

US EPA ARCHIVE DOCUMENT

**RCRA REVISION CHECKLIST 150**

**Amendments to the Definition of Solid Waste; Amendment II**

61 FR 13103-13106

March 26, 1996

(RCRA Cluster VI, Non-HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION  APC&EC Regulation No. 23, dtd 7/25/97	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
EXCLUSIONS						
H replace "along with normal process streams prior to crude distillation or catalytic cracking" with "at or before a point (other than direct insertion into a coker) where contaminants are removed"	261.4(a)(12)	261.4(a)(12)	X			

**RCRA REVISION CHECKLIST 151****Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners**61 FR 15566-15660

April 8, 1996

as amended April 8, 1996, at 61 FR 15660-15668April 30, 1996, 61 FR 19117June 28, 1996, 61 FR 33680-33690July 10, 1996, 61 FR 36419-36421August 26, 1996, 61 FR 43924-43931February 19, 1997 (62 FR 7502-7600)

(RCRA Cluster VI, HSWA provisions)

Notes: 1) On April 8, 1996 (61 FR 15566), EPA published the rule addressing the Phase III land disposal restrictions in the Federal Register. On the same day, at 61 FR 15660, EPA published a second rule that partially withdrew and amended the rule published at 61 FR 15566-15560. Subsequent to April 8, 1996, four technical amendments and corrections were published in the Federal Register. Due to the number of rules (seven total) that comprise Revision Checklist 151, a column has been added to this checklist that provides a reference to the rule that affected each provision. The rules are designated as follows:

Rule 151 :	April 8, 1996	(61 <u>FR</u> 15566-15660);
Rule 151.1:	April 8, 1996	(61 <u>FR</u> 15660-15668);
Rule 151.2:	April 30, 1996	(61 <u>FR</u> 19117);
Rule 151.3:	June 28, 1996	(61 <u>FR</u> 33680-33690);
Rule 151.4:	July 10, 1996	(61 <u>FR</u> 36419-36421);
Rule 151.5:	August 26, 1996	(61 <u>FR</u> 43924-43931); and
Rule 151.6:	February 19, 1997	(62 <u>FR</u> 7502-7600)

2) This Revision Checklist includes a national capacity variance for spent potliners from primary aluminum production (Hazardous Waste Number K088) at 268.39(c). Thus, as of January 8, 1997, K088 wastes and soil or debris contaminated with these wastes were prohibited from land disposal. However, States should note that the national capacity variance has been extended by two subsequent rules. The January 14, 1997, final rule (62 FR 1992; Revision Checklist 155) extended the variance until July 8, 1997. The July 14, 1997, final rule (62 FR 37694; Revision Checklist 160) further extended the variance until October 8, 1997. Therefore, K088 wastes do not have to be treated to meet the Land Disposal Restrictions until October 8, 1997, instead of the January 8, 1997, deadline reflected in this Revision Checklist.

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>PART 268 - LAND DISPOSAL RESTRICTIONS</b>							
<b>SUBPART A - GENERAL</b>							
<b>PURPOSE, SCOPE AND APPLICABILITY</b>							
<sup>1</sup> delete both occurrences of "from land disposal"; insert "or part 148 of this chapter" after "under this part, "	151.1 151.3	268.1(c)(3)	268.1(c)(3)	X			
<sup>2</sup> add "and" at end of text	151.1 151.3	268.1(c)(3)(i)	268.1(c)(3)(i)	X			
insert "identified in 40 CFR part 261, subpart C" after "waste"; replace "; and" with a period	151.1 151.3	268.1(c)(3)(ii)	268.1(c)(3)(ii)	X			
remove	151.1 151.3	268.1(c)(3)(iii)	268.1(c)(3)(iii)	X			
<sup>3</sup> add new paragraph; wastes that exhibit a hazardous characteristic (except D003 reactive cyanide and those subject to a treatment method other than DEACT in 268.40) are not prohibited from land disposal if:	151.3	268.1(c)(4)	268.1(c)(4)	X			
the wastes are managed in a treatment system with a permit under Clean Water Act (CWA) §402, or	151.3	268.1(c)(4)(i)	268.1(c)(4)(i)	X			
the wastes are treated under the pretreatment requirements of CWA §307, or	151.3	268.1(c)(4)(ii)	268.1(c)(4)(ii)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the wastes are managed in a zero discharge system engaged in CWA-equivalent treatment as defined in 268.37(a), and	151.3	268.1(c)(4)(iii)	268.1(c)(4)(iii)	X			
the wastes no longer exhibit a prohibited characteristic at the point of land disposal	151.3	268.1(c)(4)(iv)	268.1(c)(4)(iv)	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.1(e)(3)	268.1(e)(3)	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.1(e)(4)	268.1(e)(4)	X			
[subparagraphs added by 151 withdrawn by 151.1]	151 151.1	268.1(e)(4)(i)-(ii)	268.1(e)(4)(i)-(ii)	X			
[paragraph removed by 151 was reinstated by 151.1--use 1995 CFR for correct version]	151 151.1	268.1(e)(5)	268.1(e)(5)	X			

## DEFINITIONS APPLICABLE IN THIS PART

delete ", with the following exceptions:"; add an ending period	151	268.2(f)	268.2(f)	X			
remove	151	268.2(f)(1)	268.2(f)(1)	X			
remove	151	268.2(f)(2)	268.2(f)(2)	X			
remove	151	268.2(f)(3)	268.2(f)(3)	X			
insert "fluoride," before "vanadium"	151	268.2(i)	268.2(i)	X			
add definition of inorganic metal-bearing	151 151.3	268.2(j)	268.2(j)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
waste							
[definition added by 151 was withdrawn by 151.1]	151 151.1	268.2(k)	268.2(k)	X			
[definition added by 151 was withdrawn by 151.1]	151 151.1	268.2(l)	268.2(l)	X			
<b>DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT</b>							
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.3(a)	268.3(a)	X			
replace "a treatment system which treats" with "treatment systems which include land-based units which treat"; replace "or which treats wastes" with ", or which treat wastes in a CWA-equivalent treatment system, or which treat wastes"; replace "has been specified as the treatment standard in § 268.42" with "other than DEACT has been specified in § 268.40 as the treatment standard"	151 151.1 151.3	268.3(b)	268.3(b)	X			
add new paragraph; combustion of hazardous waste codes listed in part 268 Appendix XI is prohibited unless the waste complies with one or more criteria of 268.3(c)(1)-(6)	151 151.1	268.3(c)	268.3(c)	X			
add subparagraph; the waste contains hazardous organic constituents or	151 151.1	268.3(c)(1)	268.3(c)(1)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
cyanide at levels exceeding the constituent-specific treatment standard of 268.48							
add subparagraph; the waste consists of organic, debris-like materials contaminated with an inorganic metal-bearing hazardous waste	151 151.1	268.3(c)(2)	268.3(c)(2)	X			
add subparagraph; the waste, at the point of generation, has reasonable heating value	151 151.1	268.3(c)(3)	268.3(c)(3)	X			
add subparagraph; the waste is co-generated with wastes for which combustion is a required method of treatment	151 151.1	268.3(c)(4)	268.3(c)(4)	X			
add subparagraph; the waste is subject to Federal and/or State requirements necessitating reduction of organics	151 151.1	268.3(c)(5)	268.3(c)(5)	X			
add subparagraph; the waste contains greater than 1% Total Organic Carbon (TOC)	151 151.1	268.3(c)(6)	268.3(c)(6)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

WASTE ANALYSIS AND RECORDKEEPING

<sup>4</sup> revise last sentence; replace "or the characteristic of corrosivity (D002), and is prohibited under § 268.37; and/or the characteristic of organic toxicity (D012-D043), and is prohibited under § 268.38" with "and/or the characteristic of corrosivity (D002), and/or reactivity (D003), and/or the characteristic of organic toxicity (D012-D043), and is prohibited under § 268.37, § 268.38, and § 268.39"; insert "D003," before "D012-D043 wastes"	151	268.7(a)	268.7(a)	X			
<sup>5</sup> insert "D003, and" after "D002"; remove "and in § 268.32 or RCRA section 3004(d)" after "D043"	151	268.7(a)(1)(ii)	268.7(a)(1)(ii)	X			
replace "268.45;" at the end of the paragraph with "268.45; and"	151	268.7(a)(1)(iv)	268.7(a)(1)(iv)	X			
replace "; and" at the end of the paragraph with a period	151	268.7(a)(1)(v)	268.7(a)(1)(v)	X			
remove	151	268.7(a)(1)(vi)	268.7(a)(1)(vi)	X			
insert "D003, and" after "D002"; remove the comma following "and (f)"; remove "and in § 268.32 or RCRA section 3004(d)" after "D043"	151	268.7(a)(2)(i)(B)	268.7(a)(2)(i)(B)	X			
insert "D003," after	151	268.7(a)(3)(ii)	268.7(a)(3)(ii)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

	"D002"						
5	insert "D003, and" after "D002"; remove "and in § 268.32 or RCRA section 3004(d)" after "D043"; replace ending period with a semicolon	151	268.7(b)(4)(ii)	268.7(b)(4)(ii)	X		
	insert "D003," after "D002"	151	268.7(b)(5)(iv)	268.7(b)(5)(iv)	X		
	add new subparagraph; certification for specified characteristic wastes that contain underlying hazardous constituents that are treated on-site	151	268.7(b)(5)(v)	268.7(b)(5)(v)	X		
LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS							
6	remove and reserve	151	268.8	268.8	X		

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC

insert "this" before "part 268"; replace both occurrences of "40 CFR 261" with "40 CFR part 261"; replace both occurrences of "part 261" with "40 CFR part 261"; replace "the treatment standard for the waste" with "the treatment standard for the waste code" in the second sentence; replace the third sentence with a sentence requiring the generator to determine what underlying hazardous constituents are reasonably expected to be present above the universal treatment standards	151	268.9(a)	268.9(a)	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.9(d)	268.9(d)	X			
[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.9(d)(1)(i)-(ii)	268.9(d)(1)(i)-(ii)	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(d)(3)	268.9(d)(3)	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(d)(3)(i)-(iv)	268.9(d)(3)(i)-(iv)	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(e)	268.9(e)	X			
[151 amendment adding subparagraph was	151 151.1	268.9(f)	268.9(f)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

withdrawn by 151.1]							
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.9(g)	268.9(g)	X			

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

<sup>7</sup> WASTE SPECIFIC PROHIBITIONS--SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES

specified wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of July 8, 1996	151 151.1	268.39(a)	268.39(a)	X			
<sup>8</sup> as of July 8, 1996, D003 wastes are prohibited from land disposal; exceptions	151 151.1	268.39(b)	268.39(b)	X			
K088 wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of January 8, 1997	151 151.1 151.2	268.39(c)	268.39(c)	X			
radioactive wastes mixed with specified wastes and soil and debris contaminated with these radioactive mixed wastes are prohibited from land disposal as of April 8, 1998	151 151.1	268.39(d)	268.39(d)	X			
between July 8, 1996 and April 8, 1998, the wastes listed in 268.39(a),(c), and (d) may be disposed in a landfill or surface impoundment only if such unit complies with the requirements of 268.5(h)(2)	151 151.1 151.3	268.39(e)	268.39(e)	X			
the requirements of	151	268.39(f)	268.39(f)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

268.39(a)-(d) do not apply if:	151.1						
the wastes meet the treatment standards specified in part 268 subpart D	151 151.1	268.39(f)(1)	268.39(f)(1)	X			
persons have been granted an exemption from a prohibition pursuant to a petition under 268.6, with respect to the wastes and units covered by the petition	151 151.1	268.39(f)(2)	268.39(f)(2)	X			
the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	151 151.1	268.39(f)(3)	268.39(f)(3)	X			
persons have been granted an extension to the effective date of a prohibition pursuant to 268.5, with respect to the wastes covered by the extension	151 151.1	268.39(f)(4)	268.39(f)(4)	X			
to determine whether a hazardous waste identified in 268.39 exceeds the applicable treatment standards specified in 268.40, the initial generator must test a sample of the waste extract, test the entire waste, or use knowledge of the waste; the waste is prohibited from land disposal, and part 268 requirements apply if the waste contains constituents exceeding part 268 subpart D levels, except as otherwise	151 151.1	268.39(g)	268.39(g)	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

specified							
SUBPART D - TREATMENT STANDARDS							
APPLICABILITY OF TREATMENT STANDARDS							
insert "prohibited" before "waste identified"	151.3	268.40(a)	268.40(a)	X			
replace "(D001, D002" with "(D001-D003"; insert quotation marks before and after "Table UTS,"; insert "as defined in § 268.2(c) of this part" after "land disposal"	151 151.1 151.3	268.40(e)	268.40(e)	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(1)	268.40(e)(1)	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(2)	268.40(e)(2)	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(3)	268.40(e)(3)	X			
[151 amendment adding subparagraph was withdrawn by 151.1]	151 151.1	268.40(e)(4)	268.40(e)(4)	X			
<sup>9</sup> add paragraph; between August 26, 1996 and August 26, 1997, the treatment standards for listed carbamate wastes and soil contaminated with those wastes may be satisfied by either meeting the constituent concentrations in 268.40 table "Treatment Standards for Hazardous Wastes" or by treating the waste using specified technologies	151.5	268.40(g)	268.40(g)	X			
<sup>10</sup> replace existing table "Treatment Standards for	151 151.1	268.40/Table	268.40/Table	X			

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

Hazardous Wastes" with the table found at 62 <u>FR</u> 7505-7595 (February 19, 1997)	151.3						
	151.4						
	151.5						
	151.6						

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

revise description of technology-based standards for CMBST; high temperature organic destruction technologies, such as combustion in incinerators, boilers or industrial furnaces, and certain non-combustive technologies	151	268.42 Table 1	268.42 Table 1	X			
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RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

VARIANCE FROM A TREATMENT STANDARD

[151 changes to paragraph withdrawn by 151.1--use 1995 CFR for correct version]	151 151.1	268.44(a)	268.44(a)	X			
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UNIVERSAL TREATMENT STANDARDS

replace existing table with the table found at 62 FR 7596-7600 (February 19, 1997)	151 151.3 151.5 151.6	268.48(a)/Table UTS	268.48(a)/Table UTS	X			
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APPENDIX XI TO PART 268

add new appendix: "Metal Bearing Wastes Prohibited From Dilution in a Combustion Unit According to 40 CFR 268.3(c)"	151	Appendix XI	Appendix XI	X			
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second Federal Register article published on April 8, 1996, (61 FR 15660; rule 151.1) removed and reserved 268.1(c)(3) (see FR 15663, column 1). The June 28, 1996, technical correction (61 FR 33680; rule 151.3), however, added a new 268.1(c)(3) that is very similar to the paragraph that existed in 40 CFR prior to the second April 8, 1996, amendment (rule 151.1). The changes noted on checklist compare the June 28, 1996, (rule 151.3) version to the version found in the July 1, 1995, CFR. Note that the June 28, 1996, technical correction (rule 151.3) made no real changes to 268.1(c)(3)(i) and removed 40 CFR 268.1(c)(3)(iii).

There is a typographical error in the June 28, 1996, technical correction (61 FR 33680; rule 151.3): the internal reference "40 CFR 146.6(a)" should be 40 CFR "144.6(a)".

That the original 268.1(c)(4), as introduced by Revision Checklist 34 (51 FR 40572; November 7, 1986), was removed by Revision Checklist 66 (54 FR 36967; September 6, 1989). The June 28, 1996, technical correction in Revision Checklist 151 (61 FR 33680; rule 151.3) added a new 268.1(c)(4) and (c)(4)(i)-(iv).

There is a typographical error in the first April 8, 1996, Federal Register article (61 FR 15566; rule 151): in the last sentence, insert a closing parenthesis after "as defined in § 268.2". This error also appears in the July 1, 1996, CFR.

There is a typographical error in the first April 8, 1996, Federal Register article (61 FR 15566; rule 151): "and (f)" should be "and (f))" i.e., there should be a second ")" after "(f)".

This section was removed and reserved by the first article published on April 8, 1996, (61 FR 15566; rule 151). Note, however, there are numerous internal references to this section throughout the CFR that were not removed.

This section was originally introduced by the first Federal Register article published on April 8, 1996, (61 FR 15566; rule 151). It was withdrawn and then re-added by the second article published on April 8, 1996, (61 FR 15660; rule 151.1). Paragraph 268.39(e) was

RCRA REVISION CHECKLIST 151: Land Disposal Restrictions Phase III -  
Decharacterized Wastewaters, Carbamate Wastes, and Spent Potliners (cont'd)

subsequently revised by the June 28, 1996, technical correction (61 FR 33680; rule 151.3).

There is a typographical error in the second article published on April 8, 1996, (61 FR 15660; rule 151.1): "268.40)." should be "268.40).)".

There are two typographical errors in the August 26, 1996 Federal Register (61 FR 43924; rule 151.5): "biodegradation as defined by the technology code BIODG" should be "biodegradation as defined by the technology code BIODG".

The original table in §268.40 was amended by rule 151, 151.1, 151.3, 151.4, and 151.5. The table was entirely replaced by the table in the February 19, 1997, Federal Register article (62 FR 7502; rule 151.6). The table below lists the errors associated with those rules.

Item Number	Rule Reference (Federal Register page number)	Error(s)	Comment
027	151 (p. 15610)	There is a typographical error in the Waste Description column: the last closing period should be placed inside of the last closing parenthesis.	This error is found in rules 151, 151.1, and 151.6. It is also found in the 1996 CFR.
039	151 (p. 15613)  151 (p. 15615) 151.3 (p. 33686)	(1) The extra period at the end of the Waste Description should be removed.  (2) The Nonwastewater Concentrations of <u>13</u> for "Diphenylamine" and "Diphenylnitrosamine" were changed to <u>NA</u> .  Also, the Nonwastewater Concentration of <u>1.5</u> for 1,2-Diphenylhydrazine was changed to <u>NA</u> .	(1) This error is found in rule 151 and 151.6. It is also found in the 1996 CFR.  (2) It appears that the Nonwastewater Concentrations in rule 151 were replaced with "NA" by 151.3. The 1996 CFR, however, retains the rule 151 versions of these concentrations. Rule 151.6 kept "NA" as the Nonwastewater Concentrations.
Endnote 8	151.3 (p. 33690)	There is a typographical error in the endnote: the last closing period should be placed inside of the last closing parenthesis.	This error is found in rules 151.3 and 151.6. It is also found in the 1996 CFR.
Endnote 9	151.3 (p. 33690)  151.6 (p.7595)	There is a typographical error in the endnote: the last closing period should be placed inside of the last closing parenthesis.  The section symbol ("§") is omitted from the internal reference.	This error is found in rules 151.3 and 151.6. It is also found in the 1996 CFR.

## RCRA REVISION CHECKLIST 152

### Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision

61 FR 16290-16316

April 12, 1996

(RCRA Cluster VI, HSWA provisions)

Note: 1) Like the export requirements at 40 CFR 262, Subpart E, the 40 CFR 262, Subpart H requirements will be administered by EPA and not the States because the exercise of foreign relations and international commerce powers is reserved to the Federal government under the Constitution. However, EPA strongly encourages States to incorporate these requirements into their regulations for the convenience of the regulated community and for completeness, particularly in the situation where a State has already incorporated the 40 CFR 262, Subparts E and F provisions into its regulations.

2) The requirements in this rule apply to only those wastes identified or listed under the Federal program that are subject to Federal manifesting requirements. Thus, State-only wastes would not be subject to the import/export regulations addressed by this rule. The summary provides guidance and examples for appropriately incorporating these new requirements into State regulations.

3) Note the changes to 40 CFR 260.2 have not been included in this checklist because information requests should be sent to EPA with the information provided according to Federal availability of information procedures. Additionally, States are not required to adopt an analog to 260.2.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION  APC&EC Regulation No. 23, dtd 7/25/97	STATE ANALOG IS:			
			EQUIV ALENT	LESS STRIN GENT	MORE STRIN -GENT	BROADE R IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

**H REQUIREMENTS FOR RECYCLABLE MATERIALS**

add new paragraph; hazardous waste that is exported to or imported from designated member countries of the OECD for purpose of recovery is subject to 40 CFR part 262 subpart H, if subject to either the manifesting requirements in part 262, the universal waste management standards in part 273 or State requirements analogous to part 273	261.6(a)(5)	261.6(a)(5)	X			
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RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A - GENERAL

H PURPOSE, SCOPE, AND APPLICABILITY

redesignate paragraphs 262.10(d)-(g) as 262.10(e)-(h); add new paragraph (d); persons who export or import hazardous waste subject to the manifest requirements of part 262, the universal waste standards of part 273, or the State requirements analogous to part 273, to or from countries listed in 262.58(a)(1), must comply with part 262, subpart H	262.10(d)	262.10(d)	X			
former 262.10(d)-(g) become 262.10(e)-(h)	262.10(e)-(h)	262.10(e)-(h)	X			

H NOTIFICATION OF INTENT TO EXPORT

completely revise paragraph; addresses of Office of Enforcement and Compliance Assurance where notifications submitted by mail or by hand-delivery should be sent; display on the envelope of all notifications "Attention: Notification of Intent to Export"	262.53(b)	262.53(b)	X			
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H ANNUAL REPORTS

completely revise paragraph; addresses of Office of Enforcement and Compliance Assurance where annual reports submitted by mail or by hand-delivery should be sent	262.56(b)	262.56(b)	X			
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H INTERNATIONAL AGREEMENTS

persons who export or	262.58(a)	262.58(a)	X			
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RCRA REVISION CHECKLIST 152: Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (cont'd)

import hazardous waste subject to manifest requirements of Part 262, to the universal waste standards of part 273, or to State requirements analogous to part 273, to or from countries defined in 262.58(a)(1) for purposes of recovery, are subject to part 262 subpart H; requirements of part 262 subparts E and F do not apply						
designated list of OECD countries for purposes of part 262 subpart H	262.58(a)(1)					
Canada and Mexico considered OECD countries only for the purpose of transit	262.58(a)(2)	262.58(a)(2)	X			
persons who export or import hazardous waste from OECD countries for purposes other than recovery, from Mexico (for any purpose), or from Canada (for any purpose), are subject to part 262 subparts E and F	262.58(b)	262.58(b)	X			

SUBPART H - TRANSFRONTIER SHIPMENTS OF HAZARDOUS WASTE FOR RECOVERY WITHIN THE OECD

H APPLICABILITY

requirements of part 262 subpart H apply to imports and exports of wastes considered hazardous under U.S. national procedures and destined for recovery in countries listed in 262.58(a)(1); a waste is considered hazardous if it meets the definition of hazardous waste in 261.3 and is subject to either the manifesting requirements in	262.80(a)	262.80(a)	X			
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RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

part 262 subpart B, the universal waste management standards in part 273, or State requirements analogous to part 273						
persons who mix two or more wastes or subject two or more wastes to physical or chemical transformation operations, and thereby create a new hazardous waste, become generators and assume generator duties under RCRA and any notifier duties under part 262 subpart H, if applicable	262.80(b)	262.80(b)	X			

## DEFINITIONS

definitions applicable to part 262 subpart H	262.81	262.81	X			
"competent authorities"	262.81(a)	262.81(a)	X			
"concerned countries"	262.81(b)	262.81(b)	X			
"consignee"	262.81(c)	262.81(c)	X			
"country of transit"	262.81(d)	262.81(d)	X			
"exporting country"	262.81(e)	262.81(e)	X			
"importing country"	262.81(f)	262.81(f)	X			
"notifier"	262.81(g)	262.81(g)	X			
"OECD area"	262.81(h)	262.81(h)	X			
"recognized trader"	262.81(i)	262.81(i)	X			
"recovery facility"	262.81(j)	262.81(j)	X			
"recovery operations"	262.81(k)	262.81(k)	X			
"transfrontier movement"	262.81(l)	262.81(l)	X			

## GENERAL CONDITIONS

level of import and export waste control is indicated by green, amber, or red lists and by U.S. national procedures as defined in 262.80(a);	262.82(a)	262.82(a)	X			
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RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

green, amber, and red lists are incorporated by reference in 262.89(e)						
green-list wastes are subject to existing controls normally applied to commercial transactions, except as provided below:	262.82(a)(1)	262.82(a)(1)	X			
green-list wastes that are considered hazardous under U.S. national procedures are subject to amber-list controls	262.82(a)(1)(i)	262.82(a)(1)(i)	X			
<sup>1</sup> green-list wastes that are contaminated or mixed with amber-list wastes, such that the waste is considered hazardous, are subject to amber-list controls	262.82(a)(1)(ii)	262.82(a)(1)(ii)	X			
green-list wastes that are contaminated or mixed with red-list wastes, such that the waste is considered hazardous under U.S. national procedures, are subject to red-list controls	262.82(a)(1)(iii)	262.82(a)(1)(iii)	X			
amber-list wastes that are considered hazardous under 262.80(a) are subject to the amber-list controls of part 262 subpart H	262.82(a)(2)	262.82(a)(2)	X			
amber-list wastes contaminated or mixed with red-list wastes, such that the waste is considered hazardous under U.S. national procedures, must be handled in accordance with red-list controls	262.82(a)(2)(i)	262.82(a)(2)(i)	X			
[Reserved]	262.82(a)(2)(ii)	262.82(a)(2)(ii)	X			
red-list wastes that are considered hazardous under 262.80(a) are subject to red-list controls of part 262	262.82(a)(3)	262.82(a)(3)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

subpart H					
wastes not yet assigned to a list are eligible for transfrontier movements, as follows:	262.82(a)(4)	262.82(a)(4)	X		
wastes considered hazardous under 262.80(a) are subject to red-list controls, or	262.82(a)(4)(i)	262.82(a)(4)(i)	X		
wastes not considered hazardous under 262.80(a) may move as though they appeared on the green list	262.82(a)(4)(ii)	262.82(a)(4)(ii)	X		
general conditions applicable to transfrontier movements of hazardous waste	262.82(b)	262.82(b)	X		
waste must be destined for recovery operations at a facility that, under domestic law, is operating or is authorized to operate in the importing country	262.82(b)(1)	262.82(b)(1)	X		
transfrontier movement must comply with international transport agreements, and	262.82(b)(2)	262.82(b)(2)	X		
waste transported through a non-OECD country must comply with applicable international and national laws and regulations	262.82(b)(3)	262.82(b)(3)	X		
provisions relating to re-export for recovery to a third country	262.82(c)	262.82(c)	X		
re-export of amber-list wastes from U.S., as the importing country, to a third country listed in 262.58(a)(1) may occur only after a notifier in the U.S. provides notification to and obtains consent of competent authorities in the third country, the original	262.82(c)(1)	262.82(c)(1)	X		

