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RULES AND REGULATIONS

Title 25—ENVIRONMENTAL RESOURCES

DEPARTMENT OF ENVIRONMENTAL RESOURCES
[25 PA. CODE CHS. 75, 260—265, 267, 269 AND 270]
Change in the Numbering of Regulations

The Department of Environmental Resources notes a change in the numbering of its regulations in Chapter 75 Subchapters D—G (relating to hazardous waste management). The regulations, as renumbered, are located in Chapters 260—265, 267, 269 and 270. Table I shows where individual provisions of the old regulations have been located in the renumbered regulations. Table II shows where individual provisions in the renumbered regulations can be found in the old regulations. Table III shows the Table of Contents for the renumbered regulations, including chapter, subchapter and section titles. These tables include the Certificate of Public Necessity regulations published at 20 Pa.B. 497 (February 3, 1990).

The renumbering is necessary to assist citizens, the regulated community, local officials and the Department in understanding and applying the regulations. A major feature of the renumbering is the division of the 20 sections in Chapter 75, Subchapter D, into 284 sections in seven new chapters. In addition, existing sections in Subchapters E and F are each being moved to new chapters. This division creates more headings and subheadings, making individual provisions easier to find and use.

To further enhance public understanding of the regulations, the Department attempted, where possible, to assign provisions the same number in the *Pennsylvania Code* as the provision is assigned in the Code of Federal Regulations. Pennsylvania has received authorization from the United States Environmental Protection Agency to administer its own hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA), (42 U.S.C.A. §§ 6901 *et seq.*). As a consequence, most of the Pennsylvania regulations are similar to the Federal hazardous waste regulations at 40 CFR Parts 260—270. Where the Federal and State regulations are similar, they have been numbered identically, even where this creates gaps in the numbering of the Pennsylvania regulations. Renumbering therefore provides a structure and format compatible with the Federal regulations, making cross referencing and amendment more practical to meet the Department's requirements under RCRA.

To a significant extent, provisions in the renumbered regulations appear in the same order as the provisions of the old regulations. In a limited number of cases, however, provisions have been regrouped to improve organization. In other cases, provisions have been moved to conform more closely to the Federal numbering scheme. Chapters 266 and 268 are left open because the Department expects future rulemaking based on the development of 40 CFR Parts 266 and 268.

With the exception of the following, no text changes have been made:

1. The renumbering of the regulations required the division of existing sections into numerous smaller sections. As a result, many section titles have been added. The addition of these headings has no effect on the meaning of the text. See 1 Pa. Code § 1.5.

2. In two cases, the regulations in Chapter 75 contained cross references to subsections that do not exist. In both cases, typographical errors are evident, because the proper cross reference clearly appears to be in Chapter 265, not Chapter 264. As a result, the cross references have been changed. These regulations are:

a. Section 75.264(s)(3)(xxix)(B), which pertained to leachate management requirements for impoundments, contained this sentence: "The design standards for the treatment facilities shall meet the requirements of subsection (y)." There was no § 75.264(y) but there was a § 75.265(y), which contains chemical, physical and biological treatment requirements for interim status facilities. Because § 75.265(y), which is now renumbered as Subchapter Q of Chapter 265, appears to be the proper cross reference, the quoted sentence has been changed to reflect this correction.

b. Section 75.264(v)(3)(xxiv), which pertained to leachate management requirements for landfills, contained previously this sentence: "The design standards for the treatment facilities shall meet the requirements of subsections (y) and (z)." There was no § 75.264(y) or (z). The reference to subsection (y) has been changed for the reason described. For subsection (z), § 75.265(z), which sets out requirements for a hazardous waste management permit program, and which has been renumbered as Subchapter R of Chapter 265, appears to be the proper cross reference. Therefore, the quoted sentence has been changed to reflect these corrections.

For more information, the contact person is George Mehaffie, Program Development Section, Bureau of Waste Management, 8th Floor Fulton Building, P. O. Box 2063, Harrisburg, Pa. 17120, (717) 787-9870.

The renumbered regulations will appear in the supplement service to Title 25 of the *Pennsylvania Code* (Environmental Resources) on or about August 1, 1990.

