* \*

Compound	Method No.
* * * * *	
1,1-Dimethylhydrazine (UDMH).....	8250
* * * * *	

APPENDIX VII TO PART 261

RCRA REVISION CHECKLIST 75: Listing of 1,1-Dimethylhydrazine Production Wastes  
(cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

BASIS FOR LISTING HAZARDOUS WASTE

add, in numerical

order, K107-K110

Appendix VII

26.13.02.23

EQ

EPA hazardous  
waste No.

Hazardous constituents for  
which listed

*	*	*	*	*	*
K107.....	1,1-Dimethylhydrazine (UDMH).				
K108.....	1,1-Dimethylhydrazine (UDMH).				
K109.....	1,1-Dimethylhydrazine (UDMH).				
K110.....	1,1-Dimethylhydrazine (UDMH).				
*	*	*	*	*	*

The Federal Register for this Rule contains two typographical errors in the description of the K107 hazardous waste (55 FR 18505). "1,1-dimethyl-hydrazine" should be "1,1-dimethylhydrazine" and "hydrazines" should be "hydrazides." This revision checklist contains the corrected description for K107.

MARYLAND REVISION CHECKLIST 76

Criteria for Listing Toxic Wastes; Technical Amendment

55 FR 18726

May 4, 1990

(Non-HSWA Cluster VI)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

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

CRITERIA FOR LISTING HAZARDOUS WASTE

replace "unless" after  
"Appendix VIII" with  
"and"; delete "any of"  
after "considering";  
delete "not" after  
"waste is"

261.11(a)(3)

26.13.02.09A(3)

EQ

## MARYLAND REVISION CHECKLIST 81

Petroleum Refinery Primary and Secondary  
Oil/Water/Solids Separation Sludge Listings (F037 and F038)  
55 FR 46354-46397  
November 2, 1990  
as amended on December 17, 1990, at 55 FR 51707  
(RCRA Cluster I, HSWA)

Following the promulgation of the two rules addressed by this checklist, an interim final rule (56 FR 21955; May 13, 1991; Revision Checklist 89) revised the definition of wastes subject to the F037 and F038 listings. That rule also clarified that, with regard to F038, floats generated in aggressive biological treatment units are not included in the listing description of that waste stream. Because these changes narrow the scope of the F037 and F038 listings, they are considered optional. States wishing to adopt the optional changes addressed by Revision Checklist 89 are strongly encouraged to adopt them at the same time the Revision Checklist 81 provisions are adopted.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

add the waste codes  
"F037" and "F038" to  
list in alphanumeric  
order as shown  
below; redesignate the  
introductory paragraph  
and the table as  
paragraph (a)

261.31(a)

26.13.02.16A

EO

Industry and EPA hazardous  
waste No.

Hazardous waste

Hazard  
code

*	*	*	*	*	*	*	*
F037.....	Petroleum refinery primary oil/water/solids separation sludge--Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated in aggressive biological treatment units as defined in §261.31(b)(2) (including sludges generated in						(T)

RCRA REVISION CHECKLIST 81: Petroleum Refinery  
 Primary and Secondary Oil/Water/Solids  
 Separation Sludge Listings (F037 and F038) (Cont'd)

SPA

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing.

F038..... Petroleum refinery secondary (emulsified) oil/water/solids separation sludge-- (T)  
 Any sludge and/or float generated from the physical and/or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air flotation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated in aggressive biological treatment units as defined in §261.31(b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and F037, K048, and K051 wastes are not included in this listing.

\* \* \* \* \*

add new paragraph entitled "Listing Specific Definitions:"	261.31(b)	26.13.02.16B	EQ
definition of oil/water/solids for the purposes of F037 and F038 listings	261.31(b)(1)	26.13.02.16B(1)	EQ
for the purposes of F037 and F038, aggressive biological treatment units are defined as units which employ one of four specified treatment methods; specific requirements for high-rate aeration:	261.31(b)(2)(i)	26.13.02.16B(2)	EQ
units employ a minimum of 6 hp per million gallons of treatment volume and either:	261.31(b)(2)(i)(A)	26.13.02.16B(2)(b)	EQ
the hydraulic retention time of the unit is no longer than 5 days	261.31(b)(2)(i)(B)	26.13.02.16B(2)(b)(i)	EQ
the hydraulic retention time is no longer than 30 days and the unit			

RCRA REVISION CHECKLIST 81: Petroleum Refinery  
 Primary and Secondary Oil/Water/Solids  
 Separation Sludge Listings (F037 and F038) (Cont'd)

SPA 10

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
does not generate a sludge that is hazardous waste by the Toxicity Characteristic	261.31(b)(2)(i)(C)	26.13.02.16B(2)(b)(i)	EQ		
generators and treatment, storage and disposal facilities must prove their sludges are exempt from listing as F037 and F038 wastes; maintenance of documents and data sufficient to prove that:	261.31(b)(2)(ii)	26.13.02.16B(3)	EQ		
unit is an aggressive biological treatment unit as defined in 261.31(b)(2)	261.31(b)(2)(ii)(A)	26.13.02.16B(3)(a)	EQ		
sludges were actually generated in the aggressive biological treatment unit	261.31(b)(2)(ii)(B)	26.13.02.16B(3)(b)	EQ		
sludges are considered to be generated at the moment of deposition in the unit for the purposes of the F037 listing; deposition defined	261.31(b)(3)(i)	26.13.02.16B(4)	EQ		
for the purposes of the F038 listing	261.31(b)(3)(ii)	26.13.02.16B(5)	EQ		
sludges are considered to be generated at the moment of deposition in the unit; deposition defined	261.31(b)(3)(ii)(A)	26.13.02.16B(5)(a)	EQ		
floats are considered to be generated at the moment they are					

RCRA REVISION CHECKLIST 81: Petroleum Refinery  
 Primary and Secondary Oil/Water/Solids  
 Separation Sludge Listings (F037 and F038) (Cont'd)

SF

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
formed in the top of the unit	261.31(b)(3)(ii)(B)	26.13.02.16B(5)(b)	EQ		

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add the waste codes  
 "F037" and "F038"  
 in alphanumeric  
 order to list as  
 shown below:

Appendix VII      26.13.02.23      EQ

APPENDIX VII.--BASIS FOR LISTING  
 HAZARDOUS WASTE

EPA hazardous  
 waste No.

Hazardous constituents for  
 which listed

\* \* \* \* \*

F037..... Benzene, benzo(a)pyrene,  
 chrysene, lead, chromium.  
 F038..... Benzene, benzo(a)pyrene chry-  
 sene, lead, chromium.

\* \* \* \* \*



# MARYLAND REVISION CHECKLIST 84

Toxicity Characteristic; Chlorofluorocarbon Refrigerants

56 FR 5910-5915

February 13, 1991

(RCRA Cluster I, HSWA Rule)

Note: This Revision Checklist addresses an interim final rule which suspends the Toxicity Characteristic (TC) rule (see 55 FR 11798, March 29, 1990, Revision Checklist 74) for certain used chlorofluorocarbon refrigerants which exhibit the toxicity characteristic and which are recycled. The exemption only applies if the refrigerants are reclaimed for reuse. This interim final rule provides for a standard which is narrower in scope than would be imposed in the final TC rule. Thus, States are not required to mandate this narrower-in-scope standard <sup>1</sup>/<sub>2</sub>, and the affected citation is designated as optional. Section 3009 of RCRA, however, provides that States may impose requirements that are broader in scope or more stringent than those imposed under Federal regulations.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

### SUBPART A - GENERAL

#### EXCLUSIONS

used chlorofluoro-  
carbon refrigerants  
from totally enclosed  
heat transfer equip-  
ment, provided the  
refrigerant is  
reclaimed for further

use

261.4(b)(12)

26.13.02.04-1A(13)

EO

This rule is considered "narrower-in-scope" because it narrows the wastes which are regulated, by excluding from regulation certain chlorofluorocarbon refrigerants as specified at 261.4(b)(12).

## MARYLAND REVISION CHECKLIST 86

Removal of Strontium Sulfide from the  
List of Hazardous Wastes; Technical Amendment  
56 FR 7567-7568  
February 25, 1991  
(RCRA Cluster I, Non-HSWA Rule)

Note: 1) Because of an error in the amendatory language in the rule (53 FR 43881, October 31, 1988, Revision Checklist 57) removing strontium sulfide from the list of hazardous wastes, this chemical was not removed from §261.33 or Part 261, Appendix VIII. This technical amendment corrects that error by removing strontium sulfide from the two lists. States which have not adopted the changes addressed by Revision Checklist 57, but intend to remove strontium sulfide from their lists of hazardous waste, are strongly encouraged to adopt these technical amendments at the same time the Revision Checklist 57 provisions are adopted. States already adopting the Revision Checklist 57 changes are encouraged to adopt the Revision Checklist 86 amendments as soon as possible.