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

exporting country, and new transit countries; notification must comply with 262.83; 30-day objection period to proposed movement						
30-day period begins when competent authorities in both the initial exporting country and the new importing country issue Acknowledgements of Receipt of the notification	262.82(c)(1)(i)	262.82(c)(1)(i)	X			
transfrontier movement may commence if no objection lodged after the 30-day period has passed or immediately after written consent is received from all relevant OECD importing or transit countries	262.82(c)(1)(ii)	262.82(c)(1)(ii)	X			
re-export of red-list wastes from original importing country to a third country listed in 262.58(a)(1) may occur following notification of the competent authorities in the third country, the original exporting country, and new transit countries by a notifier in original importing country in accordance with 262.83; transfrontier movement may not proceed until receipt by original importing country of written consent of the competent authorities	262.82(c)(2)	262.82(c)(2)	X			
re-export of amber-list or red-list wastes to a country other than those listed in 262.58(a)(1) is subject to the notification and consent requirements in 262.82(c)(1)&(2) in addition to compliance with	262.82(c)(3)	262.82(c)(3)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (cont'd)

international agreements and arrangements to which the first importing OECD country is party and all applicable regulatory requirements for exports from the first importing country						
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H NOTIFICATION AND CONSENT

applicability; consent must be obtained from competent authorities of OECD importing and transit countries prior to exporting hazardous waste destined for recovery operations subject to part 262 subpart H; hazardous wastes subject to amber-list controls are subject to the requirements in 262.83(b); hazardous wastes subject to red-list controls are subject to the requirements in 262.83(c); and wastes not identified on any list is subject to the requirements in 262.83(d)	262.83(a)	262.83(a)	X			
export from the U.S. of hazardous wastes on the amber list described in 262.80(a) is prohibited unless the requirements of 262.83(b)(1) or (2) are met	262.83(b)	262.83(b)	X			
transactions requiring specific consent:	262.83(b)(1)	262.83(b)(1)	X			
at least 45 days prior to transfrontier movement the notifier must provide written notification in English of proposed transfrontier movement to Office of Enforcement and Compliance Assurance, with words "Attention: OECD Export Notification" on the	262.83(b)(1)(i)	262.83(b)(1)(i)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

envelope; notification must include all the information identified in 262.83(e); for wastes with similar physical and chemical characteristics, the same U.N. classifications, and the same RCRA wastes codes, which are to be sent to the same recovery facility, the notifier may submit one notification of intent to export wastes in multiple shipments during a period of up to one year						
transfrontier movement may commence upon tacit consent; if no objections to notification provided pursuant to 262.83(b)(1)(i) are lodged within 30 days after issuance of Acknowledgment of Receipt by the competent authority of the importing country; tacit consent expires one year after close of 30 day period; renotification and renewal is required for exports after that expiration date	262.83(b)(1)(ii)	262.83(b)(1)(ii)	X			
written consent; if competent authorities of OECD importing and transit countries provide written consent in a period less than 30 days, transfrontier movement may commence immediately; written consent expires one year after date of consent; renotification and renewal is required for exports after that expiration date	262.83(b)(1)(iii)	262.83(b)(1)(iii)	X			
shipments to facilities preapproved by competent authorities of importing countries:	262.83(b)(2)	262.83(b)(2)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

notifier must provide EPA with information identified in 262.83(e) at least 10 days in advance of shipment to pre-approved facility; notification should indicate the facility is pre-approved, and may apply to a single specific shipment or multiple shipments as described in 262.83(b)(1)(i); information must be sent to Office of Enforcement and Compliance Assurance with "OECD Export Notifications--Pre-approved Facility" displayed on the envelope	262.83(b)(2)(i)	262.83(b)(2)(i)	X			
shipments may commence after notification required in 262.83(b)(1)(i) is received by competent authorities of all concerned countries, unless notifier receives information indicating objections to the shipment	262.83(b)(2)(ii)	262.83(b)(2)(ii)	X			
export from the U.S. of hazardous wastes as described in 262.80(a) that appear on the red list is prohibited unless notice pursuant to 262.83(b)(1)(i) is given and notifier receives written consent from the importing country and any transit countries prior to transfrontier movement	262.83(c)	262.83(c)	X			
wastes not assigned to the green, amber, or red list that are considered hazardous under 262.80(a) are subject to notification and consent requirements for red-list wastes in accordance with 262.83(c); unlisted wastes that are not considered	262.83(d)	262.83(d)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

hazardous under 262.80(a) are not subject to amber or red controls when exported or imported						
notifications submitted must include the following information:	262.83(e)	262.83(e)	X			
serial number or other identifier of the notification form	262.83(e)(1)	262.83(e)(1)	X			
notifier name and EPA identification number, address, and telephone and telefax numbers	262.83(e)(2)	262.83(e)(2)	X			
importing recovery facility name, address, telephone and telefax numbers, and technologies employed	262.83(e)(3)	262.83(e)(3)	X			
consignee name, address, and telephone and telefax numbers; whether consignee will engage in waste exchange or storage prior to delivery to final recovery facility and identification of operations employed at final recovery facility	262.83(e)(4)	262.83(e)(4)	X			
intended transporters and/or their agents	262.83(e)(5)	262.83(e)(5)	X			
country of export and competent authority; point of departure	262.83(e)(6)	262.83(e)(6)	X			
countries of transit and competent authorities; points of entry and departure	262.83(e)(7)	262.83(e)(7)	X			
country of import and competent authority; point of entry	262.83(e)(8)	262.83(e)(8)	X			
statement of whether notification is single or general notification; if	262.83(e)(9)	262.83(e)(9)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (cont'd)

general, include period of validity						
date foreseen for commencement of transfrontier movement	262.83(e)(10)	262.83(e)(10)	X			
designation of waste type(s) from list (green, red or amber), descriptions of each waste type, estimated total quantity of each waste, RCRA waste code, and U.N. number; and	262.83(e)(11)	262.83(e)(11)	X			
certification/declaration signed by notifier that the information is complete and correct, and that legally enforceable written contractual obligations have been entered into	262.83(e)(12)	262.83(e)(12)	X			

H TRACKING DOCUMENT

U.S. parties subject to 262.85 must ensure that a tracking document meeting the conditions of 262.84(b), accompanies each transfrontier shipment of amber-list or red-list wastes as specified, except as provided in 262.84(a)(1) and (2)	262.84(a)	262.84(a)	X			
for shipments of hazardous waste in the U.S. solely by water (bulk shipments only), the generator must forward tracking document to last water transporter to handle the waste in the U.S. in accordance with 262.23(c)	262.84(a)(1)	262.84(a)(1)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

for rail shipments of hazardous waste in the U.S. originating at the site of generation, the generator must forward the tracking document with the manifest in accordance with 262.23(d) to next non-rail transporter or to last rail transporter to handle the waste in the U.S.	262.84(a)(2)	262.84(a)(2)	X			
tracking document must include information required under 262.83 and the following:	262.84(b)	262.84(b)	X			
date shipment commenced	262.84(b)(1)					
name (if not notifier), address, phone and telefax number of primary exporter	262.84(b)(2)	262.84(b)(2)	X			
company name and EPA identification number of all transporters	262.84(b)(3)	262.84(b)(3)	X			
identification (license, registered name or registration number) of means of transport, including types of packaging	262.84(b)(4)	262.84(b)(4)	X			
any special precautions to be taken by transporters	262.84(b)(5)	262.84(b)(5)	X			
certification/declaration signed by notifier that no objection to the shipment has been lodged	262.84(b)(6)	262.84(b)(6)	X			
appropriate signatures for each custody transfer	262.84(b)(7)	262.84(b)(7)	X			
notifiers must comply with manifest requirements of 262.54(a),(b),(c),(e), and (i) and part 262 subpart F	262.84(c)	262.84(c)	X			
each U.S. person that has physical custody of waste must sign tracking document	262.84(d)	262.84(d)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

within three working days of the receipt of imports subject to part 262 subpart H, the owner or operator of the U.S. recovery facility must send signed copies of the tracking document to notifier, Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division, and to competent authorities of exporting and transit countries	262.84(e)	262.84(e)	X			
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## H CONTRACTS

transfrontier movements of hazardous wastes subject to amber or red control procedures are prohibited unless they occur under a valid written contract, chain of contracts, or equivalent arrangements; such contracts or equivalent arrangements must be executed by the notifier and the owner or operator of the recovery facility; such contracts or equivalent arrangements are valid only if participants have appropriate legal status	262.85(a)	262.85(a)	X			
contracts or equivalent arrangements must specify name and EPA identification number, where available, of:	262.85(b)	262.85(b)	X			
generator of each type of waste;	262.85(b)(1)	262.85(b)(1)	X			
each person who will have physical custody of wastes;	262.85(b)(2)	262.85(b)(2)	X			
each person who will have legal control of wastes; and	262.85(b)(3)	262.85(b)(3)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

the recovery facility	262.85(b)(4)	262.85(b)(4)	X			
contracts or equivalent arrangements must specify the party who will assume responsibility for alternate waste management if its disposition cannot be carried out as described in the notification of intent to export; contracts must specify:	262.85(c)	262.85(c)	X			
person with actual possession or physical control of wastes must immediately inform notifier and competent authorities of the exporting and importing countries; if wastes located in a country of transit, notify competent authorities of that country; and	262.85(c)(1)	262.85(c)(1)	X			
person specified in contract assumes responsibility for adequate management of wastes in compliance with applicable laws including arranging for the return of the waste to original country of export, if necessary	262.85(c)(2)	262.85(c)(2)	X			
contracts must specify that the consignee will provide notification as required in 262.82(c) prior to re-export to a third country	262.85(d)	262.85(d)	X			
contracts or equivalent arrangements must include financial guarantee provisions, if required, in accordance with applicable national or international law	262.85(e)	262.85(e)	X			
contracts or equivalent arrangements must require compliance with all applicable requirements of	262.85(f)	262.85(f)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (cont'd)

part 262 subpart H						
upon EPA request, U.S. notifiers, consignees, or recovery facilities must submit to EPA copies of contracts, chain of contracts or equivalent arrangements; confidential information in the contracts or equivalent arrangements will be disclosed by EPA only as provided in 260.2	262.85(g)	262.85(g)	X			

H PROVISIONS RELATING TO RECOGNIZED TRADERS

a recognized trader who takes physical custody of waste and conducts recovery operations is acting as the owner or operator of a recovery facility and must be authorized in accordance with applicable Federal law	262.86(a)	262.86(a)	X			
a recognized trader acting as notifier or consignee must comply with the requirements of part 262 subpart H	262.86(b)	262.86(b)	X			

H REPORTING AND RECORDKEEPING

for all waste movements subject to part 262 subpart H, primary exporters, as defined in 262.51, shall file annual reports no later than March 1 of each year that summarize the types, quantities, frequency, and ultimate destination of all hazardous waste exported; such reports shall include:	262.87(a)	262.87(a)	X			
EPA identification number, name, mailing and site address of the notifier filing report	262.87(a)(1)	262.87(a)(1)	X			
calendar year covered by the	262.87(a)(2)	262.87(a)(2)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

report						
name and site address of each final recovery facility	262.87(a)(3)	262.87(a)(3)	X			
for each hazardous waste exported by a final recovery facility, a description of the hazardous waste, EPA hazardous waste number, OECD waste type(s) and waste code, DOT hazard class, name and EPA identification number of each transporter, total amount of waste shipped, and number of shipments pursuant to each notification	262.87(a)(4)	262.87(a)(4)	X			
in even numbered years, for each hazardous waste exported, except for hazardous waste produced by exporters of greater than 100 kg but less than 1000 kg in a calendar month, and except for waste for which information already provided pursuant to 262.41:	262.87(a)(5)	262.87(a)(5)				
description of efforts to reduce volume and toxicity of waste generated; and	262.87(a)(5)(i)	262.87(a)(5)(i)	X			
description of changes in volume and toxicity achieved during the year in comparison to previous years; and	262.87(a)(5)(ii)	262.87(a)(5)(ii)	X			
certification signed by primary exporter that the information is true, accurate, and complete	262.87(a)(6)	262.87(a)(6)	X			
exception reports; persons meeting the definition of primary exporter in 262.51 must file an exception report with the Administrator in	262.87(b)	262.87(b)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

lieu of the requirements of 262.42 if any of the following occurs:						
he has not received a copy of the tracking document signed by the transporter stating the point of departure of the waste from the U.S. within 45 days from acceptance date	262.87(b)(1)	262.87(b)(1)	X			
within 90 days from the date the waste was accepted by the initial transporter, the notifier has not received written confirmation that the hazardous waste was received	262.87(b)(2)	262.87(b)(2)	X			
waste is returned to U.S.	262.87(b)(3)	262.87(b)(3)	X			
recordkeeping	262.87(c)	262.87(c)	X			
persons meeting the definition of primary exporter in 262.51 shall keep the following records:	262.87(c)(1)					
a copy of each notification of intent to export and all written consents obtained from competent authorities of concerned countries for at least 3 years from the date the waste was accepted by the initial transporter	262.87(c)(1)(i)	262.87(c)(1)(i)	X			
a copy of each annual report for at least 3 years from the due date of the report; and	262.87(c)(1)(ii)	262.87(c)(1)(ii)	X			
a copy of any exception reports and a copy of each confirmation of delivery sent by the recovery facility to the notifier for at least 3 years as specified	262.87(c)(1)(iii)	262.87(c)(1)(iii)	X			
periods of retention are automatically extended	262.87(c)(2)	262.87(c)(2)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

during unresolved enforcement action or as requested by Administrator						
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## H PRE-APPROVAL FOR U.S. RECOVERY FACILITIES

[reserved]	262.88	262.88	X			
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## H OECD WASTE LISTS

for the purposes of part 262 subpart H, a waste is considered hazardous if the waste:	262.89(a)	262.89(a)	X			
meets Federal definition of hazardous waste in 261.3; and	262.89(a)(1)	262.89(a)(1)	X			
is subject to the RCRA manifesting requirements at part 262, subpart B, to the universal waste standards of part 273, or to State requirements analogous to part 273	262.89(a)(2)	262.89(a)(2)	X			
if waste is hazardous under 262.89(a) and appears on the amber or red list, it is subject to amber- or red-list requirements, respectively	262.89(b)	262.89(b)	X			
if waste is hazardous under 262.89(a) and does not appear on either the amber or red lists, it is subject to red-list requirements	262.89(c)	262.89(c)				
the appropriate control procedures for hazardous waste and hazardous waste mixtures are addressed in 262.82	262.89(d)	262.89(d)	X			
OECD Green, Amber, and Red Lists as set forth in Appendices 3, 4, and 5 to the OECD Council Decision C(92)39/FINAL are incorporated by reference as	262.89(e)	262.89(e)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

they existed on date of approval; notice of any change will be published in the <u>Federal Register</u> ; these materials are available for inspection at Office of Federal Register and may be obtained from the Organization for Economic Cooperation, France						
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PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART A - GENERAL

SCOPE

add new paragraph; transporters of hazardous waste subject to part 262, part 273, or State requirements analogous to part 273, that is being imported or exported to any countries listed in 262.58(a)(1) for the purposes of recovery, is subject to part 263 subpart A, part 262 subpart H, including, but not limited to, 262.84 for tracking documents	263.10(d)	263.10(d)	X			
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H THE MANIFEST SYSTEM

after "In the case of exports" insert "other than those subject to subpart H of 40 CFR part 262"; delete "(1)" after "other person"; delete "(2)" after "Consent; and"; add new last sentence "For exports of hazardous waste subject to the requirements of subpart H of 40 CFR part 262, a transporter may not accept hazardous waste without a tracking document that includes all information	263.20(a)	263.20(a)	X			
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RCRA REVISION CHECKLIST 152: Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (cont'd)

required by 40 CFR 262.84"						
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PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART B - GENERAL FACILITY STANDARDS

H REQUIRED NOTICES

redesignate former 264.12(a) as 264.12(a)(1)	264.12(a)(1)	264.12(a)(1)	X			
add new paragraph; owner or operator of a recovery facility that has arranged to receive hazardous waste subject to part 262 subpart H, must provide a copy of the tracking document bearing all signatures to the notifier, the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division, and to the competent authorities of all concerned countries within three working days of receipt of shipment; the original signed tracking document must be maintained for at least three years	264.12(a)(2)	264.12(a)(2)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

H USE OF MANIFEST SYSTEM

add new paragraph after comment; within three working days of receipt of a shipment subject to part 262 subpart H, the owner or operator of the facility must provide a copy of the tracking document bearing all signatures to notifier, Office of Enforcement and Compliance Assurance,	264.71(d)	264.71(d)	X			
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RCRA REVISION CHECKLIST 152: Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (cont'd)

Office of Compliance, Enforcement Planning, Targeting and Data Division, and to competent authorities of all concerned countries; original tracking document must be maintained for at least three years						
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PART - 265 INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART B - GENERAL FACILITY STANDARDS

H REQUIRED NOTICES

redesignate former 265.12(a) as 265.12(a)(1)	265.12(a)(1)	265.12(a)(1)	X			
add new paragraph; owner or operator of a recovery facility that has arranged to receive hazardous waste subject to part 262 subpart H, must provide a copy of the tracking document bearing all signatures to the notifier, the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division, and to the competent authorities of all concerned countries within three working days of receipt of shipment; the original signed tracking document must be maintained for at least three years	265.12(a)(2)	265.12(a)(2)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

H USE OF THE MANIFEST SYSTEM

add new paragraph after comment; within three working days of receipt of a shipment subject to part 262	265.71(d)	265.71(d)	X			
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RCRA REVISION CHECKLIST 152: Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (cont'd)

subpart H, owner or operator of the facility must provide a copy of the tracking document bearing all signatures to notifier, Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division, and to competent authorities of all concerned countries; original tracking document must be maintained for at least three years					
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PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART F - RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL RECOVERY

H APPLICABILITY AND REQUIREMENTS

add "and" at end of paragraph	266.70(b)(2)	266.70(b)(2)	X		
2 add new paragraph; for precious metals exported to or imported from OECD countries for recovery, persons who generate, transport or store recyclable materials are subject to part 262 subpart H, 265.12(a)(1) and 265.12(a)(2); for	266.70(b)(3)	266.70(b)(3)	X		
precious metals exported or imported from non-OECD countries, such persons are subject to part 262 subparts E and F					

PART 273 - STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART B - STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE

H EXPORTS

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

insert "other than to those OECD countries specified in 40 CFR 262.58(a)(1) (in which case the handler is subject to the requirements of 40 CFR part 262, subpart H)" after "foreign destination"	273.20	273.20	X			
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SUBPART C - STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE

## H EXPORTS

insert "other than to those OECD countries specified in 40 CFR 262.58(a)(1) (in which case the handler is subject to the requirements of 40 CFR part 262, subpart H)" after "foreign destination"	273.40	273.40	X			
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SUBPART D - STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

## H EXPORTS

insert "other than to those OECD countries specified in 40 CFR 262.58(a)(1) (in which case the transporter is subject to the requirements of 40 CFR part 262, subpart H)" after "foreign destination"	273.56	273.56	X			
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SUBPART F - IMPORT REQUIREMENTS

## H IMPORTS

replace "below" with "in paragraphs (a) through (c) of this section"	273.70 intro	273.70 intro	X			
add new paragraph; persons managing universal waste imported from OECD country as specified in 262.58(a)(1) are subject to 273.70(a) through (c) in addition to part 262 subpart	273.70(d)	273.70(d)	X			

RCRA REVISION CHECKLIST 152: Imports and Exports of  
Hazardous Waste: Implementation of OECD Council Decision (cont'd)

H						
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There is a typographical error in the Federal Register for this rule: "Green-list waste" should be "Green-list wastes".

There is a typographical error in § 266.70(b)(3) in the Federal Register for this rule. In the sentence "For precious metals exported to or imported from designated OECD member countries for recovery, subpart H of part 262 and '265.12(a)(2) of this chapter.", after "for recovery," insert "persons who generate, transport or store recyclable materials are subject to".

*Entire*

Note: Application packet is zipped on the enclosed disks.

to extract, put disk # 1 in your floppy drive and

type :

PKUNZIP A:\ ARRCRA-6.ZIP C:\ (path + directory you  
want to copy to...)

Enjoy!

Tom

**RCRA REVISION CHECKLIST 153**

**Conditionally Exempt Small Quantity Generator  
Disposal Options under Subtitle D**

61 FR 34252-34278

July 1, 1996

(RCRA Cluster VII, HSWA provisions)

States with authorized RCRA programs may have already adopted requirements under State law similar to the provisions addressed by this checklist; however, these States are not authorized to implement these requirements in lieu of EPA until the State modification has been approved. (As indicated in the checklist, only the changes to § 261.5 will be assessed against the Federal program.) States with such existing standards may continue to administer their standards as a matter of State law, but they need to seek authorization for these provisions. States, whose requirements are more stringent and do not allow the disposal of wastes generated by CESQGs into Subtitle D landfills under their existing authorized Subtitle D program, would not be required to revise their programs and obtain authorization for the revisions to § 261.5. Instead, the State should inform their EPA Regional Office by letter that for this final rule they are not required to submit an application because the State provision currently in effect is more stringent than the requirement authorized in the July 1, 1996 (61 FR 34252) final rule.

For a State not to be required to submit a revision authorization application for this checklist, the following must be true:

- ! the State must have provisions that are already authorized by EPA,
- ! these provisions must be more stringent than the Subtitle C provisions in the final rule addressed by this checklist and not allow the disposal of CESQG waste in Subtitle D landfills, and
- ! the State must not change its authorized regulatory language.

Because the provisions in such States are more stringent than those addressed by this checklist, they would continue to apply in that State, even though the Federal provisions are promulgated pursuant to HSWA authority.

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

**PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTES**

**SUBPART A - GENERAL**

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

remains unchanged even though included in this rule	261.5(f)(3) intro	261.5(f)(3) intro	X			
remains unchanged even though included in this rule	261.5(f)(3)(i)-(iii)	261.5(f)(3)(i)-(iii)	X			

**RCRA REVISION CHECKLIST 153: Conditionally Exempt Small  
Quantity Generator Disposal Options under Subtitle D (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "or industrial solid waste" with "solid waste and, if managed in a municipal solid waste landfill is subject to Part 258 of this chapter"	261.5(f)(3)(iv)	261.5(f)(3)(iv)	X			
redesignate 261.5(f)(3)(v), as 261.5(f)(3)(vi); add new paragraph 261.5(f)(3)(v) regarding facilities that are permitted, licensed, or registered by a State to manage non-municipal non-hazardous waste that is subject to 257.5 through 257.30	261.5(f)(3)(v)	261.5(f)(3)(v)	X			
former 261.5(f)(3)(v) becomes 261.5(f)(3)(vi)	261.5(f)(3)(vi)	261.5(f)(3)(vi)	X			
former 261.5(f)(3)(vi) becomes 261.5(f)(3)(vii)	261.5(f)(3)(vii)	261.5(f)(3)(vii)	X			
remains unchanged even though included in this rule	261.5(g)(3) intro	261.5(g)(3) intro	X			
remains unchanged even though included in this rule	261.5(g)(3)(i)-(iii)	261.5(g)(3)(i)-(iii)	X			
replace "or industrial solid waste" with "solid waste and, if managed in a municipal solid waste landfill is subject to Part 258 of this chapter"	261.5(g)(3)(iv)	261.5(g)(3)(iv)	X			
redesignate 261.5(g)(3)(v), as 261.5(g)(3)(vi); add new paragraph 261.5(g)(3)(v) regarding facilities that are permitted, licensed, or registered by a State to	261.5(g)(3)(v)	261.5(g)(3)(v)	X			

**RCRA REVISION CHECKLIST 153: Conditionally Exempt Small  
Quantity Generator Disposal Options under Subtitle D (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
manage non-municipal non-hazardous waste that is subject to 257.5 through 257.30						
former 261.5(g)(3)(v) becomes 261.5(g)(3)(vi)	261.5(g)(3)(vi)	261.5(g)(3)(vi)	X			
former 261.5(g)(3)(vi) becomes 261.5(g)(3)(vii)	261.5(g)(3)(vii)	261.5(g)(3)(vii)	X			

## RCRA REVISION CHECKLIST 154

### Consolidated Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers

59 FR 62896-62953

December 6, 1994

as amended by

60 FR 26828-26829, May 19, 1995

60 FR 50426-50430, September 29, 1995

60 FR 56952-56954, November 13, 1995

61 FR 4903-4916, February 9, 1996

61 FR 28508-28510, June 5, 1996

61 FR 59932-59997, November 25, 1996

(RCRA Cluster VII, HSWA provisions)

Notes: 1) This special consolidated checklist addresses changes made to the Federal code by the December 6, 1994 final rule regarding Subpart CC standards (59 FR 62896), as well as six subsequent final rules. With the publication of the November 25, 1996 final rule, EPA is issuing this Consolidated Revision Checklist to aid States in correctly adopting the changes made by the seven rules. Note that the State modification deadline for this consolidated checklist is July 1, 1998 (or July 1, 1999 if a statutory change is necessary) based on the promulgation date of the most recent of the amendments.

2) Due to the large number of rules (seven total) that comprise Consolidated Revision Checklist 154, a ARule@ reference column has been added to this checklist to reflect the rule(s) that affected each provision. The rules are designated as follows:

- 154: 61 FR 59932-59997 (November 25, 1996)
- 154.1: 59 FR 62896-62953 (December 6, 1994) (Formerly Revision Checklist 138)
- 154.2: 60 FR 26828-26829 (May 19, 1995) (Formerly Revision Checklist 143)
- 154.3: 60 FR 50426-50430 (September 29, 1995) (Formerly Revision Checklist 146)
- 154.4: 60 FR 56952-56954 (November 13, 1995) (Formerly Revision Checklist 143.1)
- 154.5: 61 FR 4903-4916 (February 9, 1996) (Formerly Revision Checklist 149)
- 154.6: 61 FR 28508-28510 (June 5, 1996) (Formerly Revision Checklist 143.2)

3) Note that this checklist adds a new method to Appendix A of 40 CFR Part 60. This addition has been included because this method is referenced in Subpart CC of both Part 264 and Part 265. Thus, a State must either directly reference the method at 40 CFR Part 60, Appendix A or incorporate this method into its regulations and reference the method within its regulations. If the first approach is used, the State must make sure that its Administrative Procedures Act allows the State to reference the Federal regulations. While the following regulations/methods/appendices were not added by this rule, they are referenced in this new rule. A State, thus, must either directly reference these regulations/methods/appendices or incorporate them into its regulations and reference the appropriate State analog:

- P 40 CFR part 60  
! Specific references noted:  
- 60.112(b)  
- 60.114(b)  
- Subpart VV  
- Appendix A
- P 40 CFR part 61  
! Specific references noted:  
- 61.346(a)(1)  
- 61.346(b)(1) through (b)(3)  
- Subpart V
- P 40 CFR part 63  
! Specific references noted:  
- Appendix A  
- Appendix C

FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 60 - STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES							
APPENDIX A TO PART 60							
TEST METHOD							
add Method 25E-Determination of Vapor Phase Organic Concentration in Waste Samples	154.1	Appendix A	N/A (direct reference)				
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL							
SUBPART B - DEFINITIONS							
REFERENCES							
add "API Publication 2517, Third Edition, February 1989, "Evaporative Loss from External Floating Roof Tanks""	154.1	260.11(a)	260.11(a)	X			
add "ASTM Standard Test Method for Vapor Pressure--Temperature Relationship & Initial Decomposition Temperature of Liquids by Isoteniscope"	154.1	260.11(a)	260.11(a)	X			
change <u>Federal Register</u> address to "800 North Capitol Street, NW., Suite 700, Washington, DC."	154.1	260.11(b)	260.11(b)	X			

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

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

**SUBPART A - GENERAL**

**REQUIREMENTS FOR RECYCLABLE MATERIALS**

replace "owners or operators" with "owners and operators"; delete "and" prior to "BB"; insert ", and CC" following "BB"	154	261.6(c)(1)	261.6(c)(1)	X			
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**PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE**

**SUBPART C - PRE-TRANSPORT REQUIREMENTS**

**ACCUMULATION TIME**

[no change] in containers and generator complies with Subpart I of Part 265; and/or	154.1 154.5 154	262.34(a)(1)(i)	262.34(a)(1)(i)	X			
[no change] in tanks and generator complies with Subpart J of Part 265, except 265.197(c) and 265.200; and/or	154.1 154	262.34(a)(1)(ii)	262.34(a)(1)(ii)	X			
insert "of this chapter" after "part 265"; change "" to """; insert "and 265.178" after "265.176"	154.1	262.34(d)(2)	262.34(d)(2)	X			

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

**SUBPART B - GENERAL FACILITY STANDARDS**

**GENERAL WASTE ANALYSIS**

add "264.1083," after "264.1063(d)"	154.1	264.13(b)(6)	264.13(b)(6)	X			
owners/operators seeking exemption to subpart CC air emission standards in accordance with 264.1082	154.1	264.13(b)(8)	264.13(b)(8)	X			
if direct measurement used for determination, procedures & schedules for waste sampling & analysis, & results of analysis to verify exemption	154.1 154.5	264.13(b)(8)(i)	264.13(b)(8)(i)	X			
if knowledge of waste is used for waste determination, any information that is used as basis for knowledge	154.1 154.5	264.13(b)(8)(ii)	264.13(b)(8)(ii)	X			

**GENERAL INSPECTION REQUIREMENTS**

remove the "and" preceding "264.1058"; add "264.1088, and	154.1	264.15(b)(4)	264.15(b)(4)	X			
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FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
264.1091(b) after "264.1058"							