Copies of the renumbered chapters will be available from the Department after May 1, 1990. Correspondence and other documents sent or distributed by the Department after September 1, 1990 will use the renumbered text exclusively. Department forms and similar documents using the old numbering system will also be changed by that date. All correspondence, permit applications and other submissions sent to the Department after September 1, 1990 will be expected to reference the renumbered chapters.

ARTHUR A. DAVIS,
Secretary

TABLE I
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75.260 (c)	260.21
75.260 (b)	260.22
75.261 (a)	261.1
75.261 (b)	261.3
75.261 (c)	261.4
75.261 (d)	261.5
75.261 (e)	261.6
75.261 (f)(1)	261.10
75.261 (f)(2)	261.11
75.261 (g)(1)	261.20
75.261 (g)(2)	261.21
75.261 (g)(3)	261.22
75.261 (g)(4)	261.23
75.261 (g)(5)	261.24
75.261 (h)(1)	261.30
75.261 (h)(2)	261.31
75.261 (h)(3)	261.32
75.261 (h)(4)	261.33
75.261 (h)(5)	261.34
75.262 (a)	262.10
75.262 (b)	262.11
75.262 (c)	262.12
75.262 (d)	262.13
75.262 (e)	262.20, 262.22, 262.23
75.262 (f)	262.30, 262.33
75.262 (g)	262.34
75.262 (h)	262.40
75.262 (i)	262.41
75.262 (j)	262.42
75.262 (k)	262.43
75.262 (l)	262.45
75.262 (m)	262.46
75.262 (n)	262.70
75.262 (o)	262.50, 262.53, 262.55, 262.60
75.263 (a)	263.10
75.263 (b)	263.11
75.263 (c)	263.13
75.263 (d)	263.20, 263.21
75.263 (e)	263.23
75.263 (f)	263.22
75.263 (g)	263.30
75.263 (h)	263.31
75.263 (i)	263.32
75.264 (a)	264.1
75.264 (b)	264.11
75.264 (c)	264.13
75.264 (d)	264.14
75.264 (e)	264.15
75.264 (f)	264.16
75.264 (g)	264.17
75.264 (h)(1)	264.31
75.264 (h)(2)	264.32
75.264 (h)(3)	264.33
75.264 (h)(4)-(5)	264.34
75.264 (h)(6)	264.35
75.264 (h)(7)	264.37
75.264 (i)(1)-(2)	264.51
75.264 (i)(3)-(8)	264.52

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75.264 (i)(11)	264.55
75.264 (i)(12)	264.56
75.264 (j)(1)	264.70
75.264 (j)(2)—(8)	264.71
75.264 (j)(9)	264.72
75.264 (k)	264.73
75.264 (l)	264.74
75.264 (m)	264.75
75.264 (m)(2)—(3)	264.77
75.264 (n)(1)—(2)	264.90
75.264 (n)(3)	264.91
75.264 (n)(4)—(14)	264.97
75.264 (n)(15)—(19)	264.98
75.264 (n)(20)—(22)	264.99
75.264 (n)(23)—(26)	264.100
75.264 (n)(27)—(29)	264.96
75.264 (o)(1)	264.110
75.264 (o)(2)	264.111
75.264 (o)(3)—(6)	264.112
75.264 (o)(7)	264.113
75.264 (o)(8)	264.114
75.264 (o)(9)	264.115
75.264 (o)(10)—(15)	264.117
75.264 (o)(16)—(18)	264.118
75.264 (o)(19)	264.119
75.264 (p)	264.140
75.264 (q)(1)	264.171
75.264 (q)(2)	264.172
75.264 (q)(3)—(4)	264.173
75.264 (q)(5)	264.174
75.264 (q)(6)	264.180
75.264 (q)(7)—(9)	264.177
75.264 (q)(10)—(12)	264.175
75.264 (q)(13)	264.178
75.264 (q)(14)	264.179
75.264 (q)(15)	264.176
75.264 (r)(1)	264.190
75.264 (r)(2)—(7)	264.194 (a)—(f)
75.264 (r)(8)	264.195 (a)
75.264 (r)(9)	264.197
75.264 (r)(10)—(11)	264.198
75.264 (r)(12)—(13)	264.199
75.264 (r)(14)	264.195 (b)
75.264 (r)(15)—(19)	264.192 (a)—(e)
75.264 (r)(20)—(25)	264.196
75.264 (r)(26)—(28)	264.192 (f)—(h)
75.264 (r)(29)—(40)	264.194
75.264 (s)(1)—(2)	264.220
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75.264 (s)(3)(xviii)	264.222 (a)
75.264 (s)(3)(xviii)—(xix)	264.221 (17)—(18)
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75.264 (s)(3)(xxiv)—(xxv)	264.223 (a)—(b)
75.264 (s)(3)(xxvi)—(xxvii)	264.221 (19)—(20)
75.264 (s)(3)(xxviii)	264.224 (a)
75.264 (s)(3)(xxix)	264.223 (c)
75.264 (s)(3)(xxx)—(xxxi)	264.228
75.264 (s)(3)(xxxii)	264.224 (b)
75.264 (s)(4)(i)—(iii)	264.225 (1)—(3)
75.264 (s)(4)(iv)	264.229
75.264 (s)(4)(v)	264.230
75.264 (s)(4)(vi)	264.225 (4)