2) This is a conditionally optional checklist. States choosing to not remove strontium sulfide from their hazardous waste lists should not adopt the changes addressed by this present checklist. However, those States which choose to remove this waste must adopt the changes addressed by Revision Checklist 86 to assure that strontium sulfide has been properly removed from the State's hazardous waste lists and appendices.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D - LISTS OF HAZARDOUS WASTES

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

remove listing

as shown below

261.33(e)

26.13.02.19E

EQ

The following waste has been removed from the 261.33(e) list:

"P107...1314-96-1...Strontium sulfide SrS"

## APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

remove listing

as shown below

Appendix VIII

26.13.02.24

EQ

The following listing has been removed from Appendix VIII:

"Strontium sulfide...Strontium sulfide SrS...1314-96-1...P107"

## MARYLAND REVISION CHECKLIST 89

Revision to the Petroleum Refining Primary and Secondary  
Oil/Water/Solids Separation Sludge Listings (F037 and F038)

56 FR 21955-21960

May 13, 1991

(RCRA Cluster I, HSWA Rule)

Note: This checklist amends the listings of F037 and F038 which were made at 55 FR 46354 (November 2, 1990; Revision Checklist 81). This rule revises and narrows these listings by 1) excluding non-contact, once-through cooling water from F037 and F038 listings and 2) not including, within the scope of the F038 listing, floats generated in or after aggressive biological treatment units. States wishing to adopt this optional change are strongly encouraged to adopt this change at the same time the Revision Checklist 81 provisions are adopted.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

† HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

revise description of

F037 and F038

261.31(a)

26.13.02.16A

EO

## MARYLAND REVISION CHECKLIST 90

## Mining Waste Exclusion III

56 FR 27300-27330

June 13, 1991

(RCRA Cluster I, Non-HSWA Rule)

Notes: 1) This is the third revision to the mining waste exclusion, with the two previous revisions addressed by Revision Checklist 65 (54 FR 36592; September 1, 1989) and Revision Checklist 71 (55 FR 2322; January 23, 1990). As such, states which have not yet been authorized for these checklists are encouraged to apply for Revision Checklist 90 at the same time the provisions in Revision Checklists 65 and 71 are applied for. States already authorized for Revision Checklists 65 and 71 requirements are encouraged to adopt the corrections addressed by Revision Checklist 90 as quickly as possible.

2) In the FR notice addressed by this checklist, a series of appendices follows the change made to 40 CFR 261.4(b)(7). These appendices were not included in this checklist because they will not appear in the Code of Federal Regulations and because the subjects of these appendices are the Public Comments on EPA's Report to Congress and the Notice of Data Availability.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- VALENT	MORE STRINGENT	BROADER IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

## SUBPART A - GENERAL

EXCLUSIONS

remove "until EPA  
completes a report to  
Congress and a  
regulatory determi-  
nation on their  
ultimate regulatory  
status"

	26.13.02.04-1A(7)	
261.4(b)(7)	26.13.02.04-1E & F	EQ

## MARYLAND REVISION CHECKLIST 97

Exports of Hazardous Waste; Technical Correction

56 FR 43704-43705

September 4, 1991

(RCRA Cluster II, HSWA provisions)

Note: This Revision Checklist amends §262.53 and §262.56 originally introduced into the code by Revision Checklist 31 (August 8, 1986; 51 FR 28664), by changing the office to which notifications of export activities and annual export reports must be sent.

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

## PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

## SUBPART E - EXPORTS OF HAZARDOUS WASTE

## NOTIFICATION OF INTENT TO EXPORT

replace "Office of  
International  
Activities (A-106),  
EPA" with "Office  
of Waste Programs  
Enforcement, RCRA  
Enforcement Division  
(OS-520),  
Environmental  
Protection Agency"

262.53(b)

26.13.03.07-1A(6)

MS

**Attorney General Comment:** Maryland requires that a copy of the notice of intent to export be sent to the Secretary in addition to the copy that must be sent to EPA. The State is more stringent.

replace "Office of  
International  
Activities (A-106)"  
with "Office of Waste  
Programs Enforce-  
ment, RCRA Enforce-  
ment Division  
(OS-520),  
Environmental  
Protection Agency"

262.56(b)

26.13.03.07-2C(4)

MS

**Attorney General Comment:** Maryland requires that a copy of the notice of intent to export be sent to the Secretary in addition to the copy that must be sent to EPA. The State is more stringent.

## MARYLAND REVISION CHECKLIST 99

Amendments to Interim Status Standards  
for Downgradient Ground-Water Monitoring Well Locations

56 FR 66365-66369

December 23, 1991

(RCRA Cluster II, Non-HSWA)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## † DEFINITIONS

"qualified ground-  
water scientist"

260.10

26.13.01.03B(65-1)

EQ

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

## SUBPART F - GROUND-WATER MONITORING

## † GROUND-WATER MONITORING SYSTEM

demonstrate alternate  
hydraulically down-  
gradient monitoring  
well location will meet

alternate criteria;

in writing and kept at

facility; certified by

qualified ground-water

scientist and establish:

265.91(a)(3)

26.13.06.06

EQ

existing physical

obstacle prevents

monitoring well

installation at

hydraulically

downgradient limit

of the waste

management area

265.91(a)(3)(i)

26.13.06.06

EQ

# REVISION CHECKLIST 99 (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
selected alternate downgradient location is as close to limit of waste management area as practical	265.91(a)(3)(ii)	26.13.06.06	EQ		
location ensures detection that, given alternate location, is as early as possible of any statistically significant amounts of hazardous waste or constituents that migrate from the waste management area to uppermost aquifer	265.91(a)(3)(iii)	26.13.06.06	EQ		
lateral expansion, new or replacement units not eligible for an alternate downgradient location	265.91(a)(3)(iv)	26.13.06.06	EQ		



## MARYLAND REVISION CHECKLIST 104

## Used Oil Filter Exclusion

57 FR 21524-21534

May 20, 1992

(RCRA Cluster II, HSWA provisions)

Note: The final rule addressed by this Revision Checklist preserves the status quo for used oil destined for disposal and exempts, from the definition of hazardous waste, certain types of used oil filters. The Agency is not taking final action, at this time, on a listing determination and/or management standards for used oils that are recycled as proposed in 1985 and 1991. It will, in the near future, make a final decision on such a listing under the authority of RCRA section 3014. The Agency may also propose standards controlling the burning of used oil in boilers and furnaces at a later date.

The standards addressed by this checklist narrow the scope of the Toxicity Characteristic (TC) rule promulgated pursuant to HSWA authority, as well as the characteristics of EP toxicity regulations promulgated under non-HSWA authority; thus, authorized States are not required to adopt them.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQ	MS	LS	BIS
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A – GENERAL						
EXCLUSIONS						
non-terne plated used oil filters not mixed with waste listed in Part 261, subpart C if oil filters have been gravity hot-drained using one of the following methods:	261.4(b)(15)	26.13.02.04-1A(14)(a), (b) & (c)	EQ			
puncturing the filter anti-drain back valve of the filter dome end and hot-draining	261.4(b)(15)(i)	26.13.02.04-1A(14)(c)(i)	EQ			
hot-draining and crushing	261.4(b)(15)(ii)	26.13.02.04-1A(14)(c)(ii)	EQ			
dismantling and hot-draining	261.4(b)(15)(iii)	26.13.02.04-1A(14)(c)(iii)	EQ			
any other equivalent hot-draining method which will remove used oil	261.4(b)(15)(iv)	26.13.02.04-1A(14)(c)(iv)	EQ			

## MARYLAND REVISION CHECKLIST 105

Recycled Coke By-Product Exclusion

57 FR 27880-27888

June 22, 1992

(RCRA Cluster II, HSWA provisions)

Note: This Revision Checklist excludes from the definition of solid waste certain coke by-product plant residues that exhibit the Toxicity Characteristic (TC). The final rule reduces the scope of the Federal program; therefore, authorized States are not required to modify their programs to adopt this checklist. Although States are not required to adopt this checklist, EPA strongly encourages States to do so as quickly as possible in order to minimize disruption to legitimate recycling practices currently taking place in the coking industry.

Special Note for States that Adopted Revision Checklist 98: While Revision Checklist 105 is considered an optional checklist, States that previously adopt the Coke Oven Administrative Stay introduced by Revision Checklist 98 (56 FR 43874) should either remove their analog to the note that follows 266.100(a) or state in their regulations that this stay ends on June 22, 1992.

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

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART A - GENERAL

## † EXCLUSIONS

replace existing paragraph with new paragraph excluding from definition of solid waste K087 and other wastes from coke by-products that are hazardous only because they exhibit the Toxicity Characteristic when recycled as specified; exclusion is conditioned on there being no land disposal of the wastes from point of generation to recycling point	261.4(a)(10)	26.13.02.04A(8)	EQ		
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PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND  
SPECIFIC TYPES

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SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

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†, APPLICABILITY

remove note addressing the Administrative Stay for coke ovens processing coke by-product wastes exhibiting the toxicity characteristic identified in 266.100(a)	266.100(a),note	No Analog	Maryland is not seeking authorization for the BIFs program.
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i This change is conditionally optional. States that adopted the Coke Oven Administrative Stay introduced by Revision Checklist 98 (September 5, 1991; 56 FR 43874) should make this change to assure that their code remains at least as stringent as the Federal code.