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

**OPERATING RECORD**

insert "and waste determinations" after "waste analyses"; add "264.1083," after "264.1063,"	154.1	264.73(b)(3)	264.73(b)(3)	X			
<sup>2</sup> insert "of this part" after "subpart F"; replace "264.252-264.254" with "264.252 through 264.254"; replace "264.302-264.304" with "264.302 through 264.304"; replace "264.1034(c)-264.1034(f)" with "264.1034(c) through 264.304(f)"; replace "264.1063(d)-264.1063(i)" with "264.1063(c) through 264.1063(i)"; delete the "and" before "264.1064" and add "264.1088, 264.1089, and 264.1091" after "264.1064"	154.1	264.73(b)(6)	264.73(b)(6)	X			

**ADDITIONAL REPORTS**

remove "and" after "AA"; insert ", and CC of this part" after "BB"	154.1	264.77(c)	264.77(c)	X			
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**SUBPART I - USE AND MANAGEMENT OF CONTAINERS**

**AIR EMISSION STANDARDS**

owners/operators subject to applicable requirements of 264, Subparts AA, BB, and CC, if they place hazardous waste in container	154.1 154	264.179	264.179	X			
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**SUBPART J - TANK SYSTEMS**

**AIR EMISSION STANDARDS**

owners/operators subject to applicable requirements of 264, Subparts AA, BB, and CC if they place hazardous waste in a tank	154.1 154	264.200	264.200	X			
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**SUBPART K - SURFACE IMPOUNDMENTS**

**AIR EMISSION STANDARDS**

owners/operators subject to applicable requirements of 264, Subparts BB and CC if they place hazardous waste in surface impoundment	154.1 154	264.232	264.232	X			
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FEDERAL REQUIREMENTS	RULE REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART X - MISCELLANEOUS UNITS

ENVIRONMENTAL PERFORMANCE STANDARDS

insert "and subparts AA through CC" after "subparts I through O"	154.1	264.601	264.601	X			
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SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

delete first ""; insert ", paragraphs" prior to "(d)"; remove hyphen in "10-ppmw"; insert "one of the following" at end of sentence	154	264.1030(b)	264.1030(b)	X			
replace "Units" with "A unit"; replace "are subject" with "is subject"; insert "40 CFR" before "part 270"	154	264.1030(b)(1)	264.1030(b)(1)	X			
completely revise paragraph: unit not exempt from permitting under 262.34(a) & is located at a hazardous waste management facility subject to part 270, or	154	264.1030(b)(2)	264.1030(b)(2)	X			
unit that is exempt from permitting under 262.34(a)	154	264.1030(b)(3)	264.1030(b)(3)	X			
delete "262.34" from note at end of section	154	264.1030/note at end	264.1030	X			

STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

in second sentence, replace "18 months" with "30 months"	154.5	264.1033(a)(2)	264.1033(a)(2)	X			
replace "at two locations and have" with "with"; replace first "°C" with "degrees Celsius (°C)"; replace "One temperature" with "The temperature"; replace ", and a second temperature sensor shall be installed at a location in the coolant fluid exiting the condenser" with "exit (i.e., product side)"	154	264.1033(f)(2)(vi)(B)	264.1033(f)(2)(vi)(B)	X			
add new paragraph: design requirements for closed-vent system are either:	154	264.1033(k)	264.1033(k)	X			
completely revise: to operate with no detectable emissions as determined by 264.1034(b) & visual inspections; or	154	264.1033(k)(1)	264.1033(k)(1)	X			
completely revise: to operate at a pressure below atmospheric pressure; how to equip system	154.1 154.5 154	264.1033(k)(2)	264.1033(k)(2)	X			
redesignate 264.1033(l) as 264.1033(m); add new 264.1033(l): owner/operator to monitor & inspect closed-vent system to ensure proper operation & maintenance by implementing following:	154	264.1033(l)	264.1033(l)	X			
closed-vent system used to comply	154	264.1033(l)(1)	264.1033(l)(1)	X			

with 264.1033(k)(1) shall be inspected & monitored in accordance with:							
initial leak detection monitoring shall be conducted by owner/operator using procedures in 264.1034(b)	154	264.1033(l)(1)(i)	264.1033(l)(1)(i)	X			
owner/operator shall inspect & monitor the closed-vent system, after initial leak detection monitoring required in 264.1033(l)(1)(i)	154	264.1033(l)(1)(ii)	264.1033(l)(1)(ii)	X			
	154	264.1033(l)(1)(ii)(A)	264.1033(l)(1)(ii)(A)	X			
	154	264.1033(l)(1)(ii)(B)	264.1033(l)(1)(ii)(B)	X			
in event that defect or leak is detected, the owner/operator shall repair in accordance with 264.1033(l)(3)	154	264.1033(l)(1)(iii)	264.1033(l)(1)(iii)	X			
owner/operator shall maintain record of inspection & monitoring in accordance with 264.1035	154	264.1033(l)(1)(iv)	264.1033(l)(1)(iv)	X			
a closed-vent system used to comply with 264.1033(k)(2) shall be inspected & monitored in accordance with specified requirements	154	264.1033(l)(2)	264.1033(l)(2)	X			
	154	264.1033(l)(2)(i)	264.1033(l)(2)(i)	X			
	154	264.1033(l)(2)(ii)	264.1033(l)(2)(ii)	X			
	154	264.1033(l)(2)(iii)	264.1033(l)(2)(iii)	X			
	154	264.1033(l)(2)(iv)	264.1033(l)(2)(iv)	X			
owner/operator shall repair all detected defects as follows:	154	264.1033(l)(3)	264.1033(l)(3)	X			
detectable emissions shall be controlled as soon as practicable, but not later than 15 days after detection, except as in 264.1033(l)(3)(iii)	154	264.1033(l)(3)(i)	264.1033(l)(3)(i)	X			
first attempt at repair to be made no later than 5 days after emission is detected	154	264.1033(l)(3)(ii)	264.1033(l)(3)(ii)	X			
when delay of closed-vent repair allowed; if repair is infeasible without shutdown or emissions resulting from	154	264.1033(l)(3)(iii)	264.1033(l)(3)(iii)	X			

repair are greater than those from delay, then repair shall be completed by end of next shutdown							
owner/operator shall maintain record of repair in accordance with 264.1035	154	264.1033(l)(3)(iv)	264.1033(l)(3)(iv)	X			
redesignate former 264.1033(l) as (m)	154	264.1033(m)	264.1033(m)	X			
<sup>3</sup> owner/operator using carbon adsorption system shall document that carbon that is hazardous & removed from control device is managed in one of following manners:	154.1 154.5 154	264.1033(n)	264.1033(n)	X			
regenerated or reactivated in a thermal treatment unit that meets one of following:	154.1 154.5 154	264.1033(n)(1)	264.1033(n)(1)	X			
owner/operator has been issued final permit under part 270, which implements subpart X requirements; or	154	264.1033(n)(1)(i)	264.1033(n)(1)(i)	X			
unit is equipped with & operating air emission controls in accordance with subparts AA & CC of 264 or 265; or	154	264.1033(n)(1)(ii)	264.1033(n)(1)(ii)	X			
unit is equipped with & operating air emission controls in accordance with national emission standards of parts 61 or 63	154	264.1033(n)(1)(iii)	264.1033(n)(1)(iii)	X			
incinerated in a hazardous waste incinerator for which the owner/operator either:	154.1 154.5 154	264.1033(n)(2)	264.1033(n)(2)	X			
has been issued a final permit under part 270 which implements the requirements of subpart O; or	154.5 154	264.1033(n)(2)(i)	264.1033(n)(2)(i)	X			
has designed & operates the incinerator in accordance with part 265, subpart O	154.5 154	264.1033(n)(2)(ii)	264.1033(n)(2)(ii)	X			
burned in a boiler or industrial furnace for which owner/operator either:	154.1 154.5 154	264.1033(n)(3)	264.1033(n)(3)	X			
has been issued a final permit under part 270 which implements part 266, subpart H ; or	154.5 154	264.1033(n)(3)	264.1033(n)(3)	X			
has designed & operates boiler or industrial furnace in accordance with part 266, subpart H	154.5 154	264.1033(n)(3)(ii)	264.1033(n)(3)(ii)	X			

any components of a closed-vent system designated in 264.1035(c)(9) as unsafe are exempt from requirements of 264.1033(l)(1)(ii)(B) if:	154	264.1033(o)	264.1033(o)	X			
owner/operator determines that monitoring personnel would be in danger as a consequence of complying; &	154	264.1033(o)(1)	264.1033(o)(1)	X			
owner/operator adheres to written plan requiring monitoring using procedure in 264.1033(l)(1)(ii)(B) as frequently as practicable	154	264.1033(o)(2)	264.1033(o)(2)	X			

#### TEST METHODS AND PROCEDURES

replace "264.1033(k)" with "264.1033(l) of this subpart"	154	264.1034(b)	264.1034(b)	X			
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#### RECORDKEEPING REQUIREMENTS

recordkeeping requirements for owner/operator designating any components of a closed-vent system as unsafe to monitor pursuant to 264.1033(o)	154	264.1035(c)(9)	264.1035(c)(9)	X			
when each leak is detected as in 264.1033(l), the following shall be recorded:	154	264.1035(c)(10)	264.1035(c)(10)	X			
instrument number, closed-vent system component ID number, & operator name, initials, or ID number	154	264.1035(c)(10)(i)	264.1035(c)(10)(i)	X			
date leak was detected & date of first attempt to repair	154	264.1035(c)(10)(i)	264.1035(c)(10)(ii)	X			
date of successful repair	154	264.1035(c)(10)(ii)	264.1035(c)(10)(iii)	X			
maximum instrument reading by Method 21, part 60, Appendix A	154	264.1035(c)(10)(iv)	264.1035(c)(10)(iv)	X			
"repair delayed" & reason for delay if not repaired within 15 days	154	264.1035(c)(10)(v)	264.1035(c)(10)(v)	X			
develop written procedure that identifies conditions that justify delay of repair	154	264.1035(c)(10)(v)(A)	264.1035(c)(10)(v)(A)	X			
documentation requirement if repair delay was caused by depletion of stocked parts	154	264.1035(c)(10)(v)(B)	264.1035(c)(10)(v)(B)	X			
replace "(c)(3)-(c)(8)" with "(c)(3) through (c)(10)"; replace "need be kept only 3 years" with "shall be	154	264.1035(d)	264.1035(d)	X			

maintained by the owner/operator for at least 3 years following the date of each occurrence, measurement, maintenance, corrective action, or record"							
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**SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS**

**APPLICABILITY**

insert "one of the following" after "managed in"	154	264.1050(b)	264.1050(b)	X			
replace "Units that are" with "A unit that is"; insert "40 CFR" before "part 270"	154	264.1050(b)(1)	264.1050(b)(1)	X			
completely revise subparagraph: unit not exempt from permitting under 262.34(a) & is located at a hazardous waste management facility otherwise subject to part 270, or	154	264.1050(b)(2)	264.1050(b)(2)	X			
unit exempt from permitting under 262.34(a)	154	264.1050(b)(3)	264.1050(b)(3)	X			
equipment that contains or contacts hazardous waste with specific organic concentration is excluded from 264.1052-264.1060 if identified as required in 264.1064(g)(6)	154	264.1050(f)	264.1050(f)	X			
delete reference to "262.34" from note	154	264.1050/note at end	264.1050	X			

**STANDARDS: SAMPLING CONNECTION SYSTEMS**

replace "closed purge system" with "closed-purge, closed loop"; insert second & third sentences regarding reason for sample purge system & that gases displaced during filling do not require collection	154	264.1055(a)	264.1055(a)	X			
replace "system" following "closed-purge" with ", closed-loop,"; insert "of this section" following "paragraph (a)"; insert "meet one of the following requirements" after "shall"	154	264.1055(b)	264.1055(b)	X			
completely revise subparagraph: return purged process fluid directly to process line:	154	264.1055(b)(1)	264.1055(b)(1)	X			
replace "hazardous waste stream with no detectable emissions to atmosphere," with "process fluid;"	154	264.1055(b)(2)	264.1055(b)(2)	X			
completely revise subparagraph: be designed & operated to capture &	154	264.1055(b)(3)	264.1055(b)(3)	X			

transport purged process fluid to a waste management unit that complies with 264.1084-264.1086 or a control device that complies with 264.1060							
insert "and sampling systems without purges" after "systems"	154	264.1055(c)	264.1055(c)	X			

STANDARDS: PUMPS AND VALVES IN HEAVY LIQUID SERVICE, PRESSURE RELIEF DEVICES IN LIGHT LIQUID OR HEAVY LIQUID SERVICE, AND FLANGES AND OTHER CONNECTORS

exemption from the 265.1058(a) & 264.1064 requirements for inaccessible, ceramic or ceramic-lined connectors	154	264.1058(e)	264.1058(e)	X			
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RECORDKEEPING REQUIREMENTS

identification of equipment that contains or contacts hazardous waste with certain characteristics	154	264.1064(g)(6)	264.1064(g)(6)	X			
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SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

APPLICABILITY

<sup>4</sup> 264, Subpart CC requirements apply to owners/operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers except as in 264.1 & 264.1080(b)	154.1	264.1080(a)	264.1080(a)	X			
264, Subpart CC requirements do not apply to the following waste management units at the facility:	154.1	264.1080(b)	264.1080(b)	X			
waste management unit that holds hazardous waste placed in it before October 6, 1996 & to which none is added on or after this date	154.1 154.2 154.4 154.6	264.1080(b)(1)	264.1080(b)(1)	X			
container with design capacity of less than or equal to 0.1 m <sup>3</sup>	154.1	264.1080(b)(2)	264.1080(b)(2)	X			
tank to which an owner/operator has stopped adding hazardous waste & has begun implementing or completed closure pursuant to plan	154.1	264.1080(b)(3)	264.1080(b)(3)	X			
surface impoundment in which	154.1	264.1080(b)(4)	264.1080(b)(4)	X			

owner/operator has stopped adding hazardous waste & has begun implementing or completed closure pursuant to plan							
waste management unit used solely for on-site treatment or storage of hazardous waste generated from remedial activities	154.1	264.1080(b)(5)	264.1080(b)(5)	X			
waste management unit used solely for management of radioactive mixed waste	154.1	264.1080(b)(6)	264.1080(b)(6)	X			
hazardous waste management unit equipped with & operating air emission controls in accordance with Clean Air Act; a tank for which air emission control includes an enclosure must comply with 264.1084(i), except as in 264.1082(c)(5)	154	264.1080(b)(7)	264.1080(b)(7)	X			
tank with process vent as defined in 264.1031	154	264.1080(b)(8)	264.1080(b)(8)	X			
for owners/operators of a facility subject to 264, Subpart CC & who have received a final permit before October 6, 1996, 264, Subpart CC requirements are incorporated into a permit when reissued or reviewed; until such date owner/operator is subject to 265, Subpart CC requirements	154.1 154.2 154.4 154.6	264.1080(c)	264.1080(c)	X			
administrative stay of subpart CC requirements, with exception of 264.1089(i), for tanks or containers used to manage hazardous waste from organic peroxide manufacturing & associated laboratory operations when owner/operator meets the specified conditions	154.3	264.1080(d)	264.1080(d)	X			
	154.3	264.1080(d)(1)	264.1080(d)(1)	X			
	154.3	264.1080(d)(2)	264.1080(d)(2)	X			
	154.3	264.1080(d)(3)	264.1080(d)(3)	X			

DEFINITIONS

264, Subpart CC terms have meanings given them in 265.1081, the Act, & Parts 260-266	154.1	264.1081	264.1081	X			
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STANDARDS: GENERAL

<sup>5</sup> 264.1082 applies to management of	154.1	264.1082(a)	264.1082(a)	X			
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hazardous waste in tanks, surface impoundments, & containers subject to 264, Subpart CC	154						
owner/operator shall control air pollutant emissions from waste management unit in accordance with 264.1084-1087, except as in 264.1082(c)	154.1 154	264.1082(b)	264.1082(b)	X			
tank, surface impoundment, or container is exempt from 264.1084-264.1087, provided that it is:	154.1 154	264.1082(c)	264.1082(c)	X			
tank, surface impoundment, or container for which entering hazardous waste has average VO concentration at point of origination of less than 500 ppmw; how VO concentration is determined; frequency of reviews & updates	154.1 154	264.1082(c)(1)	264.1082(c)(1)	X			
tank, surface impoundment, or container for which the organic content of hazardous waste entering the waste management unit is reduced by organic destruction or removal that achieves any of the following conditions:	154.1 154	264.1082(c)(2)	264.1082(c)(2)	X			
process that removes or destroys organics to level such that average VO concentration at the point of treatment < the exit concentration limit established for the process; how average VO concentration is determined	154.1 154	264.1082(c)(2)(i)	264.1082(c)(2)(i)	X			
process that removes or destroys organics to level such that organic reduction efficiency $\geq$ 95% & average VO concentration at point of treatment is < 100 ppmw; how organic reduction efficiency & average VO concentration are determined	154.1 154	264.1082(c)(2)(ii)	264.1082(c)(2)(ii)	X			
<sup>6</sup> process that removes or destroys organics to level such that actual organic mass removal rate $\geq$ required organic mass removal rate established for the process; how required organic mass removal rate & actual organic mass removal rate are determined	154.1 154.5 154	264.1082(c)(2)(iii)	264.1082(c)(2)(iii)	X			
biological process that destroys or degrades organics contained in	154.1 154	264.1082(c)(2)(iv)	264.1082(c)(2)(iv)	X			

hazardous waste such that either of following conditions is met:							
organic reduction efficiency for process $\geq$ 95% & organic biodegradation efficiency $\geq$ 95%; how organic reduction efficiency & biodegradation efficiency are determined	154.1 154	264.1082(c)(2)(iv)(A)	264.1082(c)(2)(iv)(A)	X			
total actual organic mass biodegradation rate for hazardous waste treated by the process $\geq$ required organic mass removal rate; how organic mass removal rate & actual mass biodegradation rate are determined	154.1 154	264.1082(c)(2)(iv)(B)	264.1082(c)(2)(iv)(B)	X			
process that removes or destroys organics contained in hazardous waste & meets all of the specified conditions	154.1 154	264.1082(c)(2)(v)	264.1082(c)(2)(v)	X			
	154.1 154	264.1082(c)(2)(v)(A)	264.1082(c)(2)(v)(A)	X			
	154.1 154	264.1082(c)(2)(v)(B)	264.1082(c)(2)(v)(B)	X			
	154.1 154	264.1082(c)(2)(v)(C)	264.1082(c)(2)(v)(C)	X			
<sup>7</sup> process that removes or destroys organics in hazardous waste to specified levels; specified levels to be determined using procedures in 264.1083(a)&(b)	154	264.1082(c)(2)(vi)	264.1082(c)(2)(vi)	X			
hazardous waste incinerator for which owner/operator has either:	154.1 154	264.1082(c)(2)(vi i)	264.1082(c)(2)(vii)	X			
been issued a final permit under part 270 which implements subpart O; or	154.1 154	264.1082(c)(2)(vi i)(A)	264.1082(c)(2)(vii)(A)	X			
has designed & operates the incinerator in accordance with interim status requirements of part 265, subpart O	154.1 154	264.1082(c)(2)(vi i)(B)	264.1082(c)(2)(vii)(B)	X			
boiler or industrial furnace for which owner/operator has either:	154.1 154	264.1082(c)(2)(vi ii)	264.1082(c)(2)(viii)	X			
been issued a final permit under part 270 which implements part 266, subpart H; or	154.1 154	264.1082(c)(2)(vi ii)(A)	264.1082(c)(2)(viii)(A)	X			

designed & operates boiler or industrial furnace in accordance with interim status requirements of 266, subpart H	154.1 154	264.1082(c)(2)(vi ii)(B)	264.1082(c)(2) (viii)(B)	X			
for determining performance of organic destruction process, owner/operator shall account for VO concentrations below detection limit by using following:	154	264.1082(c)(2)(ix )	264.1082(c)(2) (ix)	X			
if Method 25D in part 60, appendix A is used, 1/2 of blank value determined in the method	154	264.1082(c)(2)(ix ) (A)	264.1082(c)(2) (ix)(A)	X			
if other method used, 1/2 of detection limit established for the method	154	264.1082(c)(2)(ix ) (B)	264.1082(c)(2) (ix)(B)	X			
tank used for biological treatment of hazardous waste in accordance with 264.1082(c)(2)(iv)	154	264.1082(c)(3)	264.1082(c)(3)	X			
tank, surface impoundment, or container for which hazardous waste placed in unit that either:	154	264.1082(c)(4)	264.1082(c)(4)	X			
meets numerical concentration limits for organic constituents in 268.40; or	154	264.1082(c)(4)(i)	264.1082(c)(4) (i)	X			
been treated as in 268.42(a), or by equivalent method pursuant to 268.42(b)	154	264.1082(c)(4)(ii )	264.1082(c)(4) (ii)	X			
tank used for bulk feed of hazardous waste to an incinerator & all of following are met:	154	264.1082(c)(5)	264.1082(c)(5)	X			
tank is inside enclosure vented to control device designed & operated in accordance with part 61, subpart FF for facility generating \$ 10 megagrams of benzene per year	154	264.1082(c)(5)(i)	264.1082(c)(5)(i )	X			
tank's enclosure & control device installed & began operation prior to November 25, 1996 &	154	264.1082(c)(5)(ii )	264.1082(c)(5)(i i)	X			
enclosure designed & operated in accordance with 52.741, appendix B; allowance for openings; verification as specified in ' 5.0	154	264.1082(c)(5)(ii i)	264.1082(c)(5)(i ii)	X			
<sup>s</sup> Regional Administrator may perform,	154.1	264.1082(d)	264.1082(d)	X			

or request owner/operator to perform waste determination for hazardous waste managed in a tank, surface impoundment, or container exempt from air emission controls under 264.1082 as follows:	154						
waste determination for average VO concentration of hazardous waste at point of origination shall be performed using direct measurement in accordance with 264.1083(a) requirements; how determination will be performed	154.1 154	264.1082(d)(1)	264.1082(d)(1)	X			
<sup>9</sup> in performing waste determination pursuant to 264.1082(d)(1), sample preparation shall be conducted as follows:	154	264.1082(d)(2)	264.1082(d)(2)	X			
in accordance with method used by owner/operator, except as specified by 264.1082(d)(2)(ii)	154	264.1082(d)(2)(i)	264.1082(d)(2)(i)	X			
if Regional Administrator determines owner/ operator's methods inappropriate, then may choose appropriate one	154	264.1082(d)(2)(ii)	264.1082(d)(2)(ii)	X			
when owner/operator performs waste determination, Regional Administrator may have authorized representative observe sampling	154.1 154	264.1082(d)(3)	264.1082(d)(3)	X			
if results of waste determination performed or requested by Regional Administrator do not agree with results of waste determination performed by owner/operator, then results of waste determination performed under 264.1082(d)(1) shall be used	154.1 154	264.1082(d)(4)	264.1082(d)(4)	X			
if averaging period of greater than 1 hour used to determine average VO concentration of hazardous waste at point of origination, Regional Administrator can establish 264, Subpart CC compliance by performing or requesting that owner/operator perform a waste determination based on samples collected within 1-hour period as specified	154.1 154	264.1082(d)(5)	264.1082(d)(5)	X			

154.1 154	264.1082(d)(5)(i)	264.1082(d)(5)(i)	X			
154.1 154	264.1082(d)(5)(ii)	264.1082(d)(5)(ii)	X			
154.1 154	264.1082(d)(5)(iii)	264.1082(d)(5)(iii)	X			

WASTE DETERMINATION PROCEDURES

waste determination procedure to determine average VO concentration of hazardous waste at point of origination	154.1 154	264.1083(a)	264.1083(a)	X		
<sup>10</sup> average VO concentration at point of waste origination shall be determined for each hazardous waste placed in a unit exempted under 264.1082(c)(1) from using air emission controls in accordance with 264.1084-1087	154.1 154.5 154	264.1083(a)(1)	264.1083(a)(1)	X		
average VO concentration of hazardous waste at point of waste origination may be determined in accordance with 265.1084(a)(2)-(4)	154.1 154	264.1083(a)(2)	264.1083(a)(2)	X		
<sup>11</sup> waste determination procedures for treated hazardous waste	154.1 154	264.1083(b)	264.1083(b)	X		
owner/operator shall perform applicable waste determination for each hazardous waste placed in a unit exempted under 264.1082(c)(2) from using air emission controls in accordance with 264.1084-1087	154.1 154.5 154	264.1083(b)(1)	264.1083(b)(1)	X		
the waste determination for a treated hazardous waste shall be performed in accordance with 265.1084(b)(2)-(9)	154.1 154	264.1083(b)(2)	264.1083(b)(2)	X		
procedure to determine maximum organic vapor pressure of hazardous waste in a tank	154.1 154	264.1083(c)	264.1083(c)	X		
owner/operator shall determine maximum organic vapor pressure for each hazardous waste placed in a tank using Tank Level 1 controls in accordance with 264.1084(c)	154.1 154	264.1083(c)(1)	264.1083(c)(1)	X		
maximum organic vapor pressure of hazardous waste may be determined in accordance with 265.1084(c)(2)-(4)	154.1 154	264.1083(c)(2)	264.1083(c)(2)	X		
procedure for determining no detectable organic emissions shall be conducted in accordance with 265.1084(d)	154	264.1083(d)	264.1083(d)	X		