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75.264 (s)(4)(xiii)—(xxi)	264.225 (5)—(13)
75.264 (s)(5)	264.231
75.264 (t)(1)—(3)	264.250
75.264 (t)(4)—(7)	264.252
75.264 (t)(8)—(16)	264.251 (a)—(i)
75.264 (t)(17)	264.253
75.264 (t)(18)—(21)	264.254
75.264 (t)(22)—(27)	264.255
75.264 (t)(28)—(33)	264.251 (j)—(o)
75.264 (t)(34)—(36)	264.258
75.264 (t)(37)	264.256
75.264 (t)(38)—(39)	264.257
75.264 (t)(40)—(46)	264.251 (p)—(v)
75.264 (u)(1)	264.270
75.264 (u)(2)—(5)	264.271
75.264 (u)(6)—(8)	264.272
75.264 (u)(9)—(16)	264.273 (a)—(h)
75.264 (u)(17)—(20)	264.276
75.264 (u)(21)—(22)	264.278
75.264 (u)(23)	264.279
75.264 (u)(24)—(27)	264.280
75.264 (u)(28)	264.281
75.264 (u)(29)	264.282
75.264 (u)(30)—(40)	264.273 (i)—(s)
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75.264 (v)(3)(xiv)—(xvi)	264.302
75.264 (v)(3)(xvii)—(xix)	264.303 (a)—(c)
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75.264 (v)(3)(xxi)	264.309 (a)
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75.264 (v)(3)(xxvii)	264.301 (15)
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75.264 (v)(4)(ii)	264.313
75.264 (v)(4)(iii)—(iv)	264.312
75.264 (v)(4)(v)	264.314
75.264 (v)(4)(vi)	264.315
75.264 (v)(4)(vii)—(xvii)	264.305 (2)—(13)
75.264 (v)(4)(xix)	264.309 (b)
75.264 (v)(5)	264.316
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75.264 (w)(3)—(4)	264.341
75.264 (w)(5)	264.344 (b)
75.264 (w)(6)	264.343
75.264 (w)(7)	264.345 (a)
75.264 (w)(8)	264.342
75.264 (w)(9)	264.347 (1)—(5)
75.264 (w)(10)	264.351
75.264 (w)(11)—(12)	264.344 (c)—(d)
75.264 (w)(13)—(24)	264.345 (b)—(m)
75.264 (w)(25)	264.344 (e)
75.264 (w)(26)	264.352
75.264 (w)(27)—(30)	264.353
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75.265 (c)	265.13
75.265 (d)	265.14
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75.265 (h)(2)	265.32
75.265 (h)(3)	265.33
75.265 (h)(4)—(5)	265.34
75.265 (h)(6)	265.35
75.265 (h)(7)—(8)	265.37
75.265 (i)(1)—(2)	265.51
75.265 (i)(3)—(8)	265.52
75.265 (i)(9)	265.53
75.265 (i)(10)	265.54
75.265 (i)(11)	265.55
75.265 (i)(12)—(21)	265.56
75.265 (j)(1)	265.70
75.265 (j)(2)—(8)	265.71
75.265 (j)(9)—(10)	265.72
75.265 (k)	265.73
75.265 (l)	265.74
75.265 (m)(1)	265.75
75.265 (m)(2)—(4)	265.77
75.265 (n)(1)—(2)	265.90
75.265 (n)(3)—(6)	265.91
75.265 (n)(7)—(12)	265.92
75.265 (n)(13)—(17)	265.93
75.265 (n)(18)—(19)	265.94
75.265 (o)(1)	265.110
75.265 (o)(2)	265.111
75.265 (o)(3)—(6)	265.112
75.265 (o)(7)—(8)	265.113
75.265 (o)(9)	265.114
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75.265 (o)(11)—(14)	265.117
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75.265 (p)(5)—(7)	265.144
75.265 (q)(1)	265.171
75.265 (q)(2)	265.172
75.265 (q)(3)—(4)	265.173
75.265 (q)(5)	265.174
75.265 (q)(6)	265.176
75.265 (q)(7)—(9)	265.177
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75.265 (r)(12)—(13)	265.199
75.265 (s)(1)	265.220
75.265 (s)(2)	265.222
75.265 (s)(3)	265.223
75.265 (s)(4)—(5)	265.225
75.265 (s)(6)	265.226
75.265 (s)(7)—(9)	265.228
75.265 (s)(10)	265.229