## MARYLAND REVISION CHECKLIST 107

## Used Oil Filter Exclusion; Technical Corrections

57 FR 29220

July 1, 1992

(RCRA Cluster III, HSWA provisions)

Note: 1) This revision checklist corrects typographical errors in the May 20, 1992 (57 FR 21524; Revision Checklist 104) final rule. This checklist is considered "conditionally optional" because it is linked to whether a State chooses to adopt the optional oil filter exclusion addressed by Revision Checklist 104. If a State does adopt this exclusion, it must also adopt the technical corrections addressed by Revision Checklist 107. If the State does not adopt this exemption (i.e. Revision Checklist 104), the State should not adopt Revision Checklist 107. States that adopt the Revision Checklist 104 provisions are encouraged to make the corrections addressed by this checklist at the same time.

2) Because no revisions were made to 261.4(b)(15)(i) - (iv) in the Federal Register, these citations are not included in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE		
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE								
SUBPART A - GENERAL								
† EXCLUSIONS								
change "waste" to "wastes"; replace "Subpart C" with "Subpart D"	261.4(b)(15)	26.13.02 .04-1A(14)(a)-(c)	EQ					

## MARYLAND REVISION CHECKLIST 108

Toxicity Characteristics Revisions: Technical Corrections

57 FR 30657-30658

July 10, 1992

(RCRA Cluster III, HSWA provisions)

Note: This Revision Checklist corrects errors made at the time of the promulgation of the final Toxicity Characteristic (TC) rule on March 29, 1990 (55 FR 11798; Revision Checklist 74). States that have not adopted Revision Checklist 74 provisions are strongly encouraged to adopt these corrections at the same time that the Revision Checklist 74 provisions are adopted.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQ	LS	MS	BIS
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
EXCLUSIONS						
replace "characteristic of EP toxicity, and do not fail the test for" with "toxicity characteristic for any other constituent, and do not exhibit"	261.4(b)(6)(ii)	26.13.02.04-1A(10)(b)	EQ			
insert "arsenical-treated" after "discarded"; replace "solely for arsenic" with "for Hazardous Waste Codes D004 through D017"; delete "or reasons," after "reason"	261.4(b)(9)	26.13.02.04-1A(9)	EQ			

RCRA REVISION CHECKLIST 108: Toxicity Characteristics Revisions:  
Technical Corrections (cont'd)PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF  
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART N - LANDFILLS

## DESIGN REQUIREMENTS

<sup>2</sup> replace "EP toxicity characteristics" with "Toxicity Characteristic"; insert ", with EPA Hazardous Waste Number D004 through D017" after "chapter"	265.301(d)(1)	26.13.05.14B(5)(a) 26.13.06.22C(2)	EQ			
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There is an error in the Federal Register at 57 FR 30658. "Specific waste" should read "Specific wastes" as found in the 1991 CFR. No there is also an error in the July 1, 1991 CFR for this citation; "characteristic of EP" should be "characteristic of EP."

There are several errors in the Federal Register for this citation. First, "such waste does not" should read "such wastes do not;" and "261 this chapter" should read "261.24 of this chapter" as they are found in the March 29, 1990 Federal Register and in the 1991 CFR. Secor "Waste Number" should be "Waste Numbers."



## MARYLAND REVISION CHECKLIST 110

Coke By-Products Listings  
 57 FR 37284-37306  
 August 18, 1992  
 (RCRA Cluster III, HWSA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQ	LS	MS	BIS

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART A - GENERAL

## † EXCLUSIONS

replace "No. K087" with "Nos. K060, K087, K141, K142, K143, K144, K145, K147 and K148"; replace "Section" with "section"; insert comma after "of this part"; replace "tar or are" with "tar, or"; replace "refining process" with "recovery or refining processes, or mixed with coal tar"	261.4(a)(10)	26.13.02.04A(8)	EQ			
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## SUBPART D - LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTES FROM SPECIFIC SOURCES

add K141-K145, K147 and K148 in alphanumeric order to the subgroup "Coking" as specified at 57 FR 37305	261.32	26.13.02.17	EQ			
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## RCRA REVISION CHECKLIST 110: Coke-By-Products Listings (cont'd)

## APPENDIX VII TO PART 261

## BASIS FOR LISTING HAZARDOUS WASTE

add K141-K145, K147 and K148 in alphanumeric order as specified at 57 FR 37305	261, Appendix VII	26.13.02.23	EQ			
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## MARYLAND REVISION CHECKLIST 113

## Consolidated Liability Requirements

53 FR 33938-33960

September 1, 1988

56 FR 30200

July 1, 1991

57 FR 42832-42844

September 16, 1992

(RCRA Cluster III, Non-HSWA provisions)

Notes: 1.) This special consolidated checklist addresses changes made to the Federal code by the September 1, 1988 final rule (53 FR 33938, withheld Revision Checklist 51) as well as amendments made 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 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 requirements of the settlement agreement have been met, EPA is issuing this Consolidated Liability Requirements Checklist to aid States in correctly adopting the changes made by these three rules.

Revision Checklists 51 and 93 will not be issued individually. Rather, States should use this Consolidated Liability Requirements Checklist to adopt the provisions of the three final rules. States that have already adopted changes based on the September 1, 1988 final rule are strongly encouraged to complete this consolidated checklist to ensure that all revisions pursuant to the two amendments are correctly made in the State's code. Note that the deadline for this consolidated checklist is July 1, 1994, based on the promulgation date of the most recent of the amendments.

1) In the September 1, 1988 final rule, all changes were classified as less stringent and, therefore, optional with regard to State adoption. Note that, as part of the settlement agreement with Chemical Waste Management, Inc., the claims reporting requirements were reclassified as more stringent and, therefore, required for State adoption. Only those changes marked as optional (†) in this consolidated checklist should be considered less stringent provisions. The September 16, 1992 rule 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. 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 did not adopt the September 1, 1988 claims reporting requirements should not do so but should, instead, adopt the clarified September 16, 1992 version included in this consolidated checklist.

2) This checklist includes a "rule" reference column. To simplify references to the three rules addressed by this checklist, "51" will signify the September 1, 1988 rule, "93" will signify the July 1, 1991 rule, and "113" will indicate the September 16, 1992 rule.

3) There were several typographical errors in the September 1, 1988 Federal Register article. These are explained in endnotes in this consolidated checklist.

4) The optional designation (†) is placed in the margin of the consolidated checklist if a checklist introduced a new optional paragraph into the Federal code. If a checklist addresses optional changes to an existing paragraph, the optional designation is placed beside the corresponding checklist number.

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRI- GENT	MORE STRI- GENT	BROADER IN SCOPE
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PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE  
TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART H - FINANCIAL REQUIREMENTS

## DEFINITIONS OF TERMS AS USED IN THIS SUBPART

† add new paragraph defining "substantial business relationship"	51	264.141(h)	26.13.05.08	EQ			
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## FINANCIAL ASSURANCE FOR CLOSURE

remove "hereafter referred to as 'corporate guarantee'" from first sentence; insert "direct or higher-tier" before "parent corporation"; add phrase regarding sibling firms and firms with substantial business relationships to end of second sentence; remove "corporate" before "guarantee" in three places; insert "certified copy of the" before "guarantee must accompany"; add text regarding letter from guarantor's chief financial officer and what the letter must describe	†113	264.143(f)(10)	26.13.05.08			MS	
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## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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**Attorney General Comment:** At COMAR 26.13.05.08B(3), Maryland's rules prohibit the use of the financial test or corporate guarantee described in 40 CFR 264.143(f). The State is more stringent.

## FINANCIAL ASSURANCE FOR POST-CLOSURE CARE

replace "of" with "for" in the first sentence; remove "hereafter referred to as 'corporate guarantee'"; insert "direct or higher-tier" before "parent corporation"; add phrase regarding sibling firms and firms with substantial business relationships to end of second sentence; remove "corporate" before "guarantee" in three places; insert "A certified copy of" after "§ 264.151(h)."; change "The corporate" to "the corporate"; add text regarding letter from guarantor's chief financial officer and what the letter must describe	†113	264.145(f)(11)	26.13.05.08			MS	
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**Attorney General Comment:** At COMAR 26.13.05.08B(4), Maryland's rules prohibit the use of the financial test or corporate guarantee described in 40 CFR 264.145(f). The State is more stringent.