12 STANDARDS: TANKS

provisions of 264.1084 apply to control of air pollutant emissions from tanks for which 264.1082(b) references the use of 264.1084 for such air emission control	154	264.1084(a)	264.1084(a)	X			
owner/operator shall control air pollutant emissions from each tank subject to 264.1084 in accordance with the following:	154	264.1084(b)	264.1084(b)	X			
requirements for a tank that manages hazardous waste & meets the conditions in 264.1084(b)(1)(i)-(iii)	154	264.1084(b)(1)	264.1084(b)(1)	X			
hazardous waste in the tank has maximum organic vapor pressure less than limit for tank's capacity category as specified	154	264.1084(b)(1)(i)	264.1084(b)(1)(i)	X			
	154	264.1084(b)(1)(i)(A)	264.1084(b)(1)(i)(A)	X			
	154	264.1084(b)(1)(i)(B)	264.1084(b)(1)(i)(B)	X			
	154	264.1084(b)(1)(i)(C)	264.1084(b)(1)(i)(C)	X			
hazardous waste in the tank is not heated by owner/operator to temperature at which maximum organic vapor pressure is determined to comply with 264.1084(b)(1)(i)	154	264.1084(b)(1)(ii)	264.1084(b)(1)(ii)	X			
hazardous waste in tank is not treated by owner/operator using waste stabilization process, as in 265.1081	154	264.1084(b)(1)(ii)(i)	264.1084(b)(1)(ii)(i)	X			
requirements for tanks that do not meet 264.1084(b)(1)(i)-(iii)	154	264.1084(b)(2)	264.1084(b)(2)	X			
owners/operators controlling air pollutant emissions from a tank using Tank Level I controls meet requirements in 264.1084(c)(1)-(c)(4)	154	264.1084(c)	264.1084(c)	X			
owner/operator to determine maximum organic vapor pressure for hazardous waste in tank using Tank Level I controls before placing waste in tank; maximum organic vapor pressure to be determined using 264.1083(c); when determinations	154	264.1084(c)(1)	264.1084(c)(1)	X			

shall be performed							
tank shall be equipped with fixed roof designed to meet the following:	154	264.1084(c)(2)	264.1084(c)(2)	X			
fixed roof & its closure devices shall form barrier over surface of hazardous waste in the tank; what is a fixed roof	154	264.1084(c)(2)(i)	264.1084(c)(2)(i)	X			
installed without visible cracks, holes, gaps, or open spaces between joints/edges	154	264.1084(c)(2)(ii)	264.1084(c)(2)(ii)	X			
openings shall be equipped with a closure device or connected by a closed-vent system	154	264.1084(c)(2)(iii)	264.1084(c)(2)(iii)	X			
	154	264.1084(c)(2)(ii)(A)	264.1084(c)(2)(ii)(A)	X			
	154	264.1084(c)(2)(ii)(B)	264.1084(c)(2)(ii)(B)	X			
fixed roof & its closure devices shall consist of materials to minimize exposure of hazardous waste to atmosphere, & maintain integrity throughout service life; factors for selecting materials	154	264.1084(c)(2)(iv)	264.1084(c)(2)(iv)	X			
when hazardous waste is in the tank, fixed roof shall be installed with closure device secured in closed position except:	154	264.1084(c)(3)	264.1084(c)(3)	X			
opening of closure devices or removal of fixed roof is allowed to provide access or to remove accumulated sludge	154	264.1084(c)(3)(i)	264.1084(c)(3)(i)	X			
	154	264.1084(c)(3)(i)(A)	264.1084(c)(3)(i)(A)	X			
	154	264.1084(c)(3)(i)(B)	264.1084(c)(3)(i)(B)	X			
opening of pressure relief devices which vent to the atmosphere during normal operations to maintain internal pressure; designed to operate with no detectable emissions when closed; remain in closed position when internal pressure is within operating range determined by owner/operator; normal operating conditions	154	264.1084(c)(3)(ii)	264.1084(c)(3)(ii)	X			

opening of safety device allowed to avoid an unsafe condition	154	264.1084(c)(3)(ii i)	264.1084(c)(3)(ii ii)	X			
owner/operator shall inspect & monitor air emission control equipment as follows:	154	264.1084(c)(4)	264.1084(c)(4)	X			
fixed roof & closure devices to be visually inspected for defects; examples	154	264.1084(c)(4)(i)	264.1084(c)(4)(i)	X			
initial inspection of fixed roof & closure devices on or before tank is subject to 264.1084; then at least once a year except under 264.1084(l)	154	264.1084(c)(4)(ii )	264.1084(c)(4)(ii)	X			
in event of defect, shall be repaired in accordance with 264.1084(k)	154	264.1084(c)(4)(ii i)	264.1084(c)(4)(iii)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(b)	154	264.1084(c)(4)(iv )	264.1084(c)(4)(iv)	X			
owners/operators controlling air pollutant emissions from a tank using Tank Level 2 controls shall use one of the following:	154	264.1084(d)	264.1084(d)	X			
fixed-roof tank equipped with internal floating roof in accordance with 264.1084(e);	154	264.1084(d) (1)	264.1084(d)(1)	X			
tank equipped with external floating roof in accordance with 264.1084(f);	154	264.1084(d)(2)	264.1084(d)(2)	X			
tank vented through a closed-vent system to control device in accordance with 264.1084(g);	154	264.1084(d)(3)	264.1084(d)(3)	X			
pressure tank designed & operated in accordance with 264.1084(h); or	154	264.1084(d)(4)	264.1084(d)(4)	X			
tank inside an enclosure vented through a closed-vent system to an enclosed combustion control device in accordance with 264.1084(i)	154	264.1084(d)(5)	264.1084(d)(5)	X			
owner/operator who controls emissions from a tank using a fixed roof with internal floating roof shall meet 264.1084(e)(1)-(3) requirements	154	264.1084(e)	264.1084(e)	X			
tank shall be equipped with fixed roof & internal floating roof in accordance with the following:	154	264.1084(e) (1)	264.1084(e)(1)	X			
internal floating roof shall be designed to float on liquid surface except when supported by leg supports	154	264.1084(e)(1)(i)	264.1084(e)(1)(i)	X			

internal floating roof shall be equipped with continuous seal that meets specified conditions	154	264.1084(e)(1)(ii) )	264.1084(e)(1) (ii)	X			
	154	264.1084(e)(1)(ii) (A)	264.1084(e)(1) (ii)(A)	X			
	154	264.1084(e)(1)(ii) (B)	264.1084(e)(1) (ii)(B)	X			

internal floating roof shall meet listed specifications	154	264.1084(e)(1)(ii) i)	264.1084(e)(1) (iii)	X			
	154	264.1084(e)(1)(ii) i)(A)	264.1084(e)(1) (iii)(A)	X			
	154	264.1084(e)(1)(ii) i)(B)	264.1084(e)(1) (iii)(B)	X			
	154	264.1084(e)(1)(ii) i)(C)	264.1084(e)(1) (iii)(C)	X			
	154	264.1084(e)(1)(ii) i)(D)	264.1084(e)(1) (iii)(D)	X			
	154	264.1084(e)(1)(ii) i)(E)	264.1084(e)(1) (iii)(E)	X			
	154	264.1084(e)(1)(ii) i)(F)	264.1084(e)(1) (iii)(F)	X			
owner/operator shall operate the tank in accordance with the following:	154	264.1084(e)(2)	264.1084(e)(2)	X			
when floating roof is resting on leg supports, filling, emptying, or refilling shall be continuous & completed as soon as practical	154	264.1084(e)(2)(i)	264.1084(e)(2) (i)	X			
automatic bleeder vents to be closed at all times when roof is floating, except when roof is being floated off or landed on leg supports	154	264.1084(e)(2)(ii) )	264.1084(e)(2) (ii)	X			
prior to filling tank, openings in internal floating roof shall be closed; rim space vents open only when internal floating roof is not floating or when pressure exceeds manufacturer's recommended setting	154	264.1084(e)(2)(ii) i)	264.1084(e)(2) (iii)	X			
owner/operator shall inspect internal floating roof in accordance with the following:	154	264.1084(e)(3)	264.1084(e)(3)				
floating roof & its closure devices shall be visually inspected for defects which could result in air pollutant emissions; potential defects	154	264.1084(e)(3)(i)	264.1084(e)(3) (i)				
owner/operator shall inspect internal floating roof components with specified visual inspections except as provided in 264.1084(e)(3)(iii)	154	264.1084(e)(3)(ii) )	264.1084(e)(3) (ii)				
	154	264.1084(e)(3)(ii) (A)	264.1084(e)(3) (ii)(A)				
	154	264.1084(e)(3)(ii) (B)	264.1084(e)(3) (ii)(B)				

as alternative to 264.1084(e)(3)(ii) inspections for internal floating roof equipped with two continuous seals, owner/operator may perform visual inspection each time tank is emptied & degassed & at least every 5 years	154	264.1084(e)(3)(ii) i)	264.1084(e)(3) (iii)	X			
before 264.1084(e)(3)(ii)-(iii) inspections, owner/operator shall notify Regional Administrator in advance to allow for observer during the inspection; & notify Regional Administrator of date & location of inspection	154	264.1084(e)(3)(iv) )	264.1084(e)(3) (iv)	X			
	154	264.1084(e)(3)(iv) ) (A)	264.1084(e)(3) (iv) (A)	X			
	154	264.1084(e)(3)(iv) ) (B)	264.1084(e)(3) (iv) (B)	X			
in event of a defect, it shall be repaired in accordance with 264.1084(k)	154	264.1084(e)(3)(v) )	264.1084(e)(3) (v)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(b)	154	264.1084(e)(3)(vi) )	264.1084(e)(3) (vi)	X			
owner/operator who controls emissions from tank using external floating roof shall meet requirements in 264.1084(f)(1)-(3)	154	264.1084(f)	264.1084(f)	X			
owner/operator shall design external floating roof in accordance with the following:	154	264.1084(f)(1)	264.1084(f)(1)	X			
external floating roof designed to float on liquid surface except when supported by leg supports	154	264.1084(f)(1)(i)	264.1084(f)(1) (i)	X			
floating roof equipped with two continuous seals; the lower seal referred to as primary seal & upper seal as secondary seal	154	264.1084(f)(1)(ii)	264.1084(f)(1) (ii)	X			
	154	264.1084(f)(1)(ii) (A)	264.1084(f)(1) (ii) (A)	X			
	154	264.1084(f)(1)(ii) (B)	264.1084(f)(1) (ii) (B)	X			
external floating roof shall meet certain specifications	154	264.1084(f)(1)(iii) )	264.1084(f)(1) (iii)	X			

	154	264.1084(f)(1)(iii)(A)	264.1084(f)(1)(iii)(A)	X			
	154	264.1084(f)(1)(iii)(B)	264.1084(f)(1)(iii)(B)	X			
	154	264.1084(f)(1)(iii)(C)	264.1084(f)(1)(iii)(C)	X			
	154	264.1084(f)(1)(iii)(D)	264.1084(f)(1)(iii)(D)	X			
	154	264.1084(f)(1)(iii)(E)	264.1084(f)(1)(iii)(E)	X			
	154	264.1084(f)(1)(iii)(F)	264.1084(f)(1)(iii)(F)	X			
	154	264.1084(f)(1)(iii)(G)	264.1084(f)(1)(iii)(G)	X			
	154	264.1084(f)(1)(iii)(H)	264.1084(f)(1)(iii)(H)	X			
	154	264.1084(f)(1)(iii)(I)	264.1084(f)(1)(iii)(I)	X			
owner/operator shall operate tank in accordance with the following:	154	264.1084(f)(2)	264.1084(f)(2)	X			
when floating roof resting on leg supports, filling, emptying, or refilling shall be continuous & completed as soon as practical	154	264.1084(f)(2)(i)	264.1084(f)(2)(i)	X			
except for automatic bleeder vents, rim space vents, roof drains, & leg sleeves, roof openings shall be secured & closed at all times except when closure device must be open for access	154	264.1084(f)(2)(ii)	264.1084(f)(2)(ii)	X			
covers on each access hatch & gauge float well shall be bolted or fastened if in closed position	154	264.1084(f)(2)(iii)	264.1084(f)(2)(iii)	X			
automatic bleeder vents to be closed at all times when roof floating, except when roof is being floated off or landed on leg supports	154	264.1084(f)(2)(iv)	264.1084(f)(2)(iv)	X			
rim space vents shall be open only when roof is being floated off the leg supports or when pressure beneath rim seal exceeds manufacturer's recommended setting	154	264.1084(f)(2)(v)	264.1084(f)(2)(v)	X			

cap on end of unslotted guide poles shall be closed at all times except when measuring liquid level or collecting samples	154	264.1084(f)(2)(vi)	264.1084(f)(2)(vi)	X			
cover on each gauge hatch or sample well shall be closed at all times except when hatch or well must be accessed	154	264.1084(f)(2)(vi)	264.1084(f)(2)(vii)	X			
both primary & secondary seals shall completely cover annular space between external floating roof & tank wall in continuous fashion except during inspections	154	264.1084(f)(2)(vi)	264.1084(f)(2)(viii)	X			
owner/operator shall inspect external floating roof in accordance with the following:	154	264.1084(f)(3)	264.1084(f)(3)	X			
owner/operator shall measure external floating roof seal gaps in accordance with specified requirements	154	264.1084(f)(3)(i)	264.1084(f)(3)(i)	X			
	154	264.1084(f)(3)(i)(A)	264.1084(f)(3)(i)(A)	X			
	154	264.1084(f)(3)(i)(B)	264.1084(f)(3)(i)(B)	X			
	154	264.1084(f)(3)(i)(C)	264.1084(f)(3)(i)(C)	X			
	154	264.1084(f)(3)(i)(D)	264.1084(f)(3)(i)(D)	X			
	154	264.1084(f)(3)(i)(D)(1)	264.1084(f)(3)(i)(D)(1)	X			
	154	264.1084(f)(3)(i)(D)(2)	264.1084(f)(3)(i)(D)(2)	X			
	154	264.1084(f)(3)(i)(D)(3)	264.1084(f)(3)(i)(D)(3)	X			
	154	264.1084(f)(3)(i)(D)(4)	264.1084(f)(3)(i)(D)(4)	X			
	154	264.1084(f)(3)(i)(E)	264.1084(f)(3)(i)(E)	X			
	154	264.1084(f)(3)(i)(F)	264.1084(f)(3)(i)(F)	X			

owner/operator shall visually inspect external floating roof in accordance with specified requirements	154	264.1084(f)(3)(ii)	264.1084(f)(3)(ii)	X			
	154	264.1084(f)(3)(ii)(A)	264.1084(f)(3)(ii)(A)	X			
	154	264.1084(f)(3)(ii)(B)	264.1084(f)(3)(ii)(B)	X			
	154	264.1084(f)(3)(ii)(C)	264.1084(f)(3)(ii)(C)	X			
	154	264.1084(f)(3)(ii)(D)	264.1084(f)(3)(ii)(D)	X			
prior to 264.1084(f)(3)(i) or (ii) inspections, owner/operator shall notify Regional Administrator in advance to allow for observer present during inspection; & notify of date & location of inspection	154	264.1084(f)(3)(iii)	264.1084(f)(3)(iii)	X			
	154	264.1084(f)(3)(iii)(A)	264.1084(f)(3)(iii)(A)	X			
	154	264.1084(f)(3)(iii)(B)	264.1084(f)(3)(iii)(B)	X			
	154	264.1084(f)(3)(iii)(C)	264.1084(f)(3)(iii)(C)	X			
owner/operator who controls air pollutant emissions from a tank by venting to a control device shall meet requirements in 264.1084(g)(1)-(3)	154	264.1084(g)	264.1084(g)	X			
tank shall be covered by fixed roof and vented directly to a control device in accordance with the following:	154	264.1084(g)(1)	264.1084(g)(1)	X			
fixed roof & closure devices shall form continuous barrier over liquid in tank	154	264.1084(g)(1)(i)	264.1084(g)(1)(i)	X			
each opening in fixed roof not vented to control device shall be equipped with closure device; when pressure in vapor headspace < atmospheric pressure; when pressure in vapor headspace ≥ atmospheric pressure	154	264.1084(g)(1)(ii)	264.1084(g)(1)(ii)	X			
fixed roof & its closure devices shall be made of suitable materials that will minimize exposure to atmosphere & maintain integrity throughout service life; factors to consider when selecting materials	154	264.1084(g)(1)(iii)	264.1084(g)(1)(iii)	X			

the closed-vent system & control device shall be designed & operated in accordance with 264.1087	154	264.1084(g)(1)(i v)	264.1084(g)(1)(iv)	X			
whenever hazardous waste is in the tank, fixed roof shall be installed with closure device secured in closed position except:	154	264.1084(g)(2)	264.1084(g)(2)	X			
venting to control device is not required, & opening of closure device or removal of fixed roof is allowed in specified circumstances	154	264.1084(g)(2)(i)	264.1084(g)(2)(i)	X			
	154	264.1084(g)(2)(i)(A)	264.1084(g)(2)(i)(A)	X			
	154	264.1084(g)(2)(i)(B)	264.1084(g)(2)(i)(B)	X			
opening of a safety device, as defined in 264.1081, is allowed any time to avoid an unsafe condition	154	264.1084(g)(2)(ii)	264.1084(g)(2)(ii)	X			
owner/operator shall inspect & monitor air emission control equipment as follows:	154	264.1084(g)(3)	264.1084(g)(3)	X			
fixed roof & its closure devices shall be visually inspected for defects; examples	154	264.1084(g)(3)(i)	264.1084(g)(3)(i)	X			
closed-vent system & control device shall be inspected & monitored in accordance with 264.1087	154	264.1084(g)(3)(ii)	264.1084(g)(3)(ii)	X			
perform initial inspection of air emission control equipment on or before tank becomes subject to 264.1084; then at least once a year except under special conditions of 264.1084(l)	154	264.1084(g)(3)(iii)	264.1084(g)(3)(iii)	X			
in event of defect, it shall be repaired in accordance with 264.1084(k)	154	264.1084(g)(3)(iv)	264.1084(g)(3)(iv)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(b)	154	264.1084(g)(3)(v)	264.1084(g)(3)(v)	X			
owner/operator who controls air pollutant emissions by using a pressure tank shall meet the following:	154	264.1084(h)	264.1084(h)	X			
tank shall not be designed to vent to atmosphere as result of compression in vapor headspace during filling	154	264.1084(h)(1)	264.1084(h)(1)	X			
tank openings shall be equipped with	154	264.1084(h)(2)	264.1084(h)(2)	X			

closure devices that operate with no detectable organic emissions as in 264.1083(d)							
whenever hazardous waste is in the tank, it shall be operated as a closed system that does not vent to the atmosphere except if safety device requires opening to avoid an unsafe condition	154	264.1084(h)(3)	264.1084(h)(3)	X			
owner/operator who controls air pollutant emissions by using enclosure vented through a closed-vent system to enclosed combustion control device shall meet requirements in 264.1084(i)(1)-(4)	154	264.1084(i)	264.1084(i)	X			
tank shall be inside enclosure; enclosure shall be designed & operated in accordance with 52.741, appendix B; allowance for openings; perform verification as specified in Section 5.0	154	264.1084(i)(1)	264.1084(i)(1)	X			
enclosure shall be vented through a closed-vent system to enclosed combustion control device designed & operated in accordance with certain standards specified in 264.1087	154	264.1084(i)(2)	264.1084(i)(2)	X			
safety devices, defined in 265.1081, may be installed & operated on any enclosure, closed-vent system, or control device used to comply with 264.1084(i)(1)-(2)	154	264.1084(i)(3)	264.1084(i)(3)	X			
owner/operator shall inspect & monitor the closed-vent system & control device as specified in 264.1087	154	264.1084(i)(4)	264.1084(i)(4)	X			
owner/operator shall transfer hazardous waste to tank subject to 264.1084 in accordance with the following:	154	264.1084(j)	264.1084(j)	X			
transfer of hazardous waste, except as in 264.1084(j)(2), to tank from another tank subject to 264.1084 or from surface impoundment subject to 264.1085 shall use continuous hard-piping or another closed system; individual drain system	154	264.1084(j)(1)	264.1084(j)(1)	X			
264.1084(j)(1) requirements do not apply if transferring hazardous waste to tank under following:	154	264.1084(j)(2)	264.1084(j)(2)	X			

hazardous waste meets average VO concentration conditions in 264.1082(c)(1) at point of waste origination	154	264.1084(j)(2)(i)	264.1084(j)(2)(i)	X			
hazardous waste treated by an organic destruction or removal process to meet 264.1082(c)(2) requirements	154	264.1084(j)(2)(ii)	264.1084(j)(2)(ii)	X			
owner/operator shall repair each defect detected during inspections performed under 264.1084(c)(4), (e)(3), (f)(3), or (g)(3) as follows:	154	264.1084(k)	264.1084(k)	X			
owner/operator shall make first efforts at repair no later than 5 days after detection & repair shall be completed no later than 45 days after detection except as in 264.1084(k)(2)	154	264.1084(k)(1)	264.1084(k)(1)	X			
repairs may be delayed beyond 45 days if repair requires emptying or temporary removal from service & no alternative tanks are available; owner/operator shall repair the defect as soon as tank stops operation; repair shall be completed before resuming operation	154	264.1084(k)(2)	264.1084(k)(2)	X			
after initial inspection & monitoring of cover pursuant to Subpart CC, inspection & monitoring may be at intervals longer than 1 year under the following conditions:	154	264.1084(l)	264.1084(l)	X			
if inspecting or monitoring exposes a worker to dangerous, hazardous, or other unsafe conditions, the owner/operator may designate cover as unsafe & comply with the following:	154	264.1084(l)(1)	264.1084(l)(1)	X			
prepare written explanation	154	264.1084(l)(1)(i)	264.1084(l)(1)(i)	X			
develop & implement written plan & schedule to inspect & monitor	154	264.1084(l)(1)(ii)	264.1084(l)(1)(ii)	X			
if tank is buried partially or entirely, owner/operator must inspect & monitor only portions of cover that are located on or above ground	154	264.1084(l)(2)	264.1084(l)(2)	X			

STANDARDS: SURFACE IMPOUNDMENTS

264.1085 provisions apply to control of air pollutant emissions from surface impoundments for which 264.1082(b) references this section	154	264.1085(a)	264.1085(a)	X			
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owner/operator shall control air pollutant emissions from surface impoundment by installing & operating either:	154	264.1085(b)	264.1085(b)	X			
floating membrane cover in accordance with 264.1085(c); or	154	264.1085(b)(1)	264.1085(b)	X			
cover vented through a closed-vent system to a control device in accordance with 264.1085(d)	154	264.1085(b)(2)	264.1085(b)(2)	X			
owner/operator who controls emissions from a surface impoundment using a floating membrane cover shall meet requirements in 264.1085(c)(1)-(3)	154	264.1085(c)	264.1085(c)	X			
surface impoundment shall be equipped with floating membrane cover designed to meet the following:	154	264.1085(c) (1)	264.1085(c)(1)	X			
designed to float on the liquid surface during normal operations & form a continuous barrier	154	264.1085(c)(1)(i)	264.1085(c)(1)(i)	X			
fabricated from synthetic membrane material with certain specifications	154	264.1085(c)(1)(ii)	264.1085(c)(1)(ii)	X			
	154	264.1085(c)(1)(ii)(A)	264.1085(c)(1)(ii)(A)	X			
	154	264.1085(c)(1)(ii)(B)	264.1085(c)(1)(ii)(B)	X			
installed without visible cracks, holes, gaps, or open spaces between cover edges or foundation mountings	154	264.1085(c)(1)(iii)	264.1085(c)(1)(iii)	X			
except as in 264.1085(c)(1)(v), openings in floating membrane cover shall be equipped with a closure device that does not allow for open spaces in the closure device or between the opening & device	154	264.1085(c)(1)(iv)	264.1085(c)(1)(iv)	X			
floating membrane cover may be equipped with emergency cover drains; drains shall be equipped with slotted membrane fabric cover or flexible fabric sleeve seal	154	264.1085(c)(1)(v)	264.1085(c)(1)(v)	X			
closure devices shall consist of materials to minimize exposure of hazardous waste to atmosphere & maintain integrity throughout service life; factors to consider when selecting materials	154	264.1085(c)(1)(vi)	264.1085(c)(1)(vi)	X			
whenever hazardous waste is in	154	264.1085(c)(2)	264.1085(c)(2)	X			

surface impoundment, floating membrane cover shall float on liquid & each closure device in closed position except:							
opening of closure devices or removal of the cover allowed to provide access to surface impoundment or to remove accumulated sludge	154	264.1085(c)(2)(i)	264.1085(c)(2)(i)	X			
	154	264.1085(c)(2)(i)(A)	264.1085(c)(2)(i)(A)	X			
	154	264.1085(c)(2)(i)(B)	264.1085(c)(2)(i)(B)	X			
opening of safety device allowed to avoid an unsafe condition	154	264.1085(c)(2)(ii)	264.1085(c)(2)(ii)	X			
owner/operator shall inspect floating membrane cover as follows:	154	264.1085(c)(3)	264.1085(c)(3)	X			
floating membrane cover & closure devices shall be visually inspected for defects; examples	154	264.1085(c)(3)(i)	264.1085(c)(3)(i)	X			
perform initial inspection of floating membrane cover & closure devices on or before surface impoundment is subject to 264.1085; then at least once a year except under 264.1085(g)	154	264.1085(c)(3)(ii)	264.1085(c)(3)(ii)	X			
in event of defect, it shall be repaired in accordance with 264.1085(f)	154	264.1085(c)(3)(iii)	264.1085(c)(3)(iii)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(c)	154	264.1085(c)(3)(iv)	264.1085(c)(3)(iv)	X			
owner/operator who controls air pollutant emissions from a surface impoundment using a cover vented to control device shall meet 264.1085(d)(1)-(3) requirements	154	264.1085(d)	264.1085(d)	X			
surface impoundment covered & vented directly to control device in accordance with the following:	154	264.1085(d)(1)	264.1085(d)(1)	X			
cover & closure devices shall form a continuous barrier over liquid in the surface impoundment	154	264.1085(d)(1)(i)	264.1085(d)(1)(i)	X			
openings in the cover not vented to control device equipped with closure device; if pressure in vapor headspace < atmospheric pressure; if pressure in vapor headspace ≥ atmospheric pressure	154	264.1085(d)(1)(ii)	264.1085(d)(1)(ii)	X			

cover & closure devices shall be made of suitable materials to minimize exposure to atmosphere & maintain integrity throughout service life; factors to consider when selecting materials	154	264.1085(d)(1)(ii) i)	264.1085(d)(1) (iii)	X			
closed-vent system & control device shall be designed & operated in accordance with 264.1087	154	264.1085(d)(1)(i) v)	264.1085(d)(1) (iv)	X			
when hazardous waste is in surface impoundment, cover shall be installed with closure device in closed position except:	154	264.1085(d)(2)	264.1085(d)(2)	X			
venting to control device not required, & opening of closure device or removal of cover is allowed in specified circumstances	154	264.1085(d) (2)(i)	264.1085(d) (2)(i)	X			
	154	264.1085(d)(2)(i) (A)	264.1085(d)(2) (i)(A)	X			
	154	264.1085(d)(2)(i) (B)	264.1085(d)(2) (i)(B)	X			
opening of safety device, as in 265.1081, allowed to avoid an unsafe condition	154	264.1085(d)(2)(ii) )	264.1085(d)(2) (ii)	X			
owner/operator shall inspect & monitor air emission control equipment as follows:	154	264.1085(d)(3)	264.1085(d)(3)	X			
surface impoundment cover & closure devices shall be visually inspected for defects; examples	154	264.1085(d)(3)(i)	264.1085(d)(3) (i)	X			
closed-vent system & control device shall be inspected & monitored in accordance with 264.1087	154	264.1085(d)(3)(ii) )	264.1085(d)(3) (ii)	X			
initial inspection of air emission control equipment on or before the surface impoundment is subject to 264.1085; then at least once a year except under 264.1085(g)	154	264.1085(d)(3)(ii) i)	264.1085(d)(3) (iii)	X			
in event of defect, it shall be repaired in accordance with 264.1085(f)	154	264.1085(d)(3)(i) v)	264.1085(d)(3) (iv)	X			
owner/operator shall maintain inspection record in accordance with 264.1089(c)	154	264.1085(d)(3)(v) )	264.1085(d)(3) (v)	X			
owner/operator shall transfer hazardous waste to surface	154	264.1085(e)	264.1085(e)	X			

impoundment subject to 264.1085 in accordance with:							
transfer of hazardous waste, except as in 264.1085(e)(2), to surface impoundment from another surface impoundment subject to 264.1085 or from a tank subject to 264.1084 shall use continuous hard-piping or another closed system; individual drain system	154	264.1085(e)(1)	264.1085(e)(1)	X			
264.1085(e)(1) requirements do not apply when transferring a hazardous waste to surface impoundment under the following:	154	264.1085(e)(2)	264.1085(e)(2)	X			
hazardous waste meets average VO concentration conditions in 264.1082(c)(1) at point of origination	154	264.1085(e)(2)(i)	264.1085(e)(2)(i)	X			
hazardous waste treated by organic destruction or removal process to meet 264.1082(c)(2) requirements	154	264.1085(e)(2)(ii)	264.1085(e)(2)(ii)	X			
owner/operator repair each defect detected during inspections performed in accordance with 264.1085(c)(3) or (d)(3) as follows:	154	264.1085(f)	264.1085(f)	X			
owner/operator shall make first efforts at repair no later than 5 days after detection & repair shall be completed no later than 45 days after detection except as in 264.1085(f)(2)	154	264.1085(f)(1)	264.1085(f)(1)	X			
repairs may be delayed beyond 45 days if require emptying or temporary removal from service & no alternative capacity is available; if so, owner/operator shall repair defect as soon as process generating hazardous waste in surface impoundment stops operation; repair completed before resuming operation	154	264.1085(f)(2)	264.1085(f)(2)	X			
following initial inspection & monitoring of cover as required by Subpart CC, inspection & monitoring at intervals longer than 1 year under following conditions:	154	264.1085(g)	264.1085(g)	X			
written explanation stating why cover is unsafe, if required	154	264.1085(g)(1)	264.1085(g)(1)	X			
develop & implement written plan & schedule to inspect & monitor cover	154	264.1085(g)(2)	264.1085(g)(2)	X			