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75.265 (u)(2)–(5)	265.272
75.265 (u)(6)	265.273
75.265 (u)(7)–(10)	265.276
75.265 (u)(11)–(15)	265.278
75.265 (u)(16)	265.279
75.265 (u)(17)–(20)	265.280
75.265 (u)(21)	265.281
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75.265 (v)(11)–(12)	265.315
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75.265 (w)(2)	265.345
75.265 (w)(3)	265.341
75.265 (w)(4)	265.347
75.265 (w)(5)	265.351
75.265 (w)(6)	265.342
75.265 (x)(1)	265.370
75.265 (x)(2)	265.373
75.265 (x)(3)	265.375
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75.265 (x)(6)–(7)	265.382
75.265 (y)(1)	265.400
75.265 (y)(2)–(4)	265.401
75.265 (y)(5)	265.402
75.265 (y)(6)	265.403
75.265 (y)(7)	265.404
75.265 (y)(8)	265.405
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75.265 (z)(1)	265.430
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75.265 (z)(9)–(10)	265.440
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75.265 (z)(14)	265.432
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75.265 (z)(19)	265.444
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75.277	270.22
75.278	270.31
75.279	270.32
75.280	270.33
75.281	270.41
75.282	270.42
75.301	267.1
75.302	267.2
75.311	267.11
75.312	267.12
75.313	267.13
75.314	267.14
75.315	267.15
75.316	267.16
75.317	267.17
75.318	267.18
75.319	267.19
75.320	267.20
75.321	267.21
75.322	267.22
75.323	267.23
75.324	267.24
75.325	267.25
75.326	267.26
75.327	267.27
75.328	267.28
75.329	267.29
75.330	267.30
75.331	267.41
75.332	267.42
75.333	267.43
75.334	267.44
75.335	267.45
75.336	267.46
75.341	267.51
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75.343	267.53
75.344	267.54
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75.346	267.56
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75.350	267.60
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AND NEW SUBCHAPTER AND SECTION TITLES**

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260.2.	Definitions.	75.260 (a)
260.21.	Requests for determination of equivalent testing or analytical methods.	75.260 (c)
260.22.	Delisting procedures.	75.260 (b)
CHAPTER 261. CRITERIA, IDENTIFICATION AND LISTING OF HAZARDOUS WASTE		
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261.4.	Exclusions.	75.261 (c)
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261.6.	Special requirements for hazardous waste which is used, reused, recycled or reclaimed.	75.261 (e)
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Section Number		Previous section number in former Chapter 75
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261.22.	Characteristic of corrosivity.	75.261 (g)(3)
261.23.	Characteristic of reactivity.	75.261 (g)(4)
261.24.	Characteristic of EP toxicity.	75.261 (g)(5)
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261.31.	List of hazardous waste from nonspecific sources.	75.261 (h)(2)
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261.33.	Commercial chemical products.	75.261 (h)(4)
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