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRI- GENT	MORE STRI- GENT	BROAD- IN SCOPE
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## LIABILITY REQUIREMENTS

delete "in one of three ways"; replace "and (3)" with "(3), (4), (5), or (6)"	†51	264.147(a)	26.13.05.08	EQ			
insert "or" after "owner"; delete "corporate" before "guarantee"; change "paragraph (g)" to "paragraphs (f) and (g)"	†51,93	264.147(a)(2)	26.13.05.08	EQ			
replace existing paragraph; requirements may be met by obtaining letter of credit for liability coverage	†51	264.147(a)(3)	26.13.05.08	EQ			
† add new paragraph; requirements may be met by obtaining surety bond for liability coverage	51	264.147(a)(4)	26.13.05.08	EQ			
† add new paragraph; requirements may be met by obtaining trust fund for liability coverage	51	264.147(a)(5)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraph; liability coverage may be demonstrated by combination of financial mechanisms; amount of coverage must total at least the minimum amounts required by 264.147; specification of "primary" and "excess" coverage	51	264.147(a)(6)	26.13.05.08	EQ			
add and amend new paragraph; notify Regional Administrator in writing whenever:	51,113	264.147(a)(7)	26.13.05.08	EQ			
add and amend new subparagraph; claims reduce amount of financial assurance for liability coverage	51,113	264.147(a)(7)(i)	26.13.05.08	EQ			
Certification of Valid Claim for bodily injury or property damages caused by sudden or non-sudden accidental occurrence is entered between the owner or operator and a third- party	51,113	264.147(a)(7)(ii)	26.13.05.08	EQ			



## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
final court order establishing judgment for bodily injury or property damage caused by sudden or non-sudden accidental occurrence is issued against the owner or operator or an instrument providing financial assurance	113	264.147(a)(7)(iii)	26.13.05.08	EQ			
change "miscellaneous disposal unit" to "disposal miscellaneous unit"; after "legal defense costs" insert text regarding combination of per-occurrence coverage levels for sudden and non-sudden accidental occurrences, single annual aggregate level, and requirements for combining coverage; delete "in one of three ways,"; replace "and (3)" with "(3), (4), (5), or (6),"	†51,93	264.147(b)	26.13.05.08	EQ			
delete "corporate" before "guarantee"	†51	264.147(b)(2)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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replace existing paragraph; requirements may be met by obtaining letter of credit for liability coverage	†51	264.147(b)(3)	26.13.05.08	EQ			
replace existing paragraph; requirements may be met by obtaining surety bond for liability coverage	†51	264.147(b)(4)	26.13.05.08	EQ			
† add new paragraph; requirements may be met by obtaining trust fund for liability coverage	51	264.147(b)(5)	26.13.05.08	EQ			
† add new paragraph; liability coverage may be demonstrated by combination of mechanisms; amount of coverage must total at least the minimum amount required by 264.147; specification of "primary" and "excess" coverage	51	264.147(b)(6)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADEN IN SCOPE
add and amend new paragraph; notify Regional Administrator in writing whenever:	51,113	264.147(b)(7)	26.13.05.08	EQ			
add and amend new subparagraph; claims reduce amount of financial assurance for liability coverage	51,113	264.147(b)(7)(i)	26.13.05.08	EQ			
add and amend new subparagraph; Certification of Valid Claim for bodily injury or property damages caused by sudden or non-sudden accidental occurrence is entered between the owner or operator and a third- party claimant	51,113	264.147(b)(7)(ii)	26.13.05.08	EQ			
add new subparagraph; final court order establishing judgment for bodily injury or property damage caused by sudden or non-sudden accidental occurrence is issued against the owner or operator	113	264.147(b)(7)(iii)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE- R IN SCOPE
insert ", a letter of credit, a surety bond, a trust fund, or a guarantee" after "obtain insurance"; replace "Evidence of insurance" with "Evidence of liability coverage"	†113	264.147(f)(6)	26.13.05.08	EQ			
remove "corporate" before "guarantee"	†51	264.147(g)	26.13.05.08	EQ			
remove "corporate" before "guarantee" in three places; insert "direct or higher-tier" before "parent"; after "parent corporation of the owner or operator" insert ", a firm whose parent corporation is also the parent corporation of the owner or operator, or a firm with a substantial business relationship' with the owner or operator."; change "The guarantee must meet" to "The guarantor must meet"; change "(f)(7)" to "(f)(6)"; add "of this part" after "§ 264.151(h)(2)";	†51	264.147(g)(1)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "The terms of the corporate guarantee must provide that:" with text regarding letter from the guarantor's chief financial officer							
remove and reserve	†51	264.147(g)(1)(ii)	26.13.05.08	EQ			
remove "corporate" before "guarantee"	†51	264.147(g)(2)(i)	26.13.05.08	EQ			
remove "corporate" before "guarantee"	†51	264.147(g)(2)(ii)	26.13.05.08	EQ			
redesignate old paragraph (h) as (k); add new paragraph titled "Letter of credit for liability coverage"	†51	264.147(h)	26.13.05.08	EQ			
† requirements may be satisfied by obtaining irrevocable standby letter of credit that conforms to 264.147(h) requirements and submitting copy to Regional Administrator	51	264.147(h)(1)	26.13.05.08	EQ			
† criteria for financial institution issuing letter of credit	51	264.147(h)(2)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† wording of letter of credit must be identical to wording specified in 264.151(k)	51	264.147(h)(3)	26.13.05.08	EQ			
† establishment and use of standby trust fund by owner or operator using letter of credit	113	264.147(h)(4)	26.13.05.08	EQ			
† wording of standby trust fund must be identical to wording specified in 264.151(n)	113	264.147(h)(5)	26.13.05.08	EQ			
† add new paragraph titled "Surety bond for liability coverage"	51	264.147(i)	26.13.05.08	EQ			
† requirements may be satisfied by obtaining surety bond conforming to 264.147(i) requirements and submitting copy to Regional Administrator	51	264.147(i)(1)	26.13.05.08	EQ			
† criterion for surety company issuing bond	51	264.147(i)(2)	26.13.05.08	EQ			
† wording of surety bond must be identical to wording specified in 264.151(l)	51	264.147(i)(3)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† conditions under which surety bond may be used	51	264.147(i)(4)	26.13.05.08	EQ			
		264.147(i)(4)(i)	26.13.05.08	EQ			
		264.147(i)(4)(ii)	26.13.05.08	EQ			
† add new paragraph titled "Trust fund for liability coverage"	51	264.147(j)	26.13.05.08	EQ			
† requirements may be satisfied by establishing trust fund and submitting an originally signed duplicate of trust agreement to Regional Administrator	51	264.147(j)(1)	26.13.05.08	EQ			
† criteria for trustee	51	264.147(j)(2)	26.13.05.08	EQ			
† trust fund must be funded for full amount of liability coverage it is to provide; requirements if fund is reduced below full amount; definition of "full amount"	51	264.147(j)(3)	26.13.05.08	EQ			
† wording of trust fund must be identical to wording specified in 264.151(m)	51	264.147(j)(4)	26.13.05.08	EQ			
old paragraph (h) becomes (k)	†51	264.147(k)	26.13.05.08	EQ			



## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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## WORDING OF THE INSTRUMENTS

add text given at 53 FR 33952 to end of "Financial Guarantee Bond"	†51	264.151(b)	26.13.05.08	EQ			
replace wording of letter from chief financial officer for closure and/or post-closure care with that shown at 57 FR 42836 & 42837	†113	264.151(f)	26.13.05.08	EQ			
replace wording of letter from chief financial officer for liability coverage with that shown at 57 FR 42837 & 42838	51,†113	264.151(g)	26.13.05.08	EQ			
replace wording of corporate guarantee for closure and/or post-closure care with that shown at 57 FR 42838 & 42839	†113	264.151(h)(1)	26.13.05.08	EQ			
replace wording of guarantee for liability coverage with that shown at FR 42839 & 42840	†51,113	264.151(h)(2)	26.13.05.08	EQ			
after "insured" add other entities that may cancel endorsement; delete "sixty"	†51	264.151(i)(2)(d)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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after "insured" add other entities that may cancel endorsement; delete "sixty" before "60"	†51	264.151(j)(2)(d)	26.13.05.08	EQ			
add new introductory subparagraph and wording for letter of credit for liability coverage as shown at 57 <u>FR</u> 42840 & 42841	†51,113	264.151(k)	26.13.05.08	EQ			
add new introductory subparagraph and wording for surety bond as shown at 53 <u>FR</u> 33955 & 33956	†51	264.151(l)	26.13.05.08	EQ			
add new introductory subparagraph and wording for trust agreement as shown at 53 <u>FR</u> 33956-33958	†51	264.151(m)(1)	26.13.05.08	EQ			
† add new introductory subparagraph and example of certification of acknowledgement as shown at 53 <u>FR</u> 33958, third column	51	264.151(m)(2)	26.13.05.08	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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† add new introductory subparagraph and wording for standby trust agreement as shown at 57 <u>FR</u> 42841-42843	113	264.151(n)(1)	26.13.05.08	EQ			
† add new introductory subparagraph and wording for certification of acknowledgement to accompany trust agreement, as shown at 57 <u>FR</u> 42843, first and second columns	113	264.151(n)(2)	26.13.05.08	EQ			

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

SUBPART H - FINANCIAL REQUIREMENTS

DEFINITIONS OF TERMS AS USED IN THIS SUBPART

† add new paragraph defining "substantial business relationship"	51	265.141(h)	26.13.06.16	EQ			
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## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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## FINANCIAL ASSURANCE FOR CLOSURE

remove "hereafter referred to as 'corporate guarantee'" from first sentence; insert "direct or higher-tier" before "parent corporation"; add phrase regarding sibling firms and firms with substantial business relationships to end of second sentence; remove "corporate" before "guarantee" in three places; insert "A certified copy of" after "§ 264.151(h)."; change "The" to "the"; add text regarding letter from guarantor's chief financial officer and what the letter must describe	†113	265.143(e)(10)	26.13.06.16			MS	
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## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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**Attorney General Comment:** At COMAR 26.13.06.16B(3), Maryland's rules prohibit the use of the financial test or corporate guarantee described in 40 CFR 265.143(e). The State is more stringent.