STANDARDS: CONTAINERS

264.1086 applies to control of air pollutant emissions from containers for which 264.1082(b) references this section	154	264.1086(a)	264.1086(a)	X			
general requirements	154	264.1086(b)	264.1086(b)	X			
owner/operator shall control air pollutant emissions from each container subject to 264.1086 in accordance with the following:	154	264.1086(b)(1)	264.1086(b)(1)	X			
for containers having design capacities greater than 0.1 m <sup>3</sup> & less than or equal to 0.46 m <sup>3</sup> , owner/operator shall control air pollutant emissions in accordance with Container Level 1 standards in 264.1086(c)	154	264.1086(b)(1)(i)	264.1086(b)(1)(i)	X			
for containers having design capacities greater than 0.46 m <sup>3</sup> not in light material service, owner/ operator shall control air pollutant emissions in accordance with Container Level 1 standards in 264.1086(c)	154	264.1086(b)(1)(ii)	264.1086(b)(1)(ii)	X			
for containers having design capacities greater than 0.46 m <sup>3</sup> in light material service, owner/operator shall control air pollutant emissions in accordance with Container Level 2 standards in 264.1086(d)	154	264.1086(b)(1)(iii)	264.1086(b)(1)(iii)	X			
when containers with design capacities greater than 0.1 m <sup>3</sup> are used for treatment of hazardous waste by waste stabilization process, owner/ operator shall control air pollutant emissions in accordance with Container Level 3 standards in 264.1086(e)	154	264.1086(b)(2)	264.1086(b)(2)	X			
Container Level 1 standards	154	264.1086(c)	264.1086(c)	X			
using Container Level 1 controls is one of the following:	154	264.1086(c)(1)	264.1086(c)(1)	X			
meets applicable U.S. DOT regulations on packaging for transportation as in 264.1086(f)	154	264.1086(c)(1)(i)	264.1086(c)(1)(i)	X			
equipped with cover & closure devices that form a continuous barrier over openings such that there are no visible open spaces into the interior	154	264.1086(c)(1)(ii)	264.1086(c)(1)(ii)	X			

open-top container in which organic-vapor suppressing barrier is used such that no hazardous waste is exposed; example	154	264.1086(c)(1)(ii) i)	264.1086(c)(1) (iii)	X			
container used to meet requirements of 264.1086(c)(1)(ii) or (c)(1)(iii) shall be equipped with covers & closure devices composed of materials to minimize exposure of hazardous waste to atmosphere & to maintain equipment integrity; factors to consider in selecting materials	154	264.1086(c)(2)	264.1086(c)(2)	X			
when using Container Level I controls, owner/ operator shall install covers & closure devices, & secure & maintain them in closed position except:	154	264.1086(c)(3)	264.1086(c)(3)	X			
opening of closure device or cover is allowed to add hazardous waste or other material as specified	154	264.1086(c)(3)(i)	264.1086(c)(3) (i)	X			
	154	264.1086(c)(3)(i) (A)	264.1086(c)(3) (i)(A)	X			
	154	264.1086(c)(3)(i) (B)	264.1086(c)(3) (i)(B)	X			
opening of closure device or cover is allowed to remove hazardous waste as specified	154	264.1086(c)(3)(ii) )	264.1086(c)(3) (ii)	X			
	154	264.1086(c)(3)(ii) (A)	264.1086(c)(3) (ii)(A)	X			
	154	264.1086(c)(3)(ii) (B)	264.1086(c)(3) (ii)(B)	X			
opening of closure device or cover is allowed when access needed to perform routine activities other than transfer hazardous waste; examples; after activity, owner/operator shall promptly secure closure device or reinstall cover	154	264.1086(c)(3)(ii) i)	264.1086(c)(3) (iii)	X			
opening of pressure relief devices allowed during normal operations to maintain internal pressure in accordance with container design; device shall operate with no detectable organic emissions when closed; settings at which device opens shall allow device to remain in closed position when internal pressure is within operating range; examples	154	264.1086(c)(3)(iv) )	264.1086(c)(3) (iv)	X			

opening of safety device, as defined in 265.1081, is allowed any time conditions require it to avoid an unsafe condition	154	264.1086(c)(3)(v)	264.1086(c)(3)(v)	X			
inspect containers & their covers & closure devices as follows:	154	264.1086(c)(4)	264.1086(c)(4)	X			
if hazardous waste is present in container when owner/operator first accepts possession & container is not emptied within 24 hours, it shall be visually inspected; if a defect is detected, owner/operator repair in accordance with 264.1086(c)(4)(iii)	154	264.1086(c)(4)(i)	264.1086(c)(4)(i)	X			
if container remains at the facility for 1 year or more, owner/operator shall inspect it & cover & closure devices initially & then, at least every 12 months; if defect is detected, owner/operator repair in accordance with 264.1086(c)(4)(iii)	154	264.1086(c)(4)(ii)	264.1086(c)(4)(ii)	X			
when a defect is detected, owner/operator shall make repair no later than 24 hours after detection & complete it no later than 5 days after detection; if repair cannot be completed within 5 days, hazardous waste shall be removed & container not used until repaired	154	264.1086(c)(4)(ii)	264.1086(c)(4)(ii)	X			
owner/operator shall maintain copy of procedure to determine that containers with 0.46 m <sup>3</sup> or greater capacity, are not managing hazardous waste in light material service	154	264.1086(c)(5)	264.1086(c)(5)	X			
Container Level 2 standards	154	264.1086(d)	264.1086(d)	X			
container using Container Level 2 controls is one of the following:	154	264.1086(d)(1)	264.1086(d)(1)	X			
meets the applicable U.S. DOT regulations on packaging for transportation as in 264.1086(f)	154	264.1086(d)(1)(i)	264.1086(d)(1)(i)	X			
container that operates with no detectable organic emissions as determined in accordance 264.1086(g)	154	264.1086(d)(1)(ii)	264.1086(d)(1)(ii)	X			
container that has been demonstrated to be vapor-tight by using part 60, appendix A, Method 27 in accordance with 264.1086(h)	154	264.1086(d)(1)(iii)	264.1086(d)(1)(iii)	X			
transfer of hazardous waste shall	154	264.1086(d)(2)	264.1086(d)(2)	X			

minimize exposure to the atmosphere, to extent practical; examples that meet 264.1086(d)(2) requirements							
owner/operator shall install all covers & closure devices, & secure & maintain in closed position except:	154	264.1086(d)(3)	264.1086(d)(3)	X			
opening of closure device or cover is allowed to add hazardous waste or other material as follows	154	264.1086(d)(3)(i)	264.1086(d)(3)(i)	X			
	154	264.1086(d)(3)(i)(A)	264.1086(d)(3)(i)(A)	X			
	154	264.1086(d)(3)(i)(B)	264.1086(d)(3)(i)(B)	X			
opening of a closure device or cover is allowed to remove hazardous waste as follows	154	264.1086(d)(3)(ii)	264.1086(d)(3)(ii)	X			
	154	264.1086(d)(3)(ii)(A)	264.1086(d)(3)(ii)(A)	X			
	154	264.1086(d)(3)(ii)(B)	264.1086(d)(3)(ii)(B)	X			
opening of closure device or cover is allowed when access is needed to perform routine activities other than transfer; examples; after activity, promptly secure closure device or reinstall cover	154	264.1086(d)(3)(iii)	264.1086(d)(3)(iii)	X			
opening of pressure relief devices which vent to atmosphere is allowed during normal operations to maintain internal pressure in accordance with container design; device shall operate with no detectable organic emissions when in closed position; settings at which device opens shall allow device to remain in closed position when internal pressure is within operating range; examples	154	264.1086(d)(3)(iv)	264.1086(d)(3)(iv)	X			
opening of safety device, as defined in 265.1081, is allowed any time conditions require it to avoid an unsafe condition	154	264.1086(d)(3)(v)	264.1086(d)(3)(v)	X			
owner/operator shall inspect containers & their covers & closure devices as follows:	154	264.1086(d)(4)	264.1086(d)(4)	X			
if hazardous waste is present in container when owner/operator first accepts possession & container is not emptied within 24 hours, it shall be	154	264.1086(d)(4)(i)	264.1086(d)(4)(i)	X			

visually inspected; if defect is detected, owner/operator shall repair in accordance with 264.1086(d)(4)(iii)							
if container remains at the facility for 1 year or more, owner/operator shall inspect it & cover & closure devices initially & then at least every 12 months to check for open spaces into its interior; if defect is detected, owner/ operator shall repair in accordance with 264.1086(d)(4)(iii)	154	264.1086(d)(4)(ii)	264.1086(d)(4)(ii)	X			
when defect is detected, owner/operator shall make efforts at repair no later than 24 hours after detections & complete it as soon as possible but no later than 5 days after detection; if repair cannot be completed within 5 days, hazardous waste shall be removed & container shall not be used until repaired	154	264.1086(d)(4)(ii)	264.1086(d)(4)(iii)	X			
Container Level 3 standards	154	264.1086(e)	264.1086(e)	X			
container using Container Level 3 controls is one of the following:	154	264.1086(e)(1)	264.1086(e)(1)	X			
container that is vented through a closed-vent system to control device in accordance with 264.1086(e)(2)(ii)	154	264.1086(e)(1)(i)	264.1086(e)(1)(i)	X			
container that is vented inside an enclosure which is exhausted through closed-vent system to control device in accordance with 264.1086(e)(2)(i)-(ii)	154	264.1086(e)(1)(ii)	264.1086(e)(1)(i)	X			
owner/operator shall meet the following, as applicable	154	264.1086(e)(2)	264.1086(e)(2)	X			
container enclosure shall be designed & operated in accordance with 52.741, appendix B; permanent or temporary openings; verification procedure as in Section 5.0	154	264.1086(e)(2)(i)	264.1086(e)(2)(i)	X			
closed-vent system & control device shall be designed & operated in accordance with 264.1087	154	264.1086(e)(2)(ii)	264.1086(e)(2)(ii)	X			
safety devices, in 265.1081, may be installed & operated on any container, enclosure, closed-vent system, or control device used to comply with 264.1086(e)(1)	154	264.1086(e)(3)	264.1086(e)(3)	X			
owner/operator shall inspect &	154	264.1086(e)(4)	264.1086(e)(4)	X			

monitor the closed-vent system & control devices as specified in 264.1087							
owners/operators shall prepare & maintain records specified in 264.1089(d)	154	264.1086(e)(5)	264.1086(e)(5)	X			
for purpose of 264.1086(c)(1)(i) or (d)(1)(i) compliance, containers shall meet applicable U.S. DOT regulations on packaging for transportation as follows:	154	264.1086(f)	264.1086(f)	X			
meets applicable requirements in 49 CFR part 178 or 49 CFR part 179	154	264.1086(f)(1)	264.1086(f)(1)	X			
hazardous waste managed in container in accordance with 49 CFR part 107, subpart B; 49 CFR part 172; 49 CFR part 173; & 49 CFR part 180	154	264.1086(f)(2)	264.1086(f)(2)	X			
no exceptions to the 49 CFR part 178 or 179 regulations are allowed except as in 264.1086(f)(4)	154	264.1086(f)(3)	264.1086(f)(3)	X			
for lab pack managed in accordance with 49 CFR part 178, owner/operator may comply with the exceptions for combination packaging in 49 CFR 173.12(b)	154	264.1086(f)(4)	264.1086(f)(4)	X			
owner/operator shall use 264.1083(d) procedure for determining if container operates with no detectable organic emissions as in 264.1086(d)(1)(ii)	154	264.1086(g)	264.1086(g)	X			
each potential leak interface on container, cover, & closure devices shall be checked; examples	154	264.1086(g)(1)	264.1086(g)(1)	X			
test performed when container is filled with material expected to be managed in this container; during test, container cover & closure devices shall be closed	154	264.1086(g)(2)	264.1086(g)(2)	X			
procedure for determining a container to be vapor-tight using Method 27 of part 60, appendix A to comply with 264.1086(d)(1)(iii)	154	264.1086(h)	264.1086(h)	X			
test performed in accordance with Method 27 of part 60, appendix A	154	264.1086(h)(1)	264.1086(h)(1)	X			
pressure measurement device shall be used with a precision of "2.5mm water & capable of measuring above that used for vapor pressure tightness	154	264.1086(h)(2)	264.1086(h)(2)	X			

if test results indicate container sustains a pressure change less than or equal to 750 Pascals, then it's vapor-tight	154	264.1086(h)(3)	264.1086(h)(3)	X			
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STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

264.1087 applies to closed-vent system & control device installed & operated to control air emissions	154.1	264.1087(a)	264.1087(a)	X			
closed-vent system shall meet the following requirements:	154.1	264.1087(b)	264.1087(b)	X			
route gases, vapors, & fumes to a control device that meets the requirements specified in 264.1087(c)	154.1	264.1087(b)(1)	264.1087(b)(1)	X			
designed & operated in accordance with 264.1033(k)	154.1	264.1087(b)(2)	264.1087(b)(2)	X			
<sup>13</sup> if system includes bypass devices, each device shall be equipped with either flow indicator or seal or locking device; other fittings used for safety purposes are not bypass devices	154	264.1087(b)(3)	264.1087(b)(3)	X			
if flow indicator is used to comply with 264.1087(b)(3), it shall be installed at inlet to bypass line; flow indicator is a device which indicates gas or vapor flow	154	264.1087(b)(3)(i)	264.1087(b)(3)(i)	X			
if a seal or locking device is used to comply with 264.1087(b)(3), it shall be placed such that bypass device cannot be opened without breaking the seal or removing the lock; examples; inspect seal or closure mechanism at least once a month	154	264.1087(b)(3)(ii)	264.1087(b)(3)(ii)	X			
closed-vent system shall be inspected & monitored by owner/ operator in accordance with 264.1033(l)	154	264.1087(b)(4)	264.1087(b)(4)	X			
control device shall meet the following requirements:	154.1	264.1087(c)	264.1087(c)	X			
control device shall be one of the following devices:	154.1	264.1087(c)(1)	264.1087(c)(1)	X			
control device designed & operated to reduce total organic content of inlet vapor stream by at least 95%	154.1	264.1087(c)(1)(i)	264.1087(c)(1)(i)	X			
enclosed combustion device designed & operated in accordance with 264.1033(c)	154.1	264.1087(c)(1)(ii)	264.1087(c)(1)(ii)	X			

flare designed & operated in accordance with 264.1033(d)	154.1	264.1087(c)(1)(ii) i)	264.1087(c)(1) (iii)	X			
owner/operator who uses closed-vent system & control device to comply with 264.1087 shall comply with 264.1087(c)(2)(i)-(c)(2)(vi)	154	264.1087(c)(2)	264.1087(c)(2)	X			
periods of planned routine maintenance of control device during which 264.1087 (c)(1)(i)-(iii) are not met, shall not exceed 240 hours/year	154	264.1087(c)(2)(i)	264.1087(c)(2) (i)	X			
requirements in 264.1087(c)(1)(i)-(iii) do not apply during planned routine maintenance	154	264.1087(c)(2)(ii) )	264.1087(c)(2) (ii)	X			
requirements in 264.1087(c)(1)(i)-(iii) do not apply during control device system malfunction	154	264.1087(c)(2)(ii) i)	264.1087(c)(2) (iii)	X			
owner/operator shall demonstrate compliance with 264.1087(c)(2)(i) by recording information in 264.1089(e)(1)(v)	154	264.1087(c)(2)(iv) )	264.1087(c)(2) (iv)	X			
owner/operator shall correct control device system malfunctions as soon as practicable to minimize excess air pollutant emissions	154	264.1087(c)(2)(v) )	264.1087(c)(2) (v)	X			
owner/operator shall operate closed-vent system such that gases, vapors, or fumes are not vented to control device during maintenance or malfunction except when necessary	154	264.1087(c)(2)(vi) )	264.1087(c)(2) (vi)	X			
owner/operator using a carbon adsorption system shall operate & maintain control device in accordance with the following requirements:	154.1	264.1087(c)(3)	264.1087(c)(3)	X			
following initial startup, all activated carbon shall be replaced with fresh carbon regularly in accordance with 264.1033(g) or (h)	154.1	264.1087(c)(3)(i)	264.1087(c)(3) (i)	X			
<sup>14</sup> all carbon removed from control device shall be managed in accordance with 264.1033(n)	154.1 154.5 154	264.1087(c)(3)(ii) )	264.1087(c)(3) (ii)	X			
owner/operator using a control device other than a thermal vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system shall operate & maintain in accordance with 264.1033(j)	154.1	264.1087(c)(4)	264.1087(c)(4)	X			

demonstrate that control device achieves performance requirements of 264.1087(c)(1) as follows:	154.1	264.1087(c)(5)	264.1087(c)(5)	X			
demonstrate, using a performance test as in 264.1087(c)(5)(iii) or design analysis as in 264.1087 (c)(5)(iv) for each control device except for the following:	154.1	264.1087(c)(5)(i)	264.1087(c)(5)(i)	X			
a flare	154.1	264.1087(c)(5)(i)(A)	264.1087(c)(5)(i)(A)	X			
boiler or process heater with design input capacity of 44 megawatts or greater	154.1	264.1087(c)(5)(i)(B)	264.1087(c)(5)(i)(B)	X			
boiler or process heater into which the vent stream is introduced with primary fuel	154.1	264.1087(c)(5)(i)(C)	264.1087(c)(5)(i)(C)	X			
boiler or industrial furnace burning hazardous waste for which owner/operator has been issued a final permit & has designed & operates unit in accordance with 266, Subpart H	154.1 154	264.1087(c)(5)(i)(D)	264.1087(c)(5)(i)(D)	X			
boiler or industrial furnace burning hazardous waste for which owner/operator has designed & operates in accordance with requirements of 266, Subpart H	154.1 154	264.1087(c)(5)(i)(E)	264.1087(c)(5)(i)(E)	X			
owner/operator shall demonstrate the performance of each flare in accordance with 264.1033(e)	154.1	264.1087(c)(5)(ii)	264.1087(c)(5)(ii)	X			
for a performance test, owner/operator shall use test methods & procedures in 264.1034 (c)(1)-(4)	154.1	264.1087(c)(5)(ii)	264.1087(c)(5)(iii)	X			
design analysis shall meet requirements specified in 264.1035(b)(4)(iii)	154.1	264.1087(c)(5)(iv)	264.1087(c)(5)(iv)	X			
owner/operator shall demonstrate that carbon adsorption system achieves the 264.1087(c)(1) performance requirements	154.1	264.1087(c)(5)(v)	264.1087(c)(5)(v)	X			
if owner/operator & Regional Administrator do not agree on a demonstration of control device performance using a design analysis, then disagreement shall be resolved using a performance test in accordance with 264.1087(c)(5)(iii); Regional Administrator may choose	154.1	264.1087(c)(6)	264.1087(c)(6)	X			

authorized representative to observe							
control device shall be inspected & monitored by owner/operator in accordance with 264.1033(f)(2) & 264.1033(l); readings from each monitoring device inspected at least once each day; any necessary corrective measures immediately implemented	154	264.1087(c)(7)	264.1087(c)(7)	X			

INSPECTION AND MONITORING REQUIREMENTS

owner/operator shall inspect & monitor air emission control equipment in accordance with 264.1084-1087	154	264.1088(a)	264.1088(a)	X			
owner/operator shall develop & implement written plan & schedule to perform inspections & monitoring required by 264.1088(a); shall incorporate plan into facility inspection plan under 264.15	154	264.1088(b)	264.1088(b)	X			

RECORDKEEPING REQUIREMENTS

<sup>15</sup> owner/operators subject to 264, Subpart CC shall record & maintain information specified in 264.1089(b)-(i); with exception, records shall be maintained for at least 3 years; documentation maintained until air emission control equipment is replaced; information required by 264.1089 (i) shall be maintained as long as tank or container is not using air emission controls in 264.1084-264.1087	154	264.1089(a)	264.1089(a)	X			
owner/operator of tank using air emission controls in accordance with 264.1084 shall prepare & maintain records that include:	154	264.1089(b)	264.1089(b)	X			
for tank using air emission controls in accordance with 264.1084, owner/operator shall record:	154	264.1089(b)(1)	264.1089(b)(1)	X			
tank identification number	154	264.1089(b)(1)(i)	264.1089(b)(1)(i)	X			
record for each inspection required by 264.1084 that includes inspection date & other information for defects detected	154	264.1089(b)(1)(ii)	264.1089(b)(1)(ii)	X			
	154	264.1089(b)(1)(ii)(A)	264.1089(b)(1)(ii)(A)	X			
	154	264.1089(b)(1)(ii)(B)	264.1089(b)(1)(ii)(B)	X			
owner/operator shall record following information, as applicable to the tank:	154	264.1089(b)(2)	264.1089(b)(2)	X			
owner/operator using a fixed roof shall prepare & maintain records for each maximum organic vapor pressure determination in accordance with 264.1084(c); date & time of	154	264.1089(b)(2)(i)	264.1089(b)(2)(i)	X			

sample collection, analysis method, & results							
owner/operator using internal floating roof shall prepare & maintain documentation describing design	154	264.1089(b)(2)(ii)	264.1089(b)(2)(ii)	X			
owners/operators using external floating roof shall prepare & maintain documentation & records for specified items	154	264.1089(b)(2)(iii)	264.1089(b)(2)(iii)	X			
	154	264.1089(b)(2)(iii)(A)	264.1089(b)(2)(iii)(A)	X			
	154	264.1089(b)(2)(iii)(B)	264.1089(b)(2)(iii)(B)	X			
each owner/operator using an enclosure shall prepare & maintain specified records	154	264.1089(b)(2)(iv)	264.1089(b)(2)(iv)	X			
	154	264.1089(b)(2)(iv)(A)	264.1089(b)(2)(iv)(A)	X			
	154	264.1089(b)(2)(iv)(B)	264.1089(b)(2)(iv)(B)	X			
owner/operator of a surface impoundment using air emission controls in accordance with 264.1085 shall prepare & maintain records that include:	154	264.1089(c)	264.1089(c)	X			
surface impoundment identification number	154	264.1089(c)(1)	264.1089(c)(1)	X			
documentation describing floating membrane cover that includes description of cover design, & certification that it meets specifications in 264.1085(c)	154	264.1089(c)(2)	264.1089(c)(2)	X			
record for each inspection required by 264.1085 that includes:	154	264.1089(c)(3)	264.1089(c)(3)	X			
date inspection was conducted	154	264.1089(c)(3)(i)	264.1089(c)(3)(i)	X			
for each defect detected during inspection: location, description, date & corrective action; if repair delayed, owner/ operator shall record reason & date of expected repair	154	264.1089(c)(3)(ii)	264.1089(c)(3)(ii)	X			
for a surface impoundment equipped with cover & vented through a closed-vent system to a control device, owner/operator shall prepare & maintain records specified in 264.1089(e)	154	264.1089(c)(4)	264.1089(c)(4)	X			

owner/operator of containers using Container Level 3 air emission controls in accordance with 264.1086 shall prepare & maintain records that include:	154	264.1089(d)	264.1089(d)	X			
records for most recent calculations & measurements to verify enclosure meets criteria of a permanent total enclosure as in "Procedure T" 40 CFR 52.741, appendix B	154	264.1089(d)(1)	264.1089(d)(1)	X			
records required for closed-vent system & control device in accordance with 264.1089(e)	154	264.1089(d)(2)	264.1089(d)(2)	X			
owner/operator using closed-vent system & control device in accordance with 264.1087 shall prepare & maintain records that include:	154	264.1089(e)	264.1089(e)	X			
documentation that includes:	154	264.1089(e)(1)	264.1089(e)(1)	X			
certification signed & dated by owner/ operator stating the control device is designed to operate at performance level when operating at capacity	154	264.1089(e)(1)(i)	264.1089(e)(1)(i)	X			
specified design documentation if design analysis used; include a description of the control device design in accordance with 264.1035(b)(4)(iii) & certification by owner/operator that control equipment meets applicable specifications	154	264.1089(e)(1)(ii)	264.1089(e)(1)(ii)	X			
performance test plan & all test results, if performance tests are used	154	264.1089(e)(1)(ii)	264.1089(e)(1)(iii)	X			
information as required by 264.1035(c)(1)-(2)	154	264.1089(e)(1)(iv)	264.1089(e)(1)(iv)	X			
owner/operator shall record on semiannual basis, information specified in 264.1089(e)(1)(v)(A)-(B) for planned routine maintenance operations requiring control devices to meet 264.1087(c)(1)(i)-(iii) requirements	154	264.1089(e)(1)(v)	264.1089(e)(1)(v)	X			
	154	264.1089(e)(1)(v)(A)	264.1089(e)(1)(v)(A)	X			
	154	264.1089(e)(1)(v)(B)	264.1089(e)(1)(v)(B)	X			

owner/operator shall record the information specified in 264.1089(e)(1)(vi)(A)-(C) for unexpected control device system malfunctions	154	264.1089(e)(1)(vi)	264.1089(e)(1)(vi)	X			
	154	264.1089(e)(1)(vi)(A)	264.1089(e)(1)(vi)(A)	X			
	154	264.1089(e)(1)(vi)(B)	264.1089(e)(1)(vi)(B)	X			
	154	264.1089(e)(1)(vi)(C)	264.1089(e)(1)(vi)(C)	X			
management records of carbon removed from a carbon adsorption system conducted in accordance with 264.1087(c)(3)(ii)	154	264.1089(e)(1)(vi)	264.1089(e)(1)(vii)	X			
owner/operator of a tank, surface impoundment, or container exempted from standards in accordance with 264.1082(c) shall prepare & maintain following records:	154	264.1089(f)	264.1089(f)	X			
if exempted under 264.1082(c)(1)-(2), owner/operator shall record information used for each waste determination in operating log; if waste sample results used for the determination, date, time, & location shall be recorded in accordance with 264.1083	154	264.1089(f)(1)	264.1089(f)(1)	X			
if exempted under 264.1082(c)(2)(vii) or (viii), owner/operator shall record ID number for the incinerator, boiler, or industrial furnace in which hazardous waste is treated	154	264.1089(f)(2)	264.1089(f)(2)	X			
owner/operator designating a cover as "unsafe to inspect and monitor" shall record in the facility log: ID numbers, explanations, & inspection plans & schedules	154	264.1089(g)	264.1089(g)	X			
owners/operators subject to 264, Subpart CC & to control device standards in 40 CFR Part 60, Subpart VV, or 40 CFR Part 61, Subpart V, may demonstrate compliance by documentation pursuant to those subparts to extent it duplicates that required by 264.1089	154	264.1089(h)	264.1089(h)	X			
<sup>16</sup> for tank or container not using air emission controls specified in 264.1084-264.1087 in accordance	154.3 154	264.1089(i)	264.1089(i)	X			

with 264.1080(d), owner/ operator shall record & maintain the following:						
list of individual organic peroxide compounds manufactured at the facility that meet 264.1080(d)(1) conditions	154.3 154	264.1089(i)(1)	264.1089(i)(1)	X		
description of how hazardous waste containing organic peroxide compounds identified in 264.1089(i)(1) are managed in tanks & containers; the description shall include:	154.3 154	264.1089(i)(2)	264.1089(i)(2)	X		
for tanks, sufficient information provided to describe: facility tank ID number, purpose & placement of the tank in the management train of this hazardous waste, & procedures used to ultimately dispose of hazardous waste	154.3 154	264.1089(i)(2)(i)	264.1089(i)(2)(i)	X		
for containers, sufficient information provided to describe: facility ID number for each container or group of containers; purpose & placement in the management train of this hazardous waste, & procedures used to ultimately dispose of hazardous waste	154.3 154	264.1089(i)(2)(ii)	264.1089(i)(2)(ii)	X		
why managing the hazardous waste containing organic peroxide compounds identified in 264.1089(i)(1) would create an undue safety hazard if specified air emission controls are installed & operated; include the following information:	154.3 154	264.1089(i)(3)	264.1089(i)(3)	X		
for tanks, sufficient information to explain: how required air emission controls would affect design & facility operating procedures currently used, & why installation of safety devices under Part 264, Subpart CC will not address situations when evacuation is necessary	154.3 154	264.1089(i)(3)(i)	264.1089(i)(3)(i)	X		
for containers, sufficient information to explain: how required air emission controls would affect design & handling procedures currently used, & why installation of safety devices under Part 264, Subpart CC will not address situations in which evacuation is necessary	154.3 154	264.1089(i)(3)(ii)	264.1089(i)(3)(ii)	X		

