

US EPA ARCHIVE DOCUMENT

RCRA 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 STRINGENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

boiler	260.10	Reg 23.93a(1)	X		
† designated facility	260.10	" "	X		
incinerator	260.10	" "	X		
industrial furnace	260.10	" "	X		

SUBPART C - RULEMAKING PETITIONS

† VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

1 speculative accumulation	260.30(a)	Reg 23.93a(1)	X		
returned to process	260.30(b)	" "	X		
further reclamation	260.30(c)	" "	X		

† STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

speculative accumulation	260.31(a)	" "	X		
returned to process	260.31(b)	" "	X		
further reclamation	260.31(c)	" "	X		

† VARIANCE TO BE CLASSIFIED AS A BOILER

case-by-case determination	260.32	" "	X		
----------------------------	--------	-----	---	--	--

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

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
† PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER					
application	260.33(a)	Reg 236 3a(1)	X		
notice/ public hearing	260.33(b)	" "	X		
2 ADDITIONAL REGULATION OF CERTAIN HAZARDOUS WASTE RECYCLING ACTIVITIES ON A CASE-BY-CASE BASIS					
case-by-case determination	260.40	" "	X		
2 PROCEDURES FOR CASE-BY-CASE REGULATION OF HAZARDOUS WASTE RECYCLING ACTIVITIES					
determining procedures	260.41	" "	X		

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE AND SCOPE					
applicability	261.1(b)	Reg 236 3a(2)	X		
definitions	261.1(c)	" "	X		
DEFINITION OF SOLID WASTE					
discarded/ not excluded	261.2(a)	" "	X		
abandoned	261.2(b)	" "	X		
3 use constitutes disposal	261.2(c)(1)	" "	X		
3 energy recovery	261.2(c)(2)	" "	X		
reclaimed	261.2(c)(3)	" "	X		
accumulated	261.2(c)(4)	" "	X		
speculatively	261.2(c)(4)	" "	X		
inherently waste-like	261.2(d)	" "	X		
† not solid waste when recycled	261.2(e)	" "	X		

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

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV-ALENT	MORE STRINGENT	BROADER IN SCOPE
documentation	261.2(f)	Reg 23 § 3a(2)	X		
† DEFINITION OF HAZARDOUS WASTE					
1 generated for treatment	261.3(c)(2)	" "	X		
† EXCLUSIONS					
1 black liquor	261.4(a)(6)	" "	X		
spent sulfuric acid	261.4(a)(7)	" "	X		
† SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY SMALL QUANTITY GENERATORS					
1 quantity determination	261.5(c)	" "	X		
REQUIREMENTS FOR RECYCLABLE MATERIALS					
recyclable materials regulated under Part 266	261.6(a)(1)	" "	X		
	261.6(a)(2)	" "	X		
3 exemption from rule	261.6(a)(3)	" "	X		
generators and transporters	261.6(b)	" "	X		
3 recycling facilities	261.6(c)	" "	X		

SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTE FROM NONSPECIFIC SOURCES

generic listings	261.31	" "	X		
------------------	--------	-----	---	--	--

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, ETC.

introductory text	261.33	" "	X		
-------------------	--------	-----	---	--	--

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

SUBPART A - GENERAL

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

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

PURPOSE, SCOPE AND APPLICABILITY

exemption from rule

264.1(g)(2)

Reg 23 § 3a(5)

X

SUBPART O - INCINERATORS

APPLICABILITY

owners and operators with exception

264.340(a)

" "

X

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

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

exemption from rule

265.1(c)(6)

Reg 23 § 3a(6)

X

SUBPART O - INCINERATORS

APPLICABILITY

owners and operators with exception

265.340(a)

" "

X

SUBPART P - THERMAL TREATMENT

OTHER THERMAL TREATMENT

thermal treatment

265.370

" "

X

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

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

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
† applied to or placed on land	266.20(a)	Reg 23 § 3a(7)	X		
† products for general use	266.20(b)	" "	X		
STANDARDS APPLICABLE TO GENERATORS AND TRANSPORTERS OF MATERIALS USED IN A MANNER THAT CONSTITUTES DISPOSAL					
generators and transporters	266.21	" "	X		
STANDARDS APPLICABLE TO STORERS OF MATERIALS THAT ARE TO BE USED IN A MANNER THAT CONSTITUTES DISPOSAL WHO ARE NOT THE ULTIMATE USERS					
stomers of material	266.22	" "	X		
STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT CONSTITUTES DISPOSAL					
users of material	266.23	" "	X		
4 SUBPART D - HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY					
APPLICABILITY					
recovery in boilers and industrial furnaces	266.30(a)	" "	X		
1,3 exemption from rule	266.30(b)	" "	X		
STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE FUEL					
generate, market, or burn fuel	266.32	" "	X		
STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE FUEL					
from generators to marketer or burner	266.33(a)	" "	X		
1 from marketer to burner	266.33(b)	" "	X		
STANDARDS APPLICABLE TO MARKETERS OF HAZARDOUS WASTE FUELS					
requirements/prohibition	266.34	" "	X		
STANDARDS APPLICABLE TO BURNERS OF HAZARDOUS WASTE FUELS					

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

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV-ALENT	MORE STRINGENT	BROADER IN SCOPE
burners that store	266.35(c)	Reg 23.03(a)7	X		

CONDITIONAL EXEMPTION FOR SPENT MATERIALS AND BY-PRODUCTS EXHIBITING A CHARACTERISTIC OF HAZARDOUS WASTE

5 exemption	266.36	" "	X		
-------------	--------	-----	---	--	--

SUBPART F - RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL RECOVERY

APPLICABILITY AND REQUIREMENTS

precious metal reclaimers	266.70(a)	" "	X		
subject to requirements	266.70(b)	" "	X		
records required if store recycled materials	266.70(c)	" "	X		
accumulated speculatively	266.70(d)	" "	X		

SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED

APPLICABILITY AND REQUIREMENTS

3 persons who reclaim batteries	266.80(a)	" "	X		
1,3 storage before reclamation	266.80(b)	" "	X		

¹ Also see technical correction to the rule at 50 FR 14216 (April 11, 1985).

² Not needed if State does not allow the exclusion of 261.6(a)(2)(iv).

³ Also see technical correction to the rule at 50 FR 33541 (August 20, 1985).

⁴ Note that Subpart D of Part 266 was completely revised at November 29, 1985 (50 FR 49164). These changes are addressed by Revision Checklist 19.

⁵ States are not required to incorporate this section into their code as it was removed by 50 FR 49164 (November 29, 1985). This change is addressed by Revision Checklist 19. See Footnote 2 of that checklist.