## FINANCIAL ASSURANCE FOR POST-CLOSURE CARE

remove "hereafter referred to as 'corporate guarantee'" from first sentence; insert "direct or higher tier" before "parent corporation"; add phrase regarding sibling firms and firms with substantial business relationships to end of second sentence; remove "corporate" before "guarantee" in three places; insert "A certified copy of" after "§ 264.151(h)."; change "The" to "the"; add text regarding letter from guarantor's chief financial officer and what the letter must describe	†113	265.145(e)(11)	26.13.06.16			MS	
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**Attorney General Comment:** At COMAR 26.13.06.16B(4), Maryland's rules prohibit the use of the financial test or corporate guarantee described in 40 CFR 265.145(e). The State is more stringent.

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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## LIABILITY REQUIREMENTS

delete "By the effective date of these regulations"; change "an" to "An"; delete "in one of three ways,"; replace "and (3)" with "(3), (4), (5), or (6)"	†51	265.147(a)	26.13.06.16	EQ			
delete "corporate" before "guarantee"; change "paragraph (g)" to "paragraphs (f) and (g)"	†51,93	265.147(a)(2)	26.13.06.16	EQ			
replace existing paragraph; requirements may be met by obtaining letter of credit for liability coverage	†51	265.147(a)(3)	26.13.06.16	EQ			
† add new paragraph; requirements may be met by obtaining surety bond for liability coverage	51	265.147(a)(4)	26.13.06.16	EQ			
† add new paragraph; requirements may be met by obtaining trust fund for liability	51	265.147(a)(5)	26.13.06.16	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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† add new paragraph; liability coverage may be demonstrated by combination of mechanisms; amount of coverage must total at least the minimum amounts required by 265.147; specification of "primary" and "excess" coverage	51	265.147(a)(6)	26.13.06.16	EQ			
add new paragraph; notify Regional Administrator in writing whenever:	51,113	265.147(a)(7)	26.13.06.16	EQ			
add new subparagraph; claims reduce amount of financial assurance for liability coverage	51,113	265.147(a)(7)(i)	26.13.06.16	EQ			
Certification of Valid Claim for bodily injury or property damages caused by sudden or non-sudden accidental occurrence is entered between the owner or operator and a third-party	51,113	265.147(a)(7)(ii)	26.13.06.16	EQ			



## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
final court order establishing judgment for bodily injury or property damage caused by sudden or non-sudden accidental occurrence is issued against the owner or operator or an instrument providing financial assurance	113	265.147(a)(7)(iii)	26.13.06.16	EQ			
change "bodily damage" to "bodily injury"; after "legal defense costs." insert text regarding combination of per-occurrence coverage levels for sudden and non-sudden accidental occurrences, single annual aggregate level, and requirements for combining coverage; delete "in one of three ways,"; replace "and (3)" with "(3), (4), (5), or (6)"	†51	265.147(b)	26.13.06.16	EQ			
delete "corporate" before "guarantee"	†51	265.147(b)(2)	26.13.06.16	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE IN SCOPE
replace existing paragraph; requirements may be met by obtaining letter of credit for liability coverage	†51	265.147(b)(3)	26.13.06.16	EQ			
replace existing paragraph and subparagraphs; requirements may be met by obtaining surety bond for liability coverage	†51	265.147(b)(4)	26.13.06.16	EQ			
replace existing paragraph; requirements may be met by obtaining trust fund for liability coverage	†51	265.147(b)(5)	26.13.06.16	EQ			
† add new paragraph; liability coverage may be demonstrated by combination of mechanisms; amount of coverage must total at least the minimum amount required by 265.147; specifying "primary" and "excess" coverage	51	265.147(b)(6)	26.13.06.16	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADEN IN SCOPE
add and amend new paragraph; notify Regional Administrator in writing whenever:	51,113	265.147(b)(7)	26.13.06.16	EQ			
claims reduce amount of financial assurance for liability coverage	51,113	265.147(b)(7)(i)	26.13.06.16	EQ			
Certification of Valid Claim for bodily injury or property damages caused by sudden or non-sudden accidental occurrence is entered between the owner or operator and a third- party claimant	51,113	265.147(b)(7)(ii)	26.13.06.16	EQ			
add new subparagraph; final court order establishing judgment for bodily injury or property damage caused by sudden or non-sudden accidental occurrence is issued against the owner or operator or an instrument providing financial assurance	113	265.147(b)(7)(iii)	26.13.06.16	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
insert ", a letter of credit, a surety bond, a trust fund, or a guarantee" after "obtain insurance"; replace "Evidence of insurance" with "Evidence of liability coverage"	†113	265.147(f)(6)	26.13.06.16	EQ			
remove "corporate" before "guarantee"	†51	265.147(g)	26.13.06.16	EQ			
remove "corporate" before "guarantee" in three places; insert "direct or higher-tier" before "parent"; after "parent corporation of the owner or operator" insert ", a firm whose parent corporation is also the parent corporation of the owner or operator, or a firm with a substantial business relationship' with the owner or operator"; change "(f)(7)" to "(f)(6)"; add "of this chapter" after "§ 264.151(h)(2)"; replace "The	†51	265.147(g)(1)	26.13.06.16	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRAIN- GENT	MORE STRAIN- GENT	BROADER IN SCOPE
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terms of the corporate guarantee must provide that:" with text regarding letter from the guarantor's chief financial officer							
remove and reserve	†51	265.147(g)(1)(ii)	26.13.06.16	EQ			
remove "corporate" before "guarantee"	†51	265.147(g)(2)(i)	26.13.06.16	EQ			
remove "corporate" before "guarantee"	†51	265.147(g)(2)(ii)	26.13.06.16	EQ			
redesignate old 265.147(h) as 265.147(k); add new paragraph titled "Letter of credit for liability coverage"	†51	265.147(h)	26.13.06.16	EQ			
† requirements may be satisfied by obtaining irrevocable standby letter of credit that conforms to 265.147(h) requirements and submitting copy to Regional Administrator	51	265.147(h)(1)	26.13.06.16	EQ			
† criteria for financial institution issuing letter of credit	51	265.147(h)(2)	26.13.06.16	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† wording of letter of credit must be identical to wording specified in 264.151(k)	51	265.147(h)(3)	26.13.06.16	EQ			
† establishment and use of standby trust fund by owner or operator using letter of credit	113	265.147(h)(4)	26.13.06.16	EQ			
† wording of standby trust fund must be identical to wording specified in 264.151(n)	113	265.147(h)(5)	26.13.06.16	EQ			
† add new paragraph titled "Surety bond for liability coverage"	51	265.147(i)	26.13.06.16	EQ			
† requirements may be satisfied by obtaining surety bond conforming to 265.147(i) requirements and submitting copy to Regional Administrator	51	265.147(i)(1)	26.13.06.16	EQ			
† criterion for surety company issuing bond	51	265.147(i)(2)	26.13.06.16	EQ			
† wording of surety bond must be identical to wording specified in 264.151(l)	51	265.147(i)(3)	26.13.06.16	EQ			

## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† conditions under which surety bond may be used	51	265.147(i)(4)	26.13.06.16	EQ			
		265.147(i)(4)(i)	26.13.06.16	EQ			
		265.147(i)(4)(ii)	26.13.06.16	EQ			
† add new paragraph titled "Trust fund for liability coverage"	51	265.147(j)	26.13.06.16	EQ			
† requirements may be satisfied by establishing trust fund conforming to 265.147(j) requirements and submitting signed duplicate of trust agreement to Regional Administrator	51	265.147(j)(1)	26.13.06.16	EQ			
† criteria for trustee	51	265.147(j)(2)	26.13.06.16	EQ			
† trust fund must be funded for full amount of liability coverage it is to provide; requirements if fund is reduced below full amount; definition of "full amount"	51	265.147(j)(3)	26.13.06.16	EQ			
† wording of trust fund must be identical to wording specified in 264.151(m)	51	265.147(j)(4)	26.13.06.16	EQ			



## RCRA REVISION CHECKLIST 113: Consolidated Liability Requirements (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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former (h) becomes (k)	†51	265.147(k)	26.13.06.16	EQ			
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## MARYLAND REVISION CHECKLIST 115

Chlorinated Toluenes Production Waste Listing  
 57 FR 47376-47386  
 October 15, 1992  
 (RCRA Cluster III, HSWA provisions)

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

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART D--LISTS OF HAZARDOUS WASTES

## HAZARDOUS WASTES FROM SPECIFIC SOURCES

add waste streams in alphanumeric order to the subgroup "Organic Chemicals" in the table	261.32	26.13.02.17	EQ			
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Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
....	.	.
K149	Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)	(T)
K150	Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)
K151	Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)
....	.	.