REPORTING REQUIREMENTS

owner/operator managing hazardous waste in a tank, surface impoundment, or container exempted in accordance with 264.1082(c) shall report each occurrence when there is noncompliance with 264.1082(c)(1) or (2); written report submitted within 15 days; shall contain specified information	154.1 154.5 154	264.1090(a)	264.1090(a)	X			
owner/operator using tank air emission controls in accordance with 264.1084(c) shall report each occurrence when there is noncompliance with 264.1084(b); written report be submitted within 15 days; shall contain specified information	154.1 154	264.1090(b)	264.1090(b)	X			
<sup>17</sup> owner/operator using control device in accordance with 264.1087 shall submit a semiannual written report except as in 264.1090(d); shall describe each occurrence past 6 mos. when either:	154.1 154.5	264.1090(c)	264.1090(c)	X			
control device is operated continuously for 24 hours or longer in noncompliance with operating values defined in '264.1035 (c)(4); or	154.1 154.5	264.1090(c)(1)	264.1090(c)	X			
flare is operated with visible emissions for 5 minutes or longer in two-hour period, as in '264.1033(d)	154.1 154.5	264.1090(c)(2)	264.1090(c)(2)	X			
report include EPA ID#, facility name & address, explanation, & actions taken; signed & dated	154.1 154.5	264.1090(c)/ undesignated text after (c)(2)					
report to Regional Administrator is not required for 6-month period during which all control devices are operated such that:	154.1 154.5	264.1090(d)	264.1090(d)	X			
during no period of 24 hours or longer did a control device operate continuously in noncompliance with 264.1035(c)(4); &	154.1 154.5	264.1090(d)(1)	264.1090(d)(1)	X			
no flare was operated with visible emissions for 5 minutes or longer in a two-hour period, as in 264.1033 (d)	154.1 154.5	264.1090(d)(2)	264.1090(d)(2)	X			

ALTERNATIVE CONTROL REQUIREMENTS FOR TANKS

<sup>18</sup> reserve	154.1 154	264.1091	Section deleted from regulation	X			
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21

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

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

replace "The standards of this part" in the first sentence of this paragraph with "Except as provided in ' 265.1080(b), the standards of this part"	154.1	265.1(b)	265.1(b)	X			
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SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

add "265.1084," after "265.1063(d),"	154.1	265.13(b)(6)	265.13(b)(6)	X			
owners/operators who are seeking exemption to Subpart CC air emission standards in accordance with 265.1083	154.1	265.13(b)(8)	265.13(b)(8)	X			
if direct measurement used for determination, procedures & schedules for waste sampling & analysis, & results of analysis to verify exemption	154.1 154.5	265.13(b)(8)(i)	265.13(b)(8)(i)	X			
if knowledge of waste is used for determination, any information that is used as basis for knowledge	154.1 154.5	265.13(b)(8)(ii)	265.13(b)(8)(ii)	X			

GENERAL INSPECTION REQUIREMENTS

remove "and" preceding "265.1058"; add "265.1089, and 265.1091(b)" after "265.1058"	154.1	265.15(b)(4)	265.15(b)(4)	X			
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SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

insert ", waste determinations," after "waste analysis,;" add "265.1084," after "265.1063,"	154.1	265.73(b)(3)	265.73(b)(3)	X			
delete ", " after "testing"; replace ", and corrective action where required by subpart F and" with "when required by"; replace "265.302-265.304" with "265.302 through 265.304"; replace "265.1034(c)-265.1034(f)" with "265.1034(c) through 265.1034(f)"; replace "265.1063(d)-265.1063(i)" with "265.1063(d) through 265.1063(i)"; remove "and" after "264.1063(i)"; add "265.1089, 265.1090, and 265.1091"	154.1	265.73(b)(6)	265.73(b)(6)	X			

after "265.1064";							
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ADDITIONAL REPORTS

remove "and" after "AA"; insert ", and CC of this part" after "BB"	154.1	265.77(d)	265.77(d)	X			
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SUBPART I - USE AND MANAGEMENT OF CONTAINERS

AIR EMISSION STANDARDS

owners/operators subject to applicable requirements of 265, Subparts AA, BB, & CC if they place hazardous waste in a container	154.1 154	265.178	265.178	X			
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SUBPART J - TANK SYSTEMS

AIR EMISSION STANDARDS

owners/operators subject to applicable requirements of 265, Subparts AA, BB, & CC if they place hazardous waste in a tank	154.1 154	265.202	265.202	X			
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SUBPART K - SURFACE IMPOUNDMENTS

AIR EMISSION STANDARDS

owners/operators subject to applicable requirements of 265, Subparts BB & CC if they place hazardous waste in surface impoundment	154.1 154	265.231	265.231	X			
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SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

replace "265.1034(d) and (e)" with "265.1034, paragraphs (d) and (e)"; insert "one of the following" after "conducted in"	154	265.1030(b)	265.1030(b)	X			
replace "Units that are" with "A unit that is"; insert "40 CFR" before "part 270"	154	265.1030(b)(1)	265.1030(b)(1)	X			
completely revise: unit not exempt from permitting under 262.34(a) & located at hazardous waste management facility subject to Part 270, or	154	265.1030(b)(2)	265.1030(b)(2)	X			
unit exempt from permitting under 262.34(a)	154	265.1030(b)(3)	265.1030(b)(3)	X			
delete "262.34" from note at end of section	154	265.1030/ note at end	265.1030	X			

STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

in second sentence replace "18	154.5	265.1033(a)(2)	265.1033(a)(2)	X			
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months" with "30 months"							
<sup>19</sup> replace "at two locations and have" with "with"; replace first "°C" with "degrees Celsius (°C)"; replace "One temperature" with "The temperature"; replace ", and a second temperature sensor shall be installed at a location in the coolant fluid exiting the condenser" with "exit (i.e., product side)"	154	265.1033(f)(2)(vi)(B)	265.1033(f)(2)(vi)(B)	X			
add new paragraph: design requirements of closed-vent system are either:	154	265.1033(j)	265.1033(j)	X			
completely revise: to operate with no detectable emissions as determined by 265.1034(b), & by visual inspections; or	154	265.1033(j)(1)	265.1033(j)(1)	X			
completely revise: to operate at pressure below atmospheric pressure; how to equip system	154.1 154.5 154	265.1033(j)(2)	265.1033(j)(2)	X			
redesignate 265.1033(k) as 265.1033(l); add new 265.1033(k): owner/ operator to monitor & inspect closed-vent system to ensure proper operation & maintenance by implementing following:	154	265.1033(k)	265.1033(k)				
closed-vent system used to comply with 265.1033(j)(1) shall be inspected & monitored in accordance with:	154	265.1033(k)(1)	265.1033(k)(1)				
initial leak detection monitoring shall be conducted on or before date system becomes subject to 265.1033; use procedures in 265.1034(b)	154	265.1033(k)(1)(i)	265.1033(k)(1)(i)	X			
after monitoring required in 265.1033(k)(1)(i), owner/operator shall inspect & monitor as follows:	154	265.1033(k)(1)(ii)	265.1033(k)(1)(ii)	X			
	154	265.1033(k)(1)(ii)(A)	265.1033(k)(1)(ii)(A)	X			
	154	265.1033(k)(1)(ii)(B)	265.1033(k)(1)(ii)(B)	X			
in event that defect or leak is detected, owner/operator shall repair it in accordance with 265.1033(k)(3)	154	265.1033(k)(1)(iii)	265.1033(k)(1)(iii)	X			
owner/operator shall maintain record of inspection & monitoring in accordance with 265.1035	154	265.1033(k)(1)(iv)	265.1033(k)(1)(iv)	X			
each closed-vent system used to	154	265.1033(k)(2)	265.1033(k)(2)	X			

comply with 265.1033(j)(2) shall be inspected & monitored in accordance with the specified requirements							
	154	265.1033(k)(2)(i)	265.1033(k)(2)(i)	X			
	154	265.1033(k)(2)(ii)	265.1033(k)(2)(ii)	X			
	154	265.1033(k)(2)(iii)	265.1033(k)(2)(iii)	X			
	154	265.1033(k)(2)(iv)	265.1033(k)(2)(iv)	X			
owner/operator shall repair all detected defects as follows:	154	265.1033(k)(3)	265.1033(k)(3)	X			
detectable emissions shall be controlled as soon as practicable, but not later than 15 days after detected, except as in 265.1033(k)(3)(iii)	154	265.1033(k)(3)(i)	265.1033(k)(3)(i)	X			
first attempt at repair shall be made no later than 5 days after emission is detected	154	265.1033(k)(3)(ii)	265.1033(k)(3)(ii)	X			
delay of repair is allowed if it is infeasible without a shutdown, or if emissions resulting from repair are > emissions from delay of repair; repair of such equipment shall be completed by end of next shutdown	154	265.1033(k)(3)(iii)	265.1033(k)(3)(iii)	X			
owner/operator shall maintain record of repair in accordance with 265.1035	154	265.1033(k)(3)(iv)	265.1033(k)(3)(iv)	X			
redesignate former 265.1033(k) as (l)	154	265.1033(l)	265.1033(l)	X			
<sup>20</sup> owner/operator using carbon adsorption system shall document that all carbon that is hazardous & removed from control device is managed in one of following manners:	154.1 154.5 154	265.1033(m)	265.1033(m)	X			
regenerated or reactivated in a thermal treatment unit that meets one of following:	154.1 154.5 154	265.1033(m)(1)	265.1033(m)(1)	X			
owner/operator has been issued final permit under part 270, which implements subpart X requirements; or	154	265.1033(m)(1)(i)	265.1033(m)(1)(i)	X			
unit is equipped with & operating air emission controls in accordance with subparts AA & CC of 264 or 265; or	154	265.1033(m)(1)(ii)	265.1033(m)(1)(ii)	X			
unit is equipped with & operating air	154	265.1033(m)(1)(i)	265.1033(m)(1)(i)	X			

emission controls in accordance with national emission standards of 61 or 63		ii)	(iii)				
incinerated in a hazardous waste incinerator for which the owner/operator either:	154.1 154.5 154	265.1033(m)(2)	265.1033(m)(2)	X			
has been issued a final permit under part 270 which implements the requirements of subpart O; or	154.5 154	265.1033(m)(2)(i)	265.1033(m)(2)(i)	X			
has designed & operates the incinerator in accordance with part 265, subpart O	154.5 154	265.1033(m)(2)(i)	265.1033(m)(2)(ii)	X			
burned in boiler or industrial furnace for which owner/operator either:	154.1 154.5 154	265.1033(m)(3)	265.1033(m)(3)	X			
has been issued a final permit under part 270 which implements part 266, subpart H; or	154.5 154	265.1033(m)(3)(i)	265.1033(m)(3)(i)	X			
has designed & operates boiler or industrial furnace in accordance with part 266, subpart H	154.5 154	265.1033(m)(3)(i)	265.1033(m)(3)(ii)	X			
any components of a closed-vent system designated in 265.1035(c)(9) as unsafe are exempt from 265.1033(k)(1)(ii)(B) if:	154	265.1033(n)	265.1033(n)	X			
owner/operator determines that monitoring personnel would be in danger as a consequence of complying	154	265.1033(n)(1)	265.1033(n)(1)	X			
owner/operator adheres to written plan requiring monitoring using procedure in 265.1033(k)(1)(ii)(B) as frequently as practicable	154	265.1033(n)(2)	265.1033(n)(2)	X			

TEST METHODS AND PROCEDURES

replace "265.1033(j)" with "265.1033(k) of this subpart"	154	265.1034(b)	265.1034(b)	X			
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RECORDKEEPING REQUIREMENTS

replace "(f) through (j)" with "(f) through (k)"; insert "of this subpart" after "265.1033"	154	265.1035(c)(3)	265.1035(c)(3)	X			
recordkeeping requirements for owner/ operator designating any components of a closed-vent system as unsafe to monitor shall record ID of such components in accordance with 265.1033(n), & explain why component is unsafe & plan for monitoring	154	265.1035(c)(9)	265.1035(c)(9)	X			
when leak is detected as in 265.1033(k), the following shall be recorded:	154	265.1035(c)(10)	265.1035(c)(10)	X			
instrument number, closed-vent system component ID number, & operator name, initials, or ID number	154	265.1035(c)(10)(i)	265.1035(c)(10)(i)	X			
date leak was detected & date of first attempt to repair	154	265.1035(c)(10)(i)	265.1035(c)(10)(ii)	X			
date of successful repair	154	265.1035(c)(10)(ii)	265.1035(c)(10)(iii)	X			
maximum instrument reading by Method 21, part 60, Appendix A	154	265.1035(c)(10)(iv)	265.1035(c)(10)(iv)	X			
"repair delayed" & reason for delay if not repaired within 15 days	154	265.1035(c)(10)(v)	265.1035(c)(10)(v)	X			
owner/operator may justify repair delay in writing; document reasons for repair delay	154	265.1035(c)(10)(v)(A)	265.1035(c)(10)(v)(A)	X			
documentation required if repair delay was due to depletion of stocked parts	154	265.1035(c)(10)(v)(B)	265.1035(c)(10)(v)(B)	X			
replace "(c)(3)-(c)(8)" with "(c)(3) through (c)(10)"; replace "need be kept only 3 years" with "shall be maintained by the owner/operator for at least 3 years following the date of each occurrence, measurement, maintenance, corrective action, or record"	154	265.1035(d)	265.1035(d)	X			

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY

replace "265.1064(j)" with "265.1064(k)"; insert "one of the following" after "managed in"	154	265.1050(b)	265.1050(b)	X			
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replace "Units that are" with "A unit that is"; insert "40 CFR" prior to "part 270"	154	265.1050(b)(1)	265.1050(b)(1)	X			
completely revise: unit not exempt from permitting under 262.34(a) that is located at a hazardous waste management facility otherwise subject to part 270, or	154	265.1050(b)(2)	265.1050(b)(2)	X			
unit exempt from permitting under 262.34(a)	154	265.1050(b)(3)	265.1050(b)(3)	X			
equipment that contains or contacts hazardous waste with specific organic concentration is excluded from 265.1052-265.1060 if identified as required in 265.1064(g)(6)	154	265.1050(e)	265.1050(e)	X			
delete reference to "262.34" from note	154	265.1050/note at end	265.1050/note at end	X			

STANDARDS: SAMPLING CONNECTION SYSTEMS

insert ", closed-loop," after "closed-purge"; delete "system" after "closed-purge"; insert second & third sentences regarding reason for sample purge system & that gases displaced during filling do not require collection	154	265.1055(a)	265.1055(a)	X			
delete "system" following "closed-purge"; insert ", closed-loop," after "closed-purge"; insert "of this section" following "paragraph (a)"	154	265.1055(b)	265.1055(b)	X			
completely revise: return purged process fluid directly to process line;	154	265.1055(b)(1)	265.1055(b)(1)	X			
replace "hazardous waste stream with no detectable emissions to atmosphere," with "process fluid;"	154	265.1055(b)(2)	265.1055(b)(2)	X			
completely revise: be designed & operated to capture & transport all purged process fluid to waste management unit that complies with 265.1085-265.1087 or control device that complies with 265.1060	154	265.1055(b)(3)	265.1055(b)(3)	X			
insert "and sampling systems without purges" after "systems"	154	265.1055(c)	265.1055(c)	X			

STANDARDS: PUMPS AND VALVES IN HEAVY LIQUID SERVICE, PRESSURE RELIEF DEVICES IN LIGHT LIQUID OR HEAVY LIQUID SERVICE, AND FLANGES AND OTHER CONNECTORS

inaccessible, ceramic or ceramic-lined connectors exempt from monitoring requirements of 265.1058(a) &	154	265.1058(e)	265.1058(e)	X			
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265.1064							
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RECORDKEEPING REQUIREMENTS

ID of equipment that contains or contacts hazardous waste with certain characteristics	154	265.1064(g)(6)	265.1064(g)(6)	X			
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SUBPART CC - AIR EMISSION STANDARDS FOR TANKS,  
SURFACE IMPOUNDMENTS, AND CONTAINERS

APPLICABILITY

<sup>21</sup> regulations in 265, Subpart CC apply to owners/operators of facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers except as in 265.1 & 265.1080(b)	154.1	265.1080(a)	265.1080(a)	X			
requirements of 265, Subpart CC do not apply to the following waste management units at the facility:	154.1	265.1080(b)	265.1080(b)	X			
waste management unit that holds hazardous waste placed in it before October 6, 1996 & to which none is added on or after this date	154.1 154.2 154.4 154.6	265.1080(b)(1)	265.1080(b)(1)	X			
container with capacity $\leq 0.1 \text{ m}^3$	154.1	265.1080(b)(2)	265.1080(b)(2)	X			
tank in which owner/ operator has stopped adding hazardous waste & has begun implementing or completed closure	154.1	265.1080(b)(3)	265.1080(b)(3)	X			
surface impoundment in which owner/operator has stopped adding hazardous waste & has begun implementing or completed closure	154.1	265.1080(b)(4)	265.1080(b)(4)	X			
waste management unit that is used solely for on-site treatment or storage of hazardous waste generated from remedial activities	154.1	265.1080(b)(5)	265.1080(b)(5)	X			
waste management unit used solely for management of radioactive mixed waste	154.1	265.1080(b)(6)	265.1080(b)(6)	X			
hazardous waste management unit equipped with & operating air emission controls in accordance with Clean Air Act; tanks for which air emission control includes an enclosure, must comply with 265.1085 (i), except as in 265.1083(c)(5)	154	265.1080(b)(7)	265.1080(b)(7)	X			
tank with process vent as defined in	154	265.1080(b)(8)	265.1080(b)(8)	X			

264.1031							
for owners/operators of facility subject to 265, Subpart CC & who have received a final RCRA permit prior to October 6, 1996, the following requirements apply:	154.1 154.2 154.4 154.6	265.1080(c)	265.1080(c)	X			
requirements of 264, Subpart CC shall be incorporated in permit when permit is reissued	154.1	265.1080(c)(1)	265.1080(c)(1)	X			
until date when permit is reissued or reviewed, owner/operator is subject to requirements of 265, Subpart CC	154.1	265.1080(c)(2)	265.1080(c)(2)	X			
requirements of subpart CC, with exception of 265.1090(i), are administratively stayed for a tank or container used to manage hazardous waste generated by organic peroxide manufacturing & associated laboratory operations when owner/operator meets all of specified conditions	154.3	265.1080(d)	265.1080(d)	X			
	154.3	265.1080(d)(1)	265.1080(d)(1)	X			
	154.3	265.1080(d)(2)	265.1080(d)(2)	X			
	154.3	265.1080(d)(3)	265.1080(d)(3)	X			

#### DEFINITIONS

terms not defined in 265.1081 have meaning given in the Act & Parts 260-266	154.1	265.1081	265.1081	X			
"average volatile organic concentration" or "average VO concentration"	154.1	265.1081	265.1081	X			
"closure device"	154	265.1081	265.1081	X			
"continuous seal"	154	265.1081	265.1081	X			
"cover"	154.1 154.5 154	265.1081	265.1081	X			
"enclosure"	154.5 154	265.1081	265.1081	X			
"external floating roof"	154.1 154	265.1081	265.1081	X			
"fixed roof"	154.1 154	265.1081	265.1081	X			
"floating membrane cover"	154.1	265.1081	265.1081	X			
"floating roof"	154.1	265.1081	265.1081	X			

	154						
"hard-piping"	154	265.1081	265.1081	X			
"in light material service"	154	265.1081	265.1081	X			
"internal floating roof"	154.1 154	265.1081	265.1081	X			
"liquid-mounted seal"	154.1	265.1081	265.1081	X			
"malfunction"	154	265.1081	265.1081	X			
"maximum organic vapor pressure"	154.1 154	265.1081	265.1081	X			
"metallic shoe seal"	154	265.1081	265.1081	X			
"no detectable organic emissions"	154.1 154	265.1081	265.1081	X			
"point of waste origination"	154.1	265.1081	265.1081	X			
"point of waste treatment"	154.1 154	265.1081	265.1081	X			
"safety device"	154	265.1081	265.1081	X			
"single-seal system"	154	265.1081	265.1081	X			
"vapor-mounted seal"	154.1 154	265.1081	265.1081	X			
"volatile organic concentration" or "VO concentration"	154.1 154	265.1081	265.1081	X			
"waste determination"	154.1 154.5	265.1081	265.1081	X			
"waste stabilization process"	154.1 154.5	265.1081	265.1081	X			

SCHEDULE FOR IMPLEMENTATION OF AIR EMISSION STANDARDS

owners/operators of facilities existing on October 6, 1996 & subject to 265, Subparts I, J, & K shall meet the following requirements:	154.1 154.2 154.4 154.6	265.1082(a)	265.1082(a)	X			
install & begin operation of control equipment by October 6, 1996, except as in 265.1082(a)(2)	154.1 154.2 154.4 154.6	265.1082(a)(1)	265.1082(a)(1)	X			
when control equipment cannot be installed & in operation by October 6, 1996, owner/operator shall:	154.1 154.2 154.4 154.6	265.1082(a)(2)	265.1082(a)(2)	X			
install & begin operation as soon as possible, but no later than December 8, 1997	154.1	265.1082(a)(2)(i)	265.1082(a)(2)(i)	X			

prepare implementation plan which includes specified information	154.1	265.1082(a)(2)(ii)	265.1082(a)(2)(ii)	X			
for facilities subject to recordkeeping requirements of 265.73, implementation schedule shall be entered in operating record no later than October 6, 1996	154.1 154.2 154.4 154.6	265.1082(a)(2)(ii)	265.1082(a)(2)(iii)	X			
for facilities not subject to 265.73 requirements, implementation schedule shall be entered into permanent, readily available file located at the facility no later than October 6, 1996	154.1 154.2 154.4 154.6	265.1082(a)(2)(iv)	265.1082(a)(2)(iv)	X			
facilities in existence on effective date of statutory or regulatory amendments under the Act that subject the facilities to 265, Subpart I, J, or K shall meet the following requirements:	154.1	265.1082(b)	265.1082(b)	X			
install & operate all control equipment by effective date of amendment except as in 265.1082(b)(2)	154.1	265.1082(b)(1)	265.1082(b)(1)	X			
when control equipment cannot be installed & begin operation by effective date of amendment, owner/operator shall:	154.1	265.1082(b)(2)	265.1082(b)(2)	X			
install & begin operation as soon as possible, but no later than 30 months after effective date of amendment	154.1	265.1082(b)(2)(i)	265.1082(b)(2)(i)	X			
for facilities subject to recordkeeping requirements of 265.73, enter & maintain implementation schedule in operating record no later than effective date of amendment, or	154.1	265.1082(b)(2)(ii)	265.1082(b)(2)(ii)	X			
for facilities not subject to 265.73, enter & maintain implementation schedule in permanent, readily available file located at the facility no later than effective date of amendment	154.1	265.1082(b)(2)(ii)	265.1082(b)(2)(iii)	X			
Regional Administrator may extend implementation date for control equipment at a facility, on a case-by-case basis, to date later than December 8, 1997, under specified circumstances	154.1	265.1082(c)	265.1082(c)	X			

STANDARDS: GENERAL

265.1083 applies to management of hazardous waste in tanks, surface impoundments, & containers subject to 265, Subpart CC	154.1 154	265.1083(a)	265.1083(a)	X			
owner/operator shall control air pollutant emissions from each waste management unit in accordance with 265.1085-1088, except as in 265.1083(c)	154.1 154	265.1083(b)	265.1083(b)	X			
tank, surface impoundment, or container is exempt from 265.1085-1088, as applicable, provided unit is:	154.1 154	265.1083(c)	265.1083(c)	X			
tank, surface impoundment, or container for which entering hazardous waste has average VO concentration at point of origination < 500 ppmw; how VO concentration shall be determined; frequency of reviews & updates	154.1 154	265.1083(c)(1)	265.1083(c)(1)	X			
tank, surface impoundment, or container for which organic content of hazardous waste entering the waste management unit has been reduced by organic destruction or removal that achieves one of following:	154.1 154	265.1083(c)(2)	265.1083(c)(2)	X			
process that removes or destroys organics to level such that average VO concentration at point of treatment < exit concentration limit established for the process; how average VO concentration shall be determined	154.1 154	265.1083(c)(2)(i)	265.1083(c)(2)(i)	X			
process that removes or destroys organics to level such that organic reduction efficiency is $\geq$ 95% & average VO concentration at point of waste treatment is < 100 ppmw; how organic reduction efficiency & average VO concentration shall be determined	154.1 154	265.1083(c)(2)(ii)	265.1083(c)(2)(ii)	X			
<sup>22</sup> process that removes or destroys organics to level such that actual organic mass removal rate is $\geq$ required organic mass removal rate established for the process; how required organic mass removal rate & actual organic mass removal rate shall be determined	154.1 154.5 154	265.1083(c)(2)(iii)	265.1083(c)(2)(iii)	X			
biological process that destroys or degrades organics contained in	154.1 154	265.1083(c)(2)(iv)	265.1083(c)(2)(iv)	X			

hazardous waste such that one of the following conditions is met:							
organic reduction efficiency for process is $\geq$ 95% & organic biodegradation efficiency is $\geq$ 95%; how organic reduction efficiency & biodegradation efficiency shall be determined	154.1 154	265.1083(c)(2)(iv) (A)	265.1083(c)(2) (iv)(A)	X			
total actual organic mass biodegradation rate for all hazardous waste treated by the process is $\geq$ required organic mass removal rate; how organic mass removal rate & actual mass biodegradation rate shall be determined	154.1 154	265.1083(c)(2)(iv) (B)	265.1083(c)(2) (iv)(B)	X			
process that removes or destroys organics contained in hazardous waste & meets all of specified conditions	154.1 154	265.1083(c)(2)(v) )	265.1083(c)(2) (v)	X			
	154.1 154	265.1083(c)(2)(v) (A)	265.1083(c)(2) (v)(A)	X			
	154.1 154	265.1083(c)(2)(v) (B)	265.1083(c)(2) (v)(B)	X			
	154.1 154	265.1083(c)(2)(v) (C)	265.1083(c)(2) (v)(C)	X			
<sup>23</sup> process that removes or destroys organics in hazardous waste to specified levels; specified levels to be determined using procedures in 265.1084(a) & (b)	154.1 154	265.1083(c)(2)(vi) )	265.1083(c)(2) (vi)	X			
<sup>23</sup> hazardous waste incinerator for which owner/operator has either:	154.1 154	265.1083(c)(2)(vi) i)	265.1083(c)(2) (vii)	X			
been issued a final permit under part 270 which implements subpart O; or	154.1 154	265.1083(c)(2)(vi) i)(A)	265.1083(c)(2) (vii)(A)	X			
has designed & operates incinerator in accordance with interim status requirements of part 265, subpart O	154.1 154	265.1083(c)(2)(vi) i)(B)	265.1083(c)(2) (vii)(B)	X			
<sup>23</sup> boiler or industrial furnace for which owner/operator has either:	154	265.1083(c)(2)(vi) ii)	265.1083(c)(2) (viii)	X			
been issued a final permit under 270 which implements 266, subpart H; or	154	265.1083(c)(2)(vi) ii)(A)	265.1083(c)(2) (viii)(A)	X			
designed & operates boiler or industrial furnace in accordance with interim status requirements of 266, subpart H	154	265.1083(c)(2)(vi) ii)(B)	265.1083(c)(2) (viii)(B)	X			
for determining the performance of organic destruction process,	154	265.1083(c)(2)(ix)	265.1083(c)(2)	X			

owner/operator shall account for VO concentrations below detection limit by using the following:		)	(ix)				
if Method 25D in part 60, appendix A is used, 1/2 blank value determined in method	154	265.1083(c)(2)(ix)(A)	265.1083(c)(2)(ix)(A)	X			
if other method used, 1/2 detection limit established for the method	154	265.1083(c)(2)(ix)(B)	265.1083(c)(2)(ix)(B)	X			
tank used for biological treatment of hazardous waste in accordance with 265.1083(c)(2)(iv)	154	265.1083(c)(3)	265.1083(c)(3)	X			
tank, surface impoundment, or container for which hazardous waste placed in either:	154	265.1083(c)(4)	265.1083(c)(4)	X			
meets numerical concentration limits for organic constituents in 268.40; or	154	265.1083(c)(4)(i)	265.1083(c)(4)(i)	X			
has been treated as in 268.42(a), or by equivalent method pursuant to 268.42(b)	154	265.1083(c)(4)(ii)	265.1083(c)(4)(ii)	X			
tank used for bulk feed of hazardous waste to incinerator, & all of following are met:	154	265.1083(c)(5)	265.1083(c)(5)	X			
tank is inside enclosure vented to a control device designed & operated in accordance with part 61, subpart FF for a facility generating \$ 10 megagrams of benzene per year	154	265.1083(c)(5)(i)	265.1083(c)(5)(i)	X			
tank's enclosure & control device installed & began operation prior to November 25, 1996	154	265.1083(c)(5)(ii)	265.1083(c)(5)(ii)	X			
enclosure designed & operated in accordance with 52.741, appendix B; allowance for openings; verification as in Section 5.0	154	265.1083(c)(5)(ii)	265.1083(c)(5)(ii)	X			
<sup>24</sup> Regional Administrator may perform, or request owner/operator perform waste determination for hazardous waste managed in a tank, surface impoundment, or container exempted from using air emission controls under 265.1083 as follows:	154.1 154.5 154	265.1083(d)	265.1083(d)	X			
waste determination for average VO concentration of hazardous waste at point of origination shall be performed using direct measurement in accordance with 265.1084(a); how determination will be performed	154.1 154	265.1083(d)(1)	265.1083(d)(1)	X			

25	in performing waste determination pursuant to 265.1083(d)(1), sample preparation shall be conducted as follows:	154.1 154	265.1083(d)(2)	265.1083(d)(2)	X			
	in accordance with method used by owner/operator, except as specified by 265.1083(d)(2)(ii)	154	265.1083(d)(2)(i)	265.1083(d)(2)(i)	X			
	if Regional Administrator determines owner/ operator's methods inappropriate, then may choose appropriate one	154	265.1083(d)(2)(ii)	265.1083(d)(2)(ii)	X			
25	when owner/operator performs waste determination, Regional Administrator may have representative observe sampling	154.1 154	265.1083(d)(3)	265.1083(d)(3)	X			
25	if results of waste determination performed or requested by Regional Administrator do not agree with results of waste determination performed by owner/ operator, then results of waste determination performed under 265.1083(d)(1) shall be used	154.1 154	265.1083(d)(4)	265.1083(d)(4)	X			
25	if averaging period > 1 hour was used to determine average VO concentration of hazardous waste at point of origination, Regional Administrator can establish 265, Subpart CC compliance by performing or requesting that owner/operator perform waste determination based on samples collected within 1-hour period as specified	154	265.1083(d)(5)	265.1083(d)(5)	X			
		154	265.1083(d)(5)(i)	265.1083(d)(5)(i)	X			
		154	265.1083(d)(5)(ii)	265.1083(d)(5)(ii)	X			
		154	265.1083(d)(5)(iii)	265.1083(d)(5)(iii)	X			

#### WASTE DETERMINATION PROCEDURES

	waste determination procedure to determine average VO concentration of hazardous waste at point of origination	154.1 154	265.1084(a)	265.1084(a)	X			
26	average VO concentration at point of waste origination shall be determined for each hazardous waste placed in	154.1 154	265.1084(a)(1)	265.1084(a)(1)	X			

units exempted under 265.1083(c)(1) from using air emission controls in accordance with 265.1085-1088							
average VO concentration of hazardous waste at point of origination shall be determined using direct measurement as in 265.1084(a)(3) or (4)	154.1 154	265.1084(a)(2)	265.1084(a)(2)	X			
direct measurement to determine average VO concentrations of hazardous waste at point of origination	154.1 154	265.1084(a)(3)	265.1084(a)(3)	X			
identification; owner/ operator shall identify & record point of waste origination	154.1 154	265.1084(a)(3)(i)	265.1084(a)(3)(i)	X			
sampling; samples shall be collected at point of waste origination in manner that minimizes volatilization of organics & that is adequately representative	154.1 154	265.1084(a)(3)(ii)	265.1084(a)(3)(ii)	X			
	154	265.1084(a)(3)(ii)(A)	265.1084(a)(3)(ii)(A)	X			
	154	265.1084(a)(3)(ii)(B)	265.1084(a)(3)(ii)(B)	X			
	154	265.1084(a)(3)(ii)(C)	265.1084(a)(3)(ii)(C)	X			

analysis; each collected sample shall be prepared & analyzed in accordance with one or more of the specified methods	154	265.1084(a)(3)(ii i)	265.1084(a)(3)(iii)	X			
	154	265.1084(a)(3)(ii i)(A)	265.1084(a)(3)(iii)(A)	X			
	154	265.1084(a)(3)(ii i)(B)	265.1084(a)(3)(iii)(B)	X			
	154	265.1084(a)(3)(ii i)(C)	265.1084(a)(3)(iii)(C)	X			
	154	265.1084(a)(3)(ii i)(D)	265.1084(a)(3)(iii)(D)	X			
	154	265.1084(a)(3)(ii i)(E)	265.1084(a)(3)(iii)(E)	X			
	154	265.1084(a)(3)(ii i)(F)	265.1084(a)(3)(iii)(F)	X			
	154	265.1084(a)(3)(ii i)(F)(1)	265.1084(a)(3)(iii)(F)(1)	X			
	154	265.1084(a)(3)(ii i)(F)(2)	265.1084(a)(3)(iii)(F)(2)	X			
	154	265.1084(a)(3)(ii i)(G)	265.1084(a)(3)(iii)(G)	X			
	154	265.1084(a)(3)(ii i)(G)(1)	265.1084(a)(3)(iii)(G)(1)	X			
	154	265.1084(a)(3)(ii i)(G)(2)	265.1084(a)(3)(iii)(G)(2)	X			
	154	265.1084(a)(3)(ii i)(H)	265.1084(a)(3)(iii)(H)	X			
	154	265.1084(a)(3)(ii i)(I)	265.1084(a)(3)(iii)(I)	X			
calculations; average VO concentration on mass-weighted basis shall be calculated by using specified equation	154	265.1084(a)(3)(iv )	265.1084(a)(3)(v )	X			
use of owner/operator knowledge to determine average VO concentration of hazardous waste at point of origination	154.1 154	265.1084(a)(4)	265.1084(a)(4)	X			
prepare documentation of basis for owner's or operator's knowledge of hazardous waste stream's average VO concentration; examples	154.1 154	265.1084(a)(4)(i)	265.1084(a)(4)(i)	X			
if test data are used as basis of knowledge, owner/operator shall	154.1 154	265.1084(a)(4)(ii )	265.1084(a)(4)(ii)	X			

document test method, sampling protocol, & means by which sampling & analytical variability are accounted for; examples							
owner/operator using chemical constituent-specific concentration test data as basis for knowledge may adjust test data; how to adjust data	154.1 154	265.1084(a)(4)(ii) i)	265.1084(a)(4) (iii)	X			
if Regional Administrator & owner/operator disagree on the determination, then results of direct measurement as in 265.1084(a)(3) shall be used; Regional Administrator may perform or request owner/operator to perform determination	154	265.1084(a)(4)(iv) )	265.1084(a)(4) (iv)	X			
waste determination procedures for treated hazardous waste	154.1 154	265.1084(b)	265.1084(b)	X			
26 applicable waste determinations shall be performed for each treated hazardous waste placed in units exempted under 265.1083(c)(2) from using air emission controls in accordance with 265.1085-1088	154.1 154	265.1084(b)(1)	265.1084(b)(1)	X			
owner/operator shall designate & record specific provision in 265.1083(c)(2) under which waste determination is performed; applicable procedures in 265.1084(b)(3)-(9) shall be used in waste determination	154.1 154	265.1084(b)(2)	265.1084(b)(2)	X			
procedure to determine average VO concentration of hazardous waste at point of waste treatment	154.1 154	265.1084(b)(3)	265.1084(b)(3)	X			
ID; owner/operator shall identify & record point of waste treatment	154	265.1084(b)(3)(i)	265.1084(b)(3) (i)	X			
sampling; samples shall be collected at point of waste treatment in manner that minimizes volatilization of organics & that is adequately representative	154	265.1084(b)(3)(ii) )	265.1084(b)(3) (ii)	X			
	154	265.1084(b)(3)(ii) (A)	265.1084(b)(3) (ii)(A)	X			
	154	265.1084(b)(3)(ii) (B)	265.1084(b)(3) (ii)(B)	X			
	154	265.1084(b)(3)(ii) (C)	265.1084(b)(3) (ii)(C)	X			

analysis; each collected sample shall be prepared & analyzed in accordance with one or more of the specified methods	154	265.1084(b)(3)(ii i)	265.1084(b)(3)(iii)	X			
	154	265.1084(b)(3)(ii i)(A)	265.1084(b)(3)(iii)(A)	X			
	154	265.1084(b)(3)(ii i)(B)	265.1084(b)(3)(iii)(B)	X			
	154	265.1084(b)(3)(ii i)(C)	265.1084(b)(3)(iii)(C)	X			
	154	265.1084(b)(3)(ii i)(D)	265.1084(b)(3)(iii)(D)	X			
	154	265.1084(b)(3)(ii i)(E)	265.1084(b)(3)(iii)(E)	X			
	154	265.1084(b)(3)(ii i)(F)	265.1084(b)(3)(iii)(F)	X			
	154	265.1084(b)(3)(ii i)(F)(1)	265.1084(b)(3)(iii)(F)(1)	X			
	154	265.1084(b)(3)(ii i)(F)(2)	265.1084(b)(3)(iii)(F)(2)	X			
	154	265.1084(b)(3)(ii i)(G)	265.1084(b)(3)(iii)(G)	X			
	154	265.1084(b)(3)(ii i)(G)(1)	265.1084(b)(3)(iii)(G)(1)	X			
	154	265.1084(b)(3)(ii i)(G)(2)	265.1084(b)(3)(iii)(G)(2)	X			
	154	265.1084(b)(3)(ii i)(H)	265.1084(b)(3)(iii)(H)	X			
	154	265.1084(b)(3)(ii i)(I)	265.1084(b)(3)(iii)(I)	X			
calculations; average VO concentration on mass-weighted basis shall be calculated by using specified equation	154	265.1084(b)(3)(i v)	265.1084(b)(3)(iv)	X			
procedure to determine exit concentration limit for treated hazardous waste	154.1 154	265.1084(b)(4)	265.1084(b)(4)	X			
point of origination for each hazardous waste treated by the process at the same time shall be identified	154.1 154	265.1084(b)(4)(i)	265.1084(b)(4)(i)	X			
if single hazardous waste stream is identified, then exit concentration limit shall be 500 ppmw	154.1 154	265.1084(b)(4)(ii )	265.1084(b)(4)(ii)	X			

if more than one hazardous waste stream is identified, then VO concentration of each waste stream shall be determined; exit concentration limit shall be calculated using results determined for each waste stream & the specified equation	154.1 154	265.1084(b)(4)(ii) i)	265.1084(b)(4) (iii)	X			
procedure to determine organic reduction efficiency for treated hazardous waste	154.1 154	265.1084(b)(5)	265.1084(b)(5)	X			
organic reduction efficiency shall be determined based on results for minimum of 3 consecutive runs	154.1 154	265.1084(b)(5)(i)	265.1084(b)(5) (i)	X			
all hazardous waste streams entering & exiting the treatment process shall be identified; owner/operator shall prepare sampling plan	154.1 154	265.1084(b)(5)(ii) )	265.1084(b)(5) (ii)	X			
for each run, information shall be determined for each hazardous waste stream identified in 265.1084(b)(5)(ii) using specified procedures	154.1 154	265.1084(b)(5)(ii) i)	265.1084(b)(5) (iii)	X			
	154	265.1084(b)(5)(ii) i)(A)	265.1084(b)(5) (iii)(A)	X			
	154	265.1084(b)(5)(ii) i)(B)	265.1084(b)(5) (iii)(B)	X			
waste volatile organic mass flow entering & exiting the process shall be calculated using results determined in accordance with 265.1084(b)(5)(iii) & the specified equations	154	265.1084(b)(5)(i) v)	265.1084(b)(5) (iv)	X			
organic reduction efficiency of the process shall be calculated using results determined in accordance with 265.1084(b)(5)(iv) & the specified equations	154	265.1084(b)(5)(v) )	265.1084(b)(5) (v)	X			
procedure to determine organic biodegradation efficiency for treated hazardous waste	154.1 154	265.1084(b)(6)	265.1084(b)(6)	X			
fraction of organics biodegraded shall be determined using the procedure in 40 CFR 63, appendix C	154.1 154	265.1084(b)(6)(i)	265.1084(b)(6) (i)	X			
organic biodegradation efficiency of the process shall be calculated using specified equation	154.1 154	265.1084(b)(6)(ii) )	265.1084(b)(6) (ii)	X			
procedure to determine required organic mass removal rate for treated	154.1 154	265.1084(b)(7)	265.1084(b)(7)	X			

hazardous waste							
all of hazardous waste streams entering treatment process shall be identified	154.1 154	265.1084(b)(7)(i)	265.1084(b)(7)(i)	X			
average VO concentration of each hazardous waste stream identified at point of origination shall be determined in accordance with 265.1084(a)	154.1 154	265.1084(b)(7)(ii)	265.1084(b)(7)(ii)	X			
for each individual hazardous waste stream that has average VO concentration $\geq$ 500 ppmw at point of origination, average volumetric flow rate & density of hazardous waste stream shall be determined	154.1 154	265.1084(b)(7)(iii)	265.1084(b)(7)(iii)	X			
RMR shall be calculated using average VO concentration, average volumetric flow rate density determined for each hazardous waste stream, & specified equation	154.1 154	265.1084(b)(7)(iv)	265.1084(b)(7)(iv)	X			
procedure to determine actual organic mass removal rate for treated hazardous waste	154.1 154	265.1084(b)(8)	265.1084(b)(8)	X			
MR shall be determined based on results for minimum of 3 consecutive runs; sampling time for runs shall be 1 hour	154.1	265.1084(b)(8)(i)	265.1084(b)(8)(i)	X			
waste volatile organic mass flow entering & exiting the process shall be determined in accordance with 265.1084(b)(5)(iv)	154.1 154	265.1084(b)(8)(ii)	265.1084(b)(8)(ii)	X			
MR shall be calculated by using the results determined in accordance with 265.1084(b)(8)(ii) & specified equation	154.1 154	265.1084(b)(8)(iii)	265.1084(b)(8)(iii)	X			
procedure to determine actual organic mass biodegradation rate for treated waste	154.1 154	265.1084(b)(9)	265.1084(b)(9)	X			
MR shall be determined based on results for minimum of 3 consecutive runs; sampling time for runs shall be 1 hour	154.1 154	265.1084(b)(9)(i)	265.1084(b)(9)(i)	X			
waste organic mass flow entering the process shall be determined in accordance with 265.1084(b)(5)(iv)	154.1 154	265.1084(b)(9)(ii)	265.1084(b)(9)(ii)	X			
fraction of organic biodegraded shall be determined using procedure in 40 CFR 63, appendix C	154.1 154	265.1084(b)(9)(iii)	265.1084(b)(9)(iii)	X			

	actual organic mass biodegradation rate shall be calculated using mass flow rates & fraction of organic biodegraded determined in accordance with 265.1084(b)(9)(ii)&(iii) & specified equation	154	265.1084(b)(9)(i v)	265.1084(b)(9)(iv)	X			
	procedure to determine maximum organic vapor pressure of hazardous waste in a tank	154.1 154	265.1084(c)	265.1084(c)	X			
	maximum organic vapor pressure shall be determined for each hazardous waste placed in a tank in accordance with Tank Level 1 controls in 265.1085(c)	154.1 154	265.1084(c)(1)	265.1084(c)(1)	X			
26	direct measurement as in 265.1084(c)(3) or knowledge of the waste as in 265.1084(c)(4) shall be used to determine maximum organic vapor pressure representative of hazardous waste composition stored or treated in the tank	154.1 154	265.1084(c)(2)	265.1084(c)(2)	X			
	direct measurement to determine maximum organic vapor pressure of hazardous waste	154.1 154	265.1084(c)(3)	265.1084(c)(3)	X			
	sufficient number of samples shall be collected to represent waste in the tank; samples shall be collected & handled in accordance with written procedures & documented in site sampling plan; what the plan shall describe; copy of the plan to be maintained on-site; example of acceptable plan in accordance with "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," SW-846	154.1 154.5 154	265.1084(c)(3)(i)	265.1084(c)(3)(i)	X			
	any appropriate one of the specified methods may be used to analyze samples & compute the maximum organic vapor pressure	154.1 154	265.1084(c)(3)(ii)	265.1084(c)(3)(ii)	X			
		154.1 154	265.1084(c)(3)(ii)(A)	265.1084(c)(3)(ii)(A)	X			
		154.1 154	265.1084(c)(3)(ii)(B)	265.1084(c)(3)(ii)(B)	X			
		154.1 154	265.1084(c)(3)(ii)(C)	265.1084(c)(3)(ii)(C)	X			
		154.1 154	265.1084(c)(3)(ii)(D)	265.1084(c)(3)(ii)(D)	X			

	154.1 154	265.1084(c)(3)(ii) (E)	265.1084(c)(3) (ii)(E)	X			
use of knowledge to determine maximum organic vapor pressure of hazardous waste; documentation shall be prepared & recorded that presents basis for owner/operator's knowledge that maximum organic vapor pressure of hazardous waste is < that listed in 265.1085(b)(1)(i); example of information that may be used	154.1 154	265.1084(c)(4)	265.1084(c)(4)	X			
procedure for determining no detectable organic emissions:	154	265.1084(d)	265.1084(d)	X			
test shall be conducted in accordance with procedures in Method 21 of part 60, appendix A; each potential leak interface shall be checked; examples of potential leak interfaces that are associated with covers & closure devices	154	265.1084(d)(1)	265.1084(d)(1)	X			
test shall be performed when hazardous waste unit contains organic concentration representative of wastes expected to be managed; cover & closure devices shall be closed during test	154	265.1084(d)(2)	265.1084(d)(2)	X			
detection instrument shall meet criteria of Method 21 of part 60, appendix A, except instrument response factor criteria shall be for average composition, not for each constituent	154	265.1084(d)(3)	265.1084(d)(3)	X			
detection instrument shall be calibrated before use each day by procedures in Method 21, part 60, appendix A	154	265.1084(d)(4)	265.1084(d)(4)	X			
calibration gases shall be as follows:	154	265.1084(d)(5)	265.1084(d)(5)	X			
zero air	154	265.1084(d)(5)(i)	265.1084(d)(5) (i)	X			
a mixture of methane in air at concentration < 10,000 ppmv	154	265.1084(d)(5)(ii) )	265.1084(d)(5)( ii)	X			
background level shall be determined according to Method 21 of part 60, appendix A	154	265.1084(d)(6)	265.1084(d)(6)	X			
each potential leak interface shall be checked by traversing the instrument probe around the leak as described in Method 21 of part 60, appendix A;	154	265.1084(d)(7)	265.1084(d)(7)	X			

what to do if sampling is impeded by cover or closure device configuration							
arithmetic difference between maximum organic concentration shall be compared with value of 500 ppmv except when monitoring seal around a rotating shaft; if difference is < 500 ppmv, leak interface is determined to operate with no detectable organic emissions	154	265.1084(d)(8)	265.1084(d)(8)	X			
for seals around a rotating shaft, arithmetic difference between maximum organic concentration shall be compared with value of 10,000 ppmw; if difference is < 10,000 ppmw, leak interface is determined to operate with no detectable organic emissions	154	265.1084(d)(9)	265.1084(d)(9)	X			

27 STANDARDS: TANKS

provisions of 265.1085 apply to control of air pollutant emissions from tanks for which 265.1083(b) references use of 265.1085 for such air emission control	154	265.1085(a)	265.1085(a)	X			
owner/operator shall control air pollutant emissions from each tank subject to 265.1085 in accordance with the following:	154	265.1085(b)	265.1085(b)	X			
requirements for a tank that manages hazardous waste & meets conditions in 265.1085(b)(1)(i)-(iii)	154	265.1085(b)(1)	265.1085(b)(1)	X			
hazardous waste in the tank has maximum organic vapor pressure < the limit for the tank's capacity category as specified	154	265.1085(b)(1)(i)	265.1085(b)(1)(i)	X			
	154	265.1085(b)(1)(i)(A)	265.1085(b)(1)(i)(A)	X			
	154	265.1085(b)(1)(i)(B)	265.1085(b)(1)(i)(B)	X			
	154	265.1085(b)(1)(i)(C)	265.1085(b)(1)(i)(C)	X			
hazardous waste in the tank is not heated by owner/operator to temperature at which maximum organic vapor pressure is determined according to 265.1085(b)(1)(i)	154	265.1085(b)(1)(ii)	265.1085(b)(1)(ii)	X			
hazardous waste in the tank is not treated by owner/operator using waste	154	265.1085(b)(1)(ii)	265.1085(b)(1)(ii)	X			

stabilization process, as in 265.1081							
requirements for tanks that do not meet 265.1085(b)(1)(i)-(iii); examples	154	265.1085(b)(2)	265.1085(b)(2)	X			
owners/operators controlling air pollutant emissions from a tank using Tank Level 1 controls shall meet requirements in 265.1085(c)(1)-(c)(4)	154	265.1085(c)	265.1085(c)	X			
owner/operator shall determine maximum organic vapor pressure for hazardous waste in tank using Tank Level 1 controls before placing waste in tank; maximum organic vapor pressure shall be determined using 265.1084(c); when determinations shall be performed	154	265.1085(c)(1)	265.1085(c)(1)	X			
tank shall be equipped with fixed roof designed to meet the following:	154	265.1085(c)(2)	265.1085(c)(2)	X			
roof & its closure devices shall form a barrier over the surface of hazardous waste in the tank; what constitutes a fixed roof	154	265.1085(c)(2)(i)	265.1085(c)(2)(i)	X			
installed without visible cracks, holes, gaps, or other open spaces between joints or edges	154	265.1085(c)(2)(ii)	265.1085(c)(2)(ii)	X			
how each opening in the fixed roof shall be equipped with a closure device or connected by a closed-vent system	154	265.1085(c)(2)(ii i)	265.1085(c)(2)(ii i)	X			
	154	265.1085(c)(2)(ii i)(A)	265.1085(c)(2)(ii i)(A)	X			
	154	265.1085(c)(2)(ii i)(B)	265.1085(c)(2)(ii i)(B)	X			
fixed roof & its closure devices shall consist of materials to minimize exposure of hazardous waste to the atmosphere & maintain integrity throughout service life; factors for selecting materials	154	265.1085(c)(2)(iv)	265.1085(c)(2)(iv)	X			
whenever hazardous waste is in the tank, fixed roof shall be installed with closure device secured in closed position except:	154	265.1085(c)(3)	265.1085(c)(3)	X			
opening of closure devices or removal of fixed roof is allowed to provide access or to remove accumulated sludge	154	265.1085(c)(3)(i)	265.1085(c)(3)(i)	X			

	154	265.1085(c)(3)(i)(A)	265.1085(c)(3)(i)(A)	X			
	154	265.1085(c)(3)(i)(B)	265.1085(c)(3)(i)(B)	X			
opening of pressure relief devices which vent to the atmosphere during normal operations to maintain internal pressure; designed to operate with no detectable emissions when closed; remain in closed position when internal pressure is within operating range determined by owner/operator; normal operating conditions	154	265.1085(c)(3)(ii)	265.1085(c)(3)(ii)	X			
opening of safety device allowed to avoid unsafe condition	154	265.1085(c)(3)(ii)	265.1085(c)(3)(iii)	X			
owner/operator shall inspect air emission control equipment as follows:	154	265.1085(c)(4)	265.1085(c)(4)	X			
fixed roof & its closure devices shall be visually inspected for defects; examples	154	265.1085(c)(4)(i)	265.1085(c)(4)(i)	X			
initial inspection of fixed roof & closure devices on or before tank becomes subject to 265.1085; then at least once a year except under 265.1085(l)	154	265.1085(c)(4)(ii)	265.1085(c)(4)(ii)	X			
in event of defect, it shall be repaired in accordance with 265.1085(k)	154	265.1085(c)(4)(ii)	265.1085(c)(4)(iii)	X			
owner/operator shall maintain inspection record in accordance with 265.1090(b)	154	265.1085(c)(4)(iv)	265.1085(c)(4)(iv)	X			
owners/operators controlling air pollutant emissions from a tank using Tank Level 2 controls shall use one of the following:	154	265.1085(d)	265.1085(d)	X			
fixed-roof tank equipped with internal floating roof in accordance with 265.1085(e);	154	265.1085(d)(1)	265.1085(d)(1)	X			
tank equipped with external floating roof in accordance with 265.1085(f);	154	265.1085(d)(2)	265.1085(d)(2)	X			
tank vented through a closed-vent system to a control device in accordance with 265.1085(g);	154	265.1085(d)(3)	265.1085(d)(3)	X			
pressure tank designed & operated in accordance with 265.1085(h); or	154	265.1085(d)(4)	265.1085(d)(4)	X			
tank inside enclosure vented through	154	265.1085(d)(5)	265.1085(d)(5)	X			

a closed-vent system to an enclosed combustion control device in accordance with 265.1085(i)							
owner/operator who controls emissions from a tank using a fixed-roof with internal floating roof shall meet requirements in 265.1085(e)(1)-(3)	154	265.1085(e)	265.1085(e)	X			
tank shall be equipped with a fixed roof & internal floating roof in accordance with the following:	154	265.1085(e)(1)	265.1085(e)(1)	X			
internal floating roof shall be designed to float on liquid surface except when supported by leg supports	154	265.1085(e)(1)(i)	265.1085(e)(1)(i)	X			
internal floating roof shall be equipped with continuous seal that meets specified conditions	154	265.1085(e)(1)(ii)	265.1085(e)(1)(ii)	X			
	154	265.1085(e)(1)(ii)(A)	265.1085(e)(1)(ii)(A)	X			
	154	265.1085(e)(1)(ii)(B)	265.1085(e)(1)(ii)(B)	X			
the internal floating roof shall meet listed specifications	154	265.1085(e)(1)(iii)	265.1085(e)(1)(iii)	X			
	154	265.1085(e)(1)(iii)(A)	265.1085(e)(1)(iii)(A)	X			
	154	265.1085(e)(1)(iii)(B)	265.1085(e)(1)(iii)(B)	X			
	154	265.1085(e)(1)(iii)(C)	265.1085(e)(1)(iii)(C)	X			
	154	265.1085(e)(1)(iii)(D)	265.1085(e)(1)(iii)(D)	X			
	154	265.1085(e)(1)(iii)(E)	265.1085(e)(1)(iii)(E)	X			
	154	265.1085(e)(1)(iii)(F)	265.1085(e)(1)(iii)(F)	X			
owner/operator shall operate the tank in accordance with the following:	154	265.1085(e)(2)	265.1085(e)(2)	X			
when floating roof is resting on leg supports, filling, emptying, or refilling shall be continuous & completed as soon as practical	154	265.1085(e)(2)(i)	265.1085(e)(2)(i)	X			
automatic bleeder vents to be closed at all times when roof is floating, except when roof is being floated off	154	265.1085(e)(2)(ii)	265.1085(e)(2)(ii)	X			

or landed on leg supports							
prior to filling tank, each opening in internal floating roof shall be closed; rim space vents open only when internal floating roof is not floating or when pressure exceeds manufacturer's recommended setting	154	265.1085(e)(2)(ii) i)	265.1085(e)(2) (iii)	X			
owner/operator shall inspect internal floating roof in accordance with the following:	154	265.1085(e)(3)	265.1085(e)(3)	X			
floating roof & its closure devices shall be visually inspected for defects which could result in air pollutant emissions; potential defects	154	265.1085(e)(3)(i)	265.1085(e)(3) (i)	X			
owner/operator shall inspect internal floating roof components with visual inspections except as in 265.1085(e)(3)(iii)	154	265.1085(e)(3)(ii) )	265.1085(e)(3) (ii)	X			
	154	265.1085(e)(3)(ii) (A)	265.1085(e)(3) (ii)(A)	X			
	154	265.1085(e)(3)(ii) (B)	265.1085(e)(3) (ii)(B)	X			
as alternative to 265.1085(e)(3)(ii) inspections for internal floating roof equipped with two continuous seals, owner/operator may perform visual inspection each time tank is emptied & degassed & at least every 5 years	154	265.1085(e)(3)(ii) i)	265.1085(e)(3) (iii)	X			
prior to 265.1085(e)(3)(ii) or (iii) inspections, owner/operator shall notify Regional Administrator in advance to allow for observer during inspection; notify of date & location of inspection	154	265.1085(e)(3)(iv) )	265.1085(e)(3) (iv)	X			
	154	265.1085(e)(3)(iv) (A)	265.1085(e)(3) (iv)(A)	X			
	154	265.1085(e)(3)(iv) (B)	265.1085(e)(3) (iv)(B)	X			
in event of defect, it shall be repaired in accordance with 265.1085(k)	154	265.1085(e)(3)(v) )	265.1085(e)(3) (v)	X			
owner/operator shall maintain inspection record in accordance with 265.1090(b)	154	265.1085(e)(3)(vi) )	265.1085(e)(3) (vi)	X			
owner/operator who controls emissions from tank using external floating roof shall meet requirements in 265.1085(f)(1)-(3)	154	265.1085(f)	265.1085(f)	X			