RCRA REVISION CHECKLIST 115:  
Chlorinated Toluenes Production Waste Listing (cont'd)

## APPENDIX VII TO PART 261

## BASIS FOR LISTING HAZARDOUS WASTE

add entries in alpha-numeric order	Appendix VII	26.13.02.23	EQ			
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EPA  
hazardous  
waste No.

Hazardous constituents for which listed

K149	Benzotrichloride, benzyl chloride, chloroform, chloromethane, chlorobenzene, 1,4-dichlorobenzene, hexachlorobenzene, pentachlorobenzene, 1,2,4,5-tetrachlorobenzene, toluene.
K150	Carbon tetrachloride, chloroform, chloromethane, 1,4-dichlorobenzene, hexachlorobenzene, pentachlorobenzene, 1,2,4,5-tetrachlorobenzene, 1,1,2,2-tetrachloroethane, tetrachloroethylene, 1,2,4-trichlorobenzene.
K151	Benzene, carbon tetrachloride, chloroform, hexachlorobenzene, pentachlorobenzene, toluene, 1,2,4,5-tetrachlorobenzene, tetrachloroethylene.

## MARYLAND REVISION CHECKLIST 119

Toxicity Characteristic Revision;  
 TCLP Correction  
 57 FR 55114-55117  
 November 24, 1992  
 as amended on February 2, 1993 at 58 FR 6854  
 (RCRA Cluster III, HSWA provisions)

Note: The November 24, 1992 rule amends the version of the TCLP that was added to Appendix II to Part 261 by the March 29, 1990 final rule (55 FR 11798; Revision Checklist 74), concurrent with the removal of the old version of the TCLP from Appendix I to Part 268.

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

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## APPENDIX II TO PART 261

## † METHOD 1311 TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

change "data is" to "data are"; delete sentence regarding bias determined from matrix spike determination and parenthetical reference phrase following it	Appendix II, 8.2	26.13.02.21	Superseded by CL 126			
change "may not be not less" to "may not be less"	Appendix II, 8.2.2					
remove subparagraph	Appendix II, 8.2.5					
redesignate former 8.4 as 8.5; add new 8.4 and subparagraphs addressing use of internal calibration quantitation methods	Appendix II, 8.4					
	Appendix II, 8.4.1					
	Appendix II, 8.4.2					
	Appendix II, 8.4.3					
	Appendix II, 8.4.4					

RCRA REVISION CHECKLIST 119: Toxicity Characteristic Revision;  
TCLP Correction (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROAD -ER IN SCOPE
<sup>2</sup> former 8.4 becomes 8.5	Appendix II, 8.5	26.13.02.21	Superseded by CL 126			

There is a typographical error in the November 24, 1992 Federal Register; "84.4.4" should be "8.4.4." The February 2, 1993 rule made this correction.

There is a typographical error in the Federal Register; in the table at 8.5, second column heading, there should be a space between "TCLP" and "extraction."

## MARYLAND REVISION CHECKLIST 126

## Testing and Monitoring Activities

58 ER 46040-46051

August 31, 1993

as amended September 19, 1994, at 59 ER 47980-47982

(RCRA Cluster IV, HSWA/Non-HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

## PART 260 – HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B – DEFINITIONS

## REFERENCES

revise reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" to refer to third edition; add ASTM Method E926-88 to the end of the list of publications incorporated by reference; remove unnumbered paragraph and list of analytical testing methods; remove footnote 1 following the list of publications incorporated by reference	260.11(a)	26.13.01.05A(4)	Superseded by CL 141			
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## SUBPART C - RULEMAKING PETITIONS

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

add "of this chapter" after "part 261"; replace "appendix III" with reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	260.22(d)(1)(i)	26.13.01.04C(4)(a)(i)	EQ			
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## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

## PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

## SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

## CHARACTERISTIC OF CORROSIVITY

remove text after "using" and replace with reference to Method 9040 in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	261.22(a)(1)	26.13.02.12A(1)	EQ			
after "Test Methods for", replace "the Evaluation of" with "Evaluating"; change "(incorporated by reference, see § 260.11)" to ", as incorporated by reference in 260.11 of this chapter."; remove the rest of the paragraph	261.22(a)(2)	26.13.02.12A(2)	EQ			

US EPA ARCHIVE DOCUMENT



## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADEN SCOPE

## TOXICITY CHARACTERISTIC

replace "test methods described in appendix II or equivalent methods approved by the Administrator under the procedures set forth in §§ 260.20 and 260.21" with reference to the TCLP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" as incorporated by reference at 260.11; replace "Appendix II" with "Method 1311"	261.24(a)	26.13.02.14A	EQ			
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## APPENDIX II TO PART 261

## METHOD 1311 TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

replace TCLP with note referencing the TCLP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	Appendix II	26.13.02.21	EQ			
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## APPENDIX III TO PART 261

## CHEMICAL ANALYSIS TEST METHODS

replace introductory paragraphs and tables 1, 2, and 3 with note referencing Chapter 2 of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	Appendix III	26.13.02.22	EQ			
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## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQTV	LESS STR	MORE STR	BROADR IN SCOPE

## APPENDIX X TO PART 261

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

remove	Appendix X	26.13.02.25A Repealed	EQ			
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## PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART J - TANK SYSTEMS

## APPLICABILITY

replace "EPA" with "the following test must be used."; change "Wastes" to "Waste"; add comma after "Physical/Chemical Methods"; remove parentheses from "(EPA Publication No. SW-846)"; remove "No."; replace "must be used" with ", as incorporated by reference in § 260.11 of this chapter"	264.190(a)	26.13.05.10A(2)	EQ			
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## SUBPART N - LANDFILLS

## SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS

change "Wastes" to "Waste"; change the period after "Physical/Chemical Methods" to a comma; remove brackets from "[EPA Publication No. SW-846]"; remove "No."; add ", as incorporated by reference in 260.11 of this chapter" at end	264.314(c)	26.13.05.14N(2)	EQ			
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## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

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

## SUBPART J - TANK SYSTEMS

## APPLICABILITY

replace first occurrence of "EPA" with "the following test must be used:"; change "Wastes" to "Waste"; add comma after "Physical/Chemical Methods"; remove parentheses from "(EPA Publication No. SW-846)"; remove "No."; replace "must be used" with ", as incorporated by reference in § 260.11 of this chapter"	265.190(a)	26.13.05.10A(2) 26.13.06.18A	EQ			
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## SUBPART N - LANDFILLS

## SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS

change "Wastes" to "Waste"; after "Physical/Chemical Methods", change the period to a comma; remove brackets from "[EPA Publication No. SW-846]"; remove "No."; add ", as incorporated by reference in § 260.11 of this chapter" at end of sentence	265.314(d)	26.13.06.22F(2)	EQ			
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## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

## PART 268 - LAND DISPOSAL RESTRICTIONS

## SUBPART A - GENERAL

## WASTE ANALYSIS AND RECORDKEEPING

1 add comma after first "§ 268.32"; replace "test method described in part 261, appendix II" with reference to the TCLP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"; remove "of this chapter" after "subpart C"; replace "test method described in appendix IX of this part" with reference to the EP toxicity test in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"; change "his" to "this" before "waste displays"; remove "of this part" after "§ 268.2"	268.7(a)	No Analog	Maryland is not seeking authorization for the Land Disposal Restrictions.			
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## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

## SUBPART D - TREATMENT STANDARDS

## APPLICABILITY OF TREATMENT STANDARDS

replace "the test method in appendix II of part 261" with "Method 1311, the Toxicity Characteristic Leaching Procedure"; replace "the test method in 40 CFR part 261, appendix II, or the test method in appendix IX of this part" with reference to Methods 1310 and 1311; add sentence, at end of paragraph, regarding Methods 1310 and 1311 in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	268.40(a)	No Analog	Maryland is not seeking authorization for the Land Disposal Restrictions.			
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## TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT

replace "the test method in appendix I of this part" with "Method 1311, the Toxicity Characteristic Leaching Procedure,"; add sentence regarding Method 1311 in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" at end of paragraph	268.41(a)	No Analog	Maryland is not seeking authorization for the Land Disposal Restrictions.			
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## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

## APPENDIX I TO PART 268

## TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

replace note regarding TCLP in Appendix II of part 261 with note regarding TCLP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	268 Appendix I	No Analog	Maryland is not seeking authorization for the Land Disposal Restrictions.			
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## APPENDIX IX TO PART 268

## EXTRACTION PROCEDURE (EP) TOXICITY TEST METHOD AND STRUCTURAL INTEGRITY TEST (METHOD 1310)

replace EP Toxicity Test method with note regarding EP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	268 Appendix IX	No Analog	Maryland is not seeking authorization for the Land Disposal Restrictions.			
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## PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