owner/operator shall design external floating roof in accordance with the following:	154	265.1085(f)(1)	265.1085(f)(1)	X			
external floating roof shall be designed to float on liquid surface except when supported by leg supports	154	265.1085(f)(1)(i)	265.1085(f)(1)(i)	X			
floating roof shall be equipped with two continuous seals; lower seal is referred to as primary seal & upper seal as secondary seal	154	265.1085(f)(1)(ii)	265.1085(f)(1)(ii)	X			
	154	265.1085(f)(1)(ii)(A)	265.1085(f)(1)(ii)(A)	X			
	154	265.1085(f)(1)(ii)(B)	265.1085(f)(1)(ii)(B)	X			

external floating roof shall meet certain specifications	154	265.1085(f)(1)(iii) )	265.1085(f)(1) (iii)	X			
	154	265.1085(f)(1)(iii) (A)	265.1085(f)(1) (iii)(A)	X			
	154	265.1085(f)(1)(iii) (B)	265.1085(f)(1) (iii)(B)	X			
	154	265.1085(f)(1)(iii) (C)	265.1085(f)(1) (iii)(C)	X			
	154	265.1085(f)(1)(iii) (D)	265.1085(f)(1) (iii)(D)	X			
	154	265.1085(f)(1)(iii) (E)	265.1085(f)(1) (iii)(E)	X			
	154	265.1085(f)(1)(iii) (F)	265.1085(f)(1) (iii)(F)	X			
	154	265.1085(f)(1)(iii) (G)	265.1085(f)(1) (iii)(G)	X			
	154	265.1085(f)(1)(iii) (H)	265.1085(f)(1) (iii)(H)	X			
	154	265.1085(f)(1)(iii) (I)	265.1085(f)(1) (iii)(I)	X			
owner/operator shall operate the tank in accordance with the following:	154	265.1085(f)(2)	265.1085(f)(2)	X			
when floating roof is resting on leg supports, filling, emptying, or refilling shall be continuous & completed as soon as practical	154	265.1085(f)(2)(i)	265.1085(f)(2) (i)	X			
except for automatic bleeder vents, rim space vents, roof drains, & leg sleeves, each roof opening shall be secured & closed at all times except when closure device must be open for access	154	265.1085(f)(2)(ii)	265.1085(f)(2) (ii)	X			
covers on each access hatch & gauge float well shall be bolted or fastened when in closed position	154	265.1085(f)(2)(iii) )	265.1085(f)(2) (iii)	X			
automatic bleeder vents to be closed at all times when roof is floating, except when roof is being floated off or landed on leg supports	154	265.1085(f)(2)(iv) )	265.1085(f)(2) (iv)	X			
rim space vents shall be open only at times that roof is being floated off leg supports or when pressure beneath rim seal exceeds manufacturer's recommended setting	154	265.1085(f)(2)(v)	265.1085(f)(2)( v)	X			

cap on the end of unslotted guide poles shall be closed at all times except when measuring liquid level or collecting samples	154	265.1085(f)(2)(vi)	265.1085(f)(2)(vi)	X			
cover on each gauge hatch or sample well shall be closed at all times except when hatch or well must be accessed	154	265.1085(f)(2)(vi)	265.1085(f)(2)(vii)	X			
both primary & secondary seals shall completely cover annular space between external floating roof & tank wall in continuous fashion except during inspections	154	265.1085(f)(2)(vi)	265.1085(f)(2)(viii)	X			
owner/operator shall inspect external floating roof in accordance with the following:	154	265.1085(f)(3)	265.1085(f)(3)	X			

external floating roof shall meet certain specifications	154	265.1085(f)(3)(i)	265.1085(f)(3)(i)	X			
	154	265.1085(f)(3)(i)(A)	265.1085(f)(3)(i)(A)	X			
	154	265.1085(f)(3)(i)(B)	265.1085(f)(3)(i)(B)	X			
	154	265.1085(f)(3)(i)(C)	265.1085(f)(3)(i)(C)	X			
	154	265.1085(f)(3)(i)(D)	265.1085(f)(3)(i)(D)	X			
	154	265.1085(f)(3)(i)(D)(1)	265.1085(f)(3)(i)(D)(1)	X			
	154	265.1085(f)(3)(i)(D)(2)	265.1085(f)(3)(i)(D)(2)	X			
	154	265.1085(f)(3)(i)(D)(3)	265.1085(f)(3)(i)(D)(3)	X			
	154	265.1085(f)(3)(i)(D)(4)	265.1085(f)(3)(i)(D)(4)	X			
	154	265.1085(f)(3)(i)(E)	265.1085(f)(3)(i)(E)	X			
	154	265.1085(f)(3)(i)(F)	265.1085(f)(3)(i)(F)	X			
owner/operator shall visually inspect external floating roof in accordance with specified requirements	154	265.1085(f)(3)(ii)	265.1085(f)(3)(ii)	X			
	154	265.1085(f)(3)(ii)(A)	265.1085(f)(3)(ii)(A)	X			
	154	265.1085(f)(3)(ii)(B)	265.1085(f)(3)(ii)(B)	X			
	154	265.1085(f)(3)(ii)(C)	265.1085(f)(3)(ii)(C)	X			
	154	265.1085(f)(3)(ii)(D)	265.1085(f)(3)(ii)(D)	X			
prior to 265.1085(f)(3)(i) or (ii) inspections, owner/operator shall notify Regional Administrator in advance to allow for observer present during inspection; and notify of date & location of inspection	154	265.1085(f)(3)(iii)	265.1085(f)(3)(iii)	X			
	154	265.1085(f)(3)(iii)(A)	265.1085(f)(3)(iii)(A)	X			
	154	265.1085(f)(3)(iii)(B)	265.1085(f)(3)(iii)(B)	X			

	154	265.1085(f)(3)(iii)(C)	265.1085(f)(3)(iii)(C)	X			
owner/operator who controls air pollutant emissions from a tank by venting to a control device shall meet requirements in 265.1085(g)(1)-(3)	154	265.1085(g)	265.1085(g)	X			
tank shall be covered by fixed roof & vented directly to a control device in accordance with the following:	154	265.1085(g)(1)	265.1085(g)(1)	X			
fixed roof & its closure devices shall form a continuous barrier over liquid in tank	154	265.1085(g)(1)(i)	265.1085(g)(1)(i)	X			
each opening in fixed roof not vented to control device shall be equipped with a closure device; if pressure in vapor headspace is < atmospheric pressure; if pressure in vapor headspace is ≥ atmospheric pressure	154	265.1085(g)(1)(ii)	265.1085(g)(1)(ii)	X			
fixed roof & its closure devices shall be made of suitable materials that will minimize exposure to atmosphere & maintain integrity throughout service life; factors to consider when selecting materials	154	265.1085(g)(1)(iii)	265.1085(g)(1)(iii)	X			
closed-vent system & control device shall be designed & operated in accordance with 265.1088	154	265.1085(g)(1)(iv)	265.1085(g)(1)(iv)	X			
whenever hazardous waste is in the tank, fixed roof shall be installed with closure device secured in closed position except:	154	265.1085(g)(2)	265.1085(g)(2)	X			
venting to control device is not required, & opening of closure device or removal of fixed roof is allowed in specified circumstances	154	265.1085(g)(2)(i)	265.1085(g)(2)(i)	X			
	154	265.1085(g)(2)(i)(A)	265.1085(g)(2)(i)(A)	X			
	154	265.1085(g)(2)(i)(B)	265.1085(g)(2)(i)(B)	X			
opening of safety device, as defined in 265.1081, is allowed any time to avoid unsafe condition	154	265.1085(g)(2)(ii)	265.1085(g)(2)(ii)	X			
owner/operator shall inspect & monitor air emission control equipment as follows:	154	265.1085(g)(3)	265.1085(g)(3)	X			
fixed roof & its closure devices shall be visually inspected for defects;	154	265.1085(g)(3)(i)	265.1085(g)(3)(i)	X			

examples							
closed-vent system & control device shall be inspected & monitored in accordance with 265.1088	154	265.1085(g)(3)(ii)	265.1085(g)(3)(ii)	X			
perform initial inspection of air emission control equipment on or before the tank becomes subject to 265.1085; thereafter, at least once a year except under special conditions of 265.1085(l)	154	265.1085(g)(3)(ii)	265.1085(g)(3)(iii)	X			
in event of defect, it shall be repaired in accordance with 265.1085(k)	154	265.1085(g)(3)(i)	265.1085(g)(3)(iv)	X			
owner/operator shall maintain inspection record in accordance with 265.1090(b)	154	265.1085(g)(3)(v)	265.1085(g)(3)(v)	X			
owner/operator who controls air pollutant emissions by using a pressure tank shall meet the following:	154	265.1085(h)	265.1085(h)	X			
tank shall not be designed to vent to atmosphere as result of compression in vapor headspace during tank filling	154	265.1085(h)(1)	265.1085(h)(1)	X			
tank openings shall be equipped with closure devices that operate with no detectable organic emissions as in 265.1084(d)	154	265.1085(h)(2)	265.1085(h)(2)	X			
whenever hazardous waste is in the tank, it shall be operated as a closed system that does not vent to atmosphere except if safety device requires opening to avoid unsafe condition	154	265.1085(h)(3)	265.1085(h)(3)	X			
owner/operator who controls air pollutant emissions by using an enclosure vented through a closed-vent system to enclosed combustion control device shall meet requirements in 265.1085(i)(1)-(4)	154	265.1085(h)(3)(i)	265.1085(h)(3)(i)	X			
tank shall be inside an enclosure; enclosure shall be designed & operated in accordance with 52.741, appendix B; allowance for openings; owner/ operator shall perform verification procedure as in Section 5.0	154	265.1085(h)(3)(i)	265.1085(h)(3)(i)(1)	X			
enclosure shall be vented through a closed-vent system to enclosed combustion control device designed	154	265.1085(h)(3)(i)	265.1085(h)(3)(i)(2)	X			

& operated in accordance with standards specified in 265.1088							
safety devices, defined in 265.1081, may be installed & operated on any enclosure, closed-vent system, or control device used to comply with 265.1085(i)(1)-(2)	154	265.1085(h)(3)(i)(3)	265.1085(h)(3)(i)(3)	X			
owner/operator shall inspect & monitor the closed-vent system & control device as in 265.1088	154	265.1085(h)(3)(i)(4)	265.1085(h)(3)(i)(4)	X			
owner/operator shall transfer hazardous waste to tank subject to 265.1085 in accordance with the following:	154	265.1085(j)	265.1085(j)	X			
transfer of hazardous waste, except as in 265.1085(j)(2), to tank from another tank subject to 265.1085 or from surface impoundment subject to 265.1086 shall use continuous hard-piping or another closed system; individual drain system	154	265.1085(j)(1)	265.1085(j)(1)	X			
requirements of 265.1085(j)(1) do not apply when transferring hazardous waste to tank under following:	154	265.1085(j)(2)	265.1085(j)(2)	X			
hazardous waste meets average VO concentration conditions in 265.1083(c)(1) at point of waste origination	154	265.1085(j)(2)(i)	265.1085(j)(2)(i)	X			
hazardous waste has been treated by organic destruction or removal process to meet 265.1083(c)(2) requirements	154	265.1085(j)(2)(i)(ii)	265.1085(j)(2)(i)(ii)	X			
owner/operator shall repair each defect detected during inspections performed under 265.1085(c)(4), (e)(3), (f)(3), or (g)(3) as follows:	154	265.1085(k)	265.1085(k)	X			
owner/operator shall make first efforts at repair no later than 5 days after detection & repair shall be completed no later than 45 days after detection except as in 265.1085(k)(2)	154	265.1085(k)(1)	265.1085(k)(1)	X			
repairs may be delayed beyond 45 days if repair would require emptying or temporary removal from service & no alternative tanks are available; owner/ operator shall repair defect as soon as tank stops operation; repair shall be completed before resuming operation	154	265.1085(k)(2)	265.1085(k)(2)	X			

after initial inspection & monitoring of cover pursuant to 265.1085, subsequent inspection & monitoring may be at intervals longer than 1 year under the following conditions:	154	265.1085(l)	265.1085(l)	X			
if inspecting or monitoring exposes worker to dangerous, hazardous, or other unsafe conditions, owner/operator may designate cover as unsafe & comply with the following:	154	265.1085(l)(1)	265.1085(l)(1)	X			
prepare written explanation	154	265.1085(l)(1)(i)	265.1085(l)(1)(i)	X			
develop & implement written plan & schedule to inspect & monitor	154	265.1085(l)(1)(ii)	265.1085(l)(1)(i)	X			
when a tank is buried partially or entirely underground, owner/ operator must inspect & monitor only portions of cover located on or above ground surface	154	265.1085(l)(2)	265.1085(l)(2)	X			

27 STANDARDS: SURFACE IMPOUNDMENTS

provisions of 265.1086 apply to control of air pollutant emissions from surface impoundments for which 265.1083(b) references this section	154	265.1086(a)	265.1086(a)	X			
owner/operator shall control air pollutant emissions from surface impoundment by installing & operating either:	154	265.1086(b)	265.1086(b)	X			
floating membrane cover in accordance with 265.1086(c); or	154	265.1086(b)(1)	265.1086(b)(1)	X			
cover vented through a closed-vent system to a control device in accordance with 265.1086(d)	154	265.1086(b)(2)	265.1086(b)(2)	X			
owner/operator who controls emissions from surface impoundment using a floating membrane cover shall meet requirements in 265.1086(c)(1)-(3)	154	265.1086(c)	265.1086(c)	X			
surface impoundment shall be equipped with a floating membrane cover designed to meet the following:	154	265.1086(c)(1)	265.1086(c)(1)	X			
designed to float on liquid surface during normal operations & form a continuous barrier	154	265.1086(c)(1)(i)	265.1086(c)(1)(i)	X			
cover shall be fabricated from	154	265.1086(c)(1)(ii)	265.1086(c)(1)	X			

synthetic membrane material with certain specifications		)	(ii)				
	154	265.1086(c)(1)(ii)(A)	265.1086(c)(1)(i)(A)	X			
	154	265.1086(c)(1)(ii)(B)	265.1086(c)(1)(i)(B)	X			
installed without visible cracks, holes, gaps, or open spaces between cover edges or foundation mountings	154	265.1086(c)(1)(ii)(i)	265.1086(c)(1)(iii)	X			
except as in 265.1086(c)(1)(v), openings in floating membrane cover shall be equipped with a closure device that does not allow for open spaces in closure device or between the opening & device	154	265.1086(c)(1)(iv)	265.1086(c)(1)(iv)	X			
floating membrane cover may be equipped with emergency cover drains; drains shall be equipped with a slotted membrane fabric cover or flexible fabric sleeve seal	154	265.1086(c)(1)(v)	265.1086(c)(1)(v)	X			
closure devices shall consist of materials to minimize exposure of hazardous waste to atmosphere & maintain integrity throughout service life; factors to consider when selecting materials	154	265.1086(c)(1)(vi)	265.1086(c)(1)(vi)	X			
whenever hazardous waste is in surface impoundment, floating membrane cover shall float on the liquid & each closure device in closed position except:	154	265.1086(c)(2)	265.1086(c)(2)	X			
opening of closure devices or removal of cover is allowed to provide access to surface impoundment or to remove accumulated sludge	154	265.1086(c)(2)(i)	265.1086(c)(2)(i)	X			
	154	265.1086(c)(2)(i)(A)	265.1086(c)(2)(i)(A)	X			
	154	265.1086(c)(2)(i)(B)	265.1086(c)(2)(i)(B)	X			
opening of safety device is allowed to avoid unsafe condition	154	265.1086(c)(2)(ii)	265.1086(c)(2)(i)	X			
owner/operator shall inspect floating membrane cover as follows:	154	265.1086(c)(3)	265.1086(c)(3)	X			
floating membrane cover & its closure devices shall be visually inspected for defects; examples	154	265.1086(c)(3)(i)	265.1086(c)(3)(i)	X			
perform initial inspection of floating	154	265.1086(c)(3)(ii)	265.1086(c)(3)	X			

membrane cover & closure devices on or before surface impoundment becomes subject to 265.1086; then at least once a year except under 265.1086(g)		)	(ii)				
in event of defect, it shall be repaired in accordance with 265.1086(f)	154	265.1086(c)(3)(ii)	265.1086(c)(3)(iii)	X			
owner/operator shall maintain inspection record in accordance with 265.1090(c)	154	265.1086(c)(3)(iv)	265.1086(c)(3)(iv)	X			
owner/operator who controls air pollutant emissions from surface impoundment using cover vented to a control device shall meet requirements in 265.1086(d)(1)-(3)	154	265.1086(d)	265.1086(d)	X			
surface impoundment covered & vented directly to a control device in accordance with the following:	154	265.1086(d)(1)	265.1086(d)(1)	X			
cover & closure devices shall form a continuous barrier over liquid in surface impoundment	154	265.1086(d)(1)(i)	265.1086(d)(1)(i)	X			
opening in cover not vented to control device equipped with closure device; if pressure in vapor headspace is < atmospheric pressure; if pressure in vapor headspace is ≥ atmospheric pressure	154	265.1086(d)(1)(ii)	265.1086(d)(1)(ii)	X			
cover & closure devices shall be made of suitable materials to minimize exposure to atmosphere & maintain integrity throughout service life; factors to consider when selecting materials	154	265.1086(d)(1)(ii)	265.1086(d)(1)(iii)	X			
closed-vent system & control device shall be designed & operated in accordance with 265.1088	154	265.1086(d)(1)(i)	265.1086(d)(1)(iv)	X			
whenever hazardous waste is in surface impoundment, the cover shall be installed with closure device in closed position except:	154	265.1086(d)(2)	265.1086(d)(2)	X			
venting to control device is not required, & opening of closure device or removal of cover is allowed in specified circumstances	154	265.1086(d)(2)(i)	265.1086(d)(2)(i)	X			
	154	265.1086(d)(2)(i)(A)	265.1086(d)(2)(i)(A)	X			
	154	265.1086(d)(2)(i)(B)	265.1086(d)(2)(i)(B)	X			

opening of safety device, as in 265.1081, allowed to avoid unsafe condition	154	265.1086(d)(2)(ii)	265.1086(d)(2)(ii)	X			
owner/operator shall inspect & monitor air emission control equipment as follows:	154	265.1086(d)(3)	265.1086(d)(3)	X			
surface impoundment cover & closure devices shall be visually inspected for defects; examples	154	265.1086(d)(3)(i)	265.1086(d)(3)(i)	X			
closed-vent system & control device shall be inspected & monitored in accordance with 265.1088	154	265.1086(d)(3)(ii)	265.1086(d)(3)(ii)	X			
initial inspection of air emission control equipment on or before surface impoundment becomes subject to 265.1086; then at least once a year except under 265.1086(g)	154	265.1086(d)(3)(iii)	265.1086(d)(3)(iii)	X			
in event of defect, it shall be repaired in accordance with 265.1086(f)	154	265.1086(d)(3)(iv)	265.1086(d)(3)(iv)	X			
owner/operator shall maintain inspection record in accordance with 265.1090(c)	154	265.1086(d)(3)(v)	265.1086(d)(3)(v)	X			
owner/operator shall transfer hazardous waste to surface impoundment subject to 265.1086 in accordance with:	154	265.1086(e)	265.1086(e)	X			
transfer of hazardous waste, except as in 265.1086(e)(2), to surface impoundment from another surface impoundment subject to 265.1086 or from tank subject to 265.1085 shall use continuous hard-piping or another closed system; what constitutes individual drain system	154	265.1086(e)(1)	265.1086(e)(1)	X			
requirements of 265.1086(e)(1) do not apply when transferring hazardous waste to surface impoundment under the following:	154	265.1086(e)(2)	265.1086(e)(2)	X			
hazardous waste meets average VO concentration conditions in 265.1083(c)(1) at point of waste origination	154	265.1086(e)(2)(i)	265.1086(e)(2)(i)	X			
hazardous waste has been treated by organic destruction or removal process to meet 265.1083(c)(2) requirements	154	265.1086(e)(2)(ii)	265.1086(e)(2)(ii)	X			
owner/operator shall repair each	154	265.1086(f)	265.1086(f)	X			

defect detected during inspections performed in accordance with 265.1086(c)(3) or (d)(3) as follows:							
owner/operator shall make first efforts at repair no later than 5 days after detection; repair shall be completed no later than 45 days after detection except as in 265.1086(f)(2)	154	265.1086(f)(1)	265.1086(f)(1)	X			
conditions under which repairs may be delayed beyond 45 days; owner/operator shall repair defect as soon as process generating hazardous waste in surface impoundment stops operation; repair completed before resuming operation	154	265.1086(f)(2)	265.1086(f)(2)	X			
following initial inspection & monitoring of the cover as required by Subpart CC, inspection & monitoring at intervals longer than 1 year under the following conditions:	154	265.1086(g)	265.1086(g)	X			
written explanation stating why cover is unsafe, if required	154	265.1086(g)(1)	265.1086(g)(1)	X			
develop & implement written plan & schedule to inspect & monitor cover	154	265.1086(g)(2)	265.1086(g)(2)	X			

27 STANDARDS: CONTAINERS

provisions of 265.1087 apply to control of air pollutant emissions from containers for which 265.1083(b) references this section	154	265.1087(a)	265.1087(a)	X			
general requirements	154	265.1087(b)	265.1087(b)	X			
owner/operator shall control air pollutant emissions from each container subject to 265.1087 in accordance with the following:	154	265.1087(b)(1)	265.1087(b)(1)	X			
for containers having design capacities $> 0.1 \text{ m}^3$ & $\leq 0.46 \text{ m}^3$ , owner/operator shall control air pollutant emissions in accordance with Container Level 1 standards in 265.1087(c)	154	265.1087(b)(1)(i)	265.1087(b)(1)(i)	X			
for containers having design capacities $> 0.46 \text{ m}^3$ not in light material service, owner/operator shall control air pollutant emissions in accordance with Container Level 1 standards in 265.1087(c)	154	265.1087(b)(1)(ii)	265.1087(b)(1)(ii)	X			
for containers having design capacities $> 0.46 \text{ m}^3$ that are in light	154	265.1087(b)(1)(iii)	265.1087(b)(1)(iii)	X			

material service, owner/operator shall control air pollutant emissions in accordance with Container Level 2 standards in 265.1087(d)							
when containers with design capacities > 0.1 m <sup>3</sup> are used for treatment of hazardous waste by waste stabilization process, owner/operator shall control air pollutant emissions in accordance with Container Level 3 standards in 265.1087(e)	154	265.1087(b)(2)	265.1087(b)(2)	X			
Container Level 1 standards	154	265.1087(c)	265.1087(c)	X			
using Container Level 1 controls is one of following:	154	265.1087(c)(1)	265.1087(c)(1)	X			
meets applicable U.S. DOT regulations on packaging for transportation as in 265.1087(f)	154	265.1087(c)(1)(i)	265.1087(c)(1)(i)	X			
equipped with cover & closure devices that form a continuous barrier over openings such that no open spaces into interior of container are visible	154	265.1087(c)(1)(ii)	265.1087(c)(1)(ii)	X			
open-top container in which organic-vapor suppressing barrier is used such that no hazardous waste is exposed; example	154	265.1087(c)(1)(iii)	265.1087(c)(1)(iii)	X			
container used to meet requirements of 265.1087(c)(1)(ii) or (c)(1)(iii) shall be equipped with covers & closure devices composed of materials to minimize exposure of hazardous waste to the atmosphere & to maintain equipment integrity; factors to consider in selecting materials	154	265.1087(c)(2)	265.1087(c)(2)	X			
when using Container Level 1 controls, owner/operator shall install covers & closure devices and secure & maintain them in closed position except:	154	265.1087(c)(3)	265.1087(c)(3)	X			
opening of closure device or cover is allowed to add hazardous waste or other material as specified	154	265.1087(c)(3)(i)	265.1087(c)(3)(i)	X			
	154	265.1087(c)(3)(i)(A)	265.1087(c)(3)(i)(A)	X			
	154	265.1087(c)(3)(i)(B)	265.1087(c)(3)(i)(B)	X			

opening of closure device or cover is allowed to remove hazardous waste as specified	154	265.1087(c)(3)(ii)	265.1087(c)(3)(ii)	X			
	154	265.1087(c)(3)(ii)(A)	265.1087(c)(3)(ii)(A)	X			
	154	265.1087(c)(3)(ii)(B)	265.1087(c)(3)(ii)(B)	X			
opening of closure device or cover is allowed when access is needed to perform routine activities other than transfer hazardous waste; examples; after activity, promptly secure closure device or reinstall cover	154	265.1087(c)(3)(ii)(i)	265.1087(c)(3)(iii)	X			
opening of pressure relief devices allowed during normal operations to maintain internal pressure in accordance with container design; device shall operate with no detectable organic emissions when closed; settings at which device opens shall allow device to remain in closed position when internal pressure is within operating range; examples	154	265.1087(c)(3)(iv)	265.1087(c)(3)(iv)	X			
opening of safety device, as defined in 265.1081, is allowed any time conditions require it to avoid unsafe condition	154	265.1087(c)(3)(v)	265.1087(c)(3)(v)	X			
inspect containers & their covers & closure devices as follows:	154	265.1087(c)(4)	265.1087(c)(4)	X			
if hazardous waste is present in container when owner/operator first accepts possession & container is not emptied within 24 hours, it shall be visually inspected; if defect is detected, owner/operator shall repair in accordance with 265.1087(c)(4)(iii)	154	265.1087(c)(4)(i)	265.1087(c)(4)(i)	X			
if container remains at the facility for 1 year or more, owner/operator shall inspect it & its cover & closure devices initially & thereafter, at least every 12 months; if defect is detected, owner/operator shall repair in accordance with 265.1087(c)(4)(iii)	154	265.1087(c)(4)(ii)	265.1087(c)(4)(ii)	X			
when defect is detected, owner/operator shall make repair no later than 24 hours after detection & complete no later than 5 days after detection; if repair cannot be completed within 5 days, hazardous waste shall be removed, & container	154	265.1087(c)(4)(ii)(i)	265.1087(c)(4)(iii)	X			

not used until repaired							
owner/operator shall maintain a copy of the procedure used to determine that containers with 0.46 m <sup>3</sup> or greater capacity are not managing hazardous waste in light material service	154	265.1087(c)(5)	265.1087(c)(5)	X			
Container Level 2 standards	154	265.1087(d)	265.1087(d)	X			
container using Container Level 2 controls is one of following:	154	265.1087(d)(1)	265.1087(d)(1)	X			
meets applicable U.S. DOT regulations on packaging for transportation as in 265.1087(f)	154	265.1087(d)(1)(i)	265.1087(d)(1)(i)	X			
container that operates with no detectable organic emissions in accordance 265.1087(g)	154	265.1087(d)(1)(ii)	265.1087(d)(1)(ii)	X			
container that has been demonstrated to be vapor-tight by using part 60, appendix A, Method 27 in accordance with 265.1087(h)	154	265.1087(d)(1)(iii)	265.1087(d)(1)(iii)	X			
transfer of hazardous waste shall minimize exposure to atmosphere, to extent