## SUBPART A - GENERAL INFORMATION

## REFERENCES

replace information on "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" with reference to 260.11	270.6(a)	26.13.01.05A(4)	EQ			
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## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADEN IN SCOPE

## SUBPART B - PERMIT APPLICATION

## SPECIFIC PART B INFORMATION REQUIREMENTS FOR INCINERATORS

in the last sentence, change "methods for the evaluation of" to "Methods for Evaluating"; add a comma after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6 and referenced in 40 CFR part 261, appendix III)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.19(c)(1)(iii)	26.13.07.02-6C(1)(c) & (d)	EQ			
change "the Evaluation of" to "Evaluating"; add a comma after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.19(c)(1)(iv)	26.13.07.02-6C(1)(e)	EQ			



## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

## SUBPART F - SPECIAL FORMS OF PERMITS

## HAZARDOUS WASTE INCINERATOR PERMITS

in the last sentence, change "the Evaluation of" to "Evaluating"; add a comma after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.62(b)(2)(i)(C)	26.13.07.17B(3)(a)(iii)-(v)	EQ			
change "the Evaluation of" to "Evaluating"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.62(b)(2)(i)(D)	26.13.07.17B(3)(a)(vi)	EQ			

## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQIV	LESS STR	MORE STR	BROADR IN SCOPE

## PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

in the last sentence, insert "waste" before "analysis"; add opening quotation mark before "Test"; add comma and closing quotation mark after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.66(c)(2)(i)	No Analog	Maryland is not seeking authorization for the requirements for Boilers and Industrial Furnaces.			
add opening quotation mark before "Test Methods"; add comma and closing quotation mark after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.66(c)(2)(ii)	No Analog	Maryland is not seeking authorization for the requirements for Boilers and Industrial Furnaces.			

- 1/ The September 19 (59 ER 47980) rule indicates that it was not EPA's intention to remove the subparagraphs of 268.7(a) as the August 31, 1993 rule (58 ER 46040) implied. The provisions have remained in affect continuously in the form published in the CER revised as of July 1, 1993.

# RCRA REVISION CHECKLIST 128

## Wastes From the Use of Chlorophenolic Formulations in Wood Surface Protection

59 FR 458-469

January 4, 1994

(RCRA Cluster IV, Non-HSWA provisions)

Name Of State: MARYLAND

State Statutory Authority: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland (1996

Replacement Volume and 1999 Cumulative Supplement)

Title of Regulations: COMAR 26.13 Effective Date: \_\_\_\_\_

Date Checklist Completed: \_\_\_\_\_

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

### PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

#### SUBPART B - DEFINITIONS

#### REFERENCES

revise the reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" by replacing "[Third Edition (September, 1986), as amended by Update I (July 1992)]" with "(Third Edition (November, 1986), as amended by Updates I, II and IIA)"; in the second sentence, replace "Update I" with "Updates I, II and IIA"; remove the last sentence regarding where copies may be inspected	260.11(a)	26.13.01.05A(4)	X			
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RCRA REVISION CHECKLIST 128: Wastes From the Use of Chlorophenolic  
Formulations in Wood Surface Protection (cont'd)

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

add the specified hazardous  
constituents in alphabetical  
order as shown below:

Appendix VIII

26.13.02.24

X

Common Name	Chemical Abstracts name	Chemical abstracts No.	Hazardous waste No.
	* * * * *	* * * *	
Potassium pentachlorophenate	Pentachlorophenol, potassium salt	7778736	None
	* * * * *	* * * *	
Sodium pentachlorophenate	Pentachlorophenol, sodium salt	131522	None
	* * * * *	* * * *	
2,3,4,6-tetrachlorophenol, potassium salt	same	53535276	None
2,3,4,6-tetrachlorophenol, sodium salt	same	25567559	None
	* * * * *	* * * *	

MARYLAND REVISION CHECKLIST 131

Recordkeeping Instructions; Technical Amendment

59 FR 13891-13893

March 24, 1994

(RCRA Cluster IV, Non-HSWA provisions)

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

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

APPENDIX I TO PART 264

RECORDKEEPING INSTRUCTIONS

replace Table 1 to paragraph (2) with the following table:	Appendix I/Table 1	26.13.05.20B(3)	EQ			
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Table 1

Unit of measure	Code <sup>1</sup>
Gallons .....	G
Gallons per Hour .....	E
Gallons per Day .....	U
Liters .....	L
Liters per Hour .....	H
Liters per Day .....	V
Short Tons per Hour .....	D
Metric Tons per Hour .....	W
Short Tons per Day .....	N
Metric Tons per Day .....	S
Pounds per Hour .....	J
Kilograms per Hour .....	R
Cubic Yards .....	Y
Cubic Meters .....	C
Acres .....	B
Acre-feet .....	A
Hectares .....	Q
Hectare-meter .....	F
Btu's per Hour .....	I

FOOTNOTE: <sup>1</sup>Single digit symbols are used here for data processing purposes.

replace Table 2 to paragraph (3) with the following table:	Appendix I/Table 2	26.13.05.20B(3)	EQ			
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Table 2.-Handling Codes for Treatment, Storage and Disposal Methods

Enter the handling code(s) listed below that most closely represents the technique(s) used at the facility to treat, store or dispose of each quantity of hazardous waste received.

## 1. Storage

S01	Container (barrel, drum, etc.)
S02	Tank
S03	Waste Pile
S04	Surface Impoundment
S05	Drip Pad
S06	Containment Building (Storage)
S99	Other Storage (specify)

## 2. Treatment

## (a) Thermal Treatment--

T06	Liquid injection incinerator
T07	Rotary kiln incinerator
T08	Fluidized bed incinerator
T09	Multiple hearth incinerator
T10	Infrared furnace incinerator
T11	Molten salt destructor
T12	Pyrolysis
T13	Wet air oxidation
T14	Calcination
T15	Microwave discharge
T18	Other (specify)

## (b) Chemical Treatment--

T19	Absorption mound
T20	Absorption field
T21	Chemical fixation
T22	Chemical oxidation
T23	Chemical precipitation
T24	Chemical reduction
T25	Chlorination
T26	Chlorinolysis
T27	Cyanide destruction
T28	Degradation
T29	Detoxification
T30	Ion exchange
T31	Neutralization
T32	Ozonation
T33	Photolysis
T34	Other (specify)

## (c) Physical Treatment--

## (1) Separation of components:

T35	Centrifugation
T36	Clarification
T37	Coagulation
T38	Decanting
T39	Encapsulation
T40	Filtration
T41	Flocculation
T42	Flotation
T43	Foaming
T44	Sedimentation
T45	Thickening
T46	Ultrafiltration
T47	Other (specify)

## (2) Removal of Specific Components:

T48	Absorption-molecular sieve
T49	Activated carbon
T50	Blending
T51	Catalysis
T52	Crystallization
T53	Dialysis
T54	Distillation
T55	Electrodialysis
T56	Electrolysis
T57	Evaporation
T58	High gradient magnetic separation
T59	Leaching
T60	Liquid ion exchange
T61	Liquid-liquid extraction
T62	Reverse osmosis
T63	Solvent recovery
T64	Stripping
T65	Sand filter
T66	Other (specify)

## (d) Biological Treatment

T67	Activated sludge
T68	Aerobic lagoon
T69	Aerobic tank
T70	Anaerobic tank
T71	Composting
T72	Septic tank
T73	Spray irrigation
T74	Thickening filter
T75	Tricking filter
T76	Waste stabilization pond
T77	Other (specify)
T78	[Reserved]
T79	[Reserved]



## (e) Boilers and Industrial Furnaces

T80	Boiler
T81	Cement Kiln
T82	Lime Kiln
T83	Aggregate Kiln
T84	Phosphate Kiln
T85	Coke Oven
T86	Blast Furnace
T87	Smelting, Melting, or Refining Furnace
T88	Titanium Dioxide Chloride Process Oxidation Reactor
T89	Methane Reforming Furnace
T90	Pulping Liquor Recovery Furnace
T91	Combustion Device Used in the Recovery of Sulfur Values from Spent Sulfuric Acid Halogen Acid Furnaces
T92	Other Industrial Furnaces Listed in 40 CFR 260.10 (specify)
T93	

## (f) Other Treatment

T94	Containment Building (Treatment)
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## 3. Disposal

D79	Underground Injection
D80	Landfill
D81	Land Treatment
D82	Ocean Disposal
D83	Surface Impoundment (to be closed as a landfill)
D99	Other Disposal (specify)

## 4. Miscellaneous (Subpart X)

X01	Open Burning/Open Detonation
X02	Mechanical Processing
X03	Thermal Unit
X04	Geologic Repository
X99	Other Subpart X (specify)

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

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APPENDIX I TO PART 265

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RECORDKEEPING INSTRUCTIONS

replace Table 1 to paragraph (2) with the following table:	Appendix I/Table 1	26.13.05.20B(3)	EQ			
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Table 1

Unit of measure	Code <sup>1</sup>
Gallons .....	G
Gallons Per Hour .....	E
Gallons Per Day .....	U
Liters .....	L

Liters Per Hour .....	H
Liters Per Day .....	V
Short Tons Per Hour .....	D
Metric Tons Per Hour .....	W
Short Tons Per Day .....	N
Metric Tons Per Day .....	S
Pounds per Hour .....	J
Kilograms Per Hour .....	R
Cubic Yards .....	Y
Cubic Meters .....	C
Acres .....	B
Acre-feet .....	A
Hectares .....	Q
Hectare-meter .....	F
Btu's per Hour .....	I

FOOTNOTE: 'Single digit symbols are used here for data processing purposes.

replace Table 2 to paragraph (3) with the following table:	Appendix I/Table 2	26.13.05.20B(3)	EQ			
--	--------------------	-----------------	----	--	--	--

Table 2.-Handling Codes for Treatment, Storage and Disposal Methods

Enter the handling code(s) listed below that most closely represents the technique(s) used at the facility to treat, store or dispose of each quantity of hazardous waste received.

1. Storage

S01	Container (barrel, drum, etc.)
S02	Tank
S03	Waste Pile
S04	Surface Impoundment
S05	Drip Pad
S06	Containment Building (Storage)
S99	Other Storage (specify)

2. Treatment

(a) Thermal Treatment--

T06	Liquid injection incinerator
T07	Rotary kiln incinerator
T08	Fluidized bed incinerator
T09	Multiple hearth incinerator
T10	Infrared furnace incinerator
T11	Molten salt destructor
T12	Pyrolysis
T13	Wet Air oxidation
T14	Calcination
T15	Microwave discharge
T18	Other (specify)

(b) Chemical Treatment--

T19	Absorption mound
T20	Absorption field
T21	Chemical fixation
T22	Chemical oxidation
T23	Chemical precipitation
T24	Chemical reduction
T25	Chlorination
T26	Chlorinolysis

T27	Cyanide destruction
T28	Degradation
T29	Detoxification
T30	Ion exchange
T31	Neutralization
T32	Ozonation
T33	Photolysis
T34	Other (specify)

(c) Physical Treatment--

(1) Separation of components

T35	Centrifugation
T36	Clarification
T37	Coagulation
T38	Decanting
T39	Encapsulation
T40	Filtration
T41	Flocculation
T42	Flotation
T43	Foaming
T44	Sedimentation
T45	Thickening
T46	Ultrafiltration
T47	Other (specify)

(2) Removal of Specific Components

T48	Absorption-molecular sieve
T49	Activated carbon
T50	Blending
T51	Catalysis
T52	Crystallization
T53	Dialysis
T54	Distillation
T55	Electrodialysis
T56	Electrolysis
T57	Evaporation
T58	High gradient magnetic separation
T59	Leaching
T60	Liquid ion exchange
T61	Liquid-liquid extraction
T62	Reverse osmosis
T63	Solvent recovery

T48	Absorption-molecular sieve
T49	Activated carbon
T50	Blending
T51	Catalysis
T52	Crystallization
T53	Dialysis
T54	Distillation
T55	Electrodialysis
T56	Electrolysis
T57	Evaporation
T58	High gradient magnetic separation
T59	Leaching
T60	Liquid ion exchange
T61	Liquid-liquid extraction
T62	Reverse osmosis
T63	Solvent recovery

T64	Stripping
T65	Sand filter
T66	Other (specify)

## (d) Biological Treatment

T67	Activated sludge
T68	Aerobic lagoon
T69	Aerobic tank
T70	Anaerobic tank
T71	Composting
T72	Septic tank
T73	Spray irrigation
T74	Thickening filter
T75	Tricking filter
T76	Waste stabilization pond
T77	Other (specify)
T78	[Reserved]
T79	[Reserved]

## (e) Boilers and Industrial Furnaces

T80	Boiler
T81	Cement Kiln
T82	Lime Kiln
T83	Aggregate Kiln
T84	Phosphate Kiln
T85	Coke Oven
T86	Blast Furnace
T87	Smelting, Melting, or Refining Furnace
T88	Titanium Dioxide Chloride Process Oxidation Reactor
T89	Methane Reforming Furnace
T90	Pulping Liquor Recovery Furnace
T91	Combustion Device Used in the Recovery of Sulfur Values from Spent Sulfuric Acid
	Halogen Acid Furnaces
T92	Other Industrial Furnaces Listed in 40 CFR 260.10 (specify)
T93	

## (f) Other Treatment

T94	Containment Building (Treatment)
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## 3. Disposal

D79	Underground Injection
D80	Landfill
D81	Land Treatment
D82	Ocean Disposal
D83	Surface Impoundment (to be closed as a landfill)
D99	Other Disposal (specify)

## 4. Miscellaneous (Subpart X)

X01	Open Burning/Open Detonation
X02	Mechanical Processing
X03	Thermal Unit
X04	Geologic Repository
X99	Other Subpart X (specify)

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## RCRA REVISION CHECKLIST 132

Wood Surface Protection; Correction  
59 FR 28484  
June 2, 1994  
(RCRA Cluster IV, Non-HSWA provisions)

Name Of State: MARYLAND  
State Statutory Authority: Environment Article, Title 7, Subtitle 2, Annotated Code of Maryland (1996  
Replacement Volume and 1999 Cumulative Supplement)  
Title of Regulations: COMAR 26.13 Effective Date: \_\_\_\_\_  
Date Checklist Completed: \_\_\_\_\_

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

## PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART B - DEFINITIONS

## REFERENCES

revise the reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"; after the first "Updates I" remove ", II"; remove the "s" in the second "Updates I" as well as "II, and IIA", which occurs immediately after; add new information on where Update II A may be found	260.11(a)	26.13.01.05A(4)	X			
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MARYLAND REVISION CHECKLIST 133

Letter of Credit Revision  
59 FR 29958-29960  
June 10, 1994  
(RCRA Cluster VI, non-HSWA provisions)

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

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

SUBPART H - FINANCIAL REQUIREMENTS

WORDING OF THE INSTRUMENTS

† after "published" insert "and copyrighted"	264.151(d)	26.13.05.08	EQ			
† after "published" insert "and copyrighted"	264.151(k)	26.13.05.08	EQ			

MARYLAND REVISION CHECKLIST 134

Correction of Beryllium Powder (P015) Listing  
 59 FR 31551-31552  
 June 20, 1994  
 (RCRA Cluster IV, Non-HSWA provisions)

Note: On April 22, 1988, EPA published a technical correction to the lists of hazardous wastes in 40 CFR 261.33(e) and (f) (Revision Checklist 46, 53 FR 13382). In that notice, however, the word "dust" was inadvertently omitted from the P015 listing for "beryllium dust" in the 261.33(e) list of hazardous wastes. In addition, it became apparent that the term "beryllim dust" is not used by the industry to describe this commerical chemical product; the actual term used by the industry is "beryllium powder". This technical correction adds "powder" to the P015 hazardous waste listing for "beryllium" and makes conforming changes to the list of hazardous constituents in Part 261 Appendix VIII and to Table 2 in § 268.42(a).

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D--LISTS OF HAZARDOUS WASTES

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

correct the P015 listing as shown below	261.33(e)	26.13.02.19E	EQ			
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Hazardous waste No.	Chemical abstracts No.	Substance
P015	7440-41-7	Berryllium powder

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

correct the P015 listing as shown below	Appendix VIII	26.13.02.24	EQ			
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SPA

## RCRA REVISION CHECKLIST 134: Correction of Beryllium Powder (P015 Listing) (cont'd)

Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.
Beryllium powder	Same	7440-41-7	P015

## PART 268 - LAND DISPOSAL RESTRICTIONS

## SUBPART D - TREATMENT STANDARDS

## TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

change the P015 entry's waste description from "beryllium dust" to "beryllium powder"	268.42(a)/Table 2	No Analog	Maryland is not seeking authorization for the Land Disposal Restrictions
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## MARYLAND REVISION CHECKLIST 139

## Testing and Monitoring Activities Amendment I

60 FR 3089-3095

January 13, 1995

(RCRA Cluster V, Non-HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV	LESS STRIN	MORE STRIN	Broder in Scope
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B – DEFINITIONS						
REFERENCES						
revise reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" by replacing "Updates I and IIA" in the first sentence with "Updates I (July, 1992), II (September, 1994), and IIA (August,1993)"; in the second sentence, replace "Update I" with "Updates I, II, and IIA"; replace the last portion of the second sentence beginning with "; and Update IIA is available from..." with the new sentence, "Copies may be inspected at the Library, U.S. Environmental Protection Agency, 401 M Stareet, SW, Washington, DC 20460."	260.11(a)	26.13.01.05A(4)	Superseded by CL 141			

## MARYLAND REVISION CHECKLIST 141

## Testing and Monitoring Activities Amendment II

60 FR 17001-17004

April 4, 1995

(RCRA Cluster V, Non-HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE		
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL								
SUBPART B - DEFINITIONS								
REFERENCES								
replace the reference for "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" with new reference to include Update IIB; update phone number	260.11(a)	26.13.01.05A(4)	EQ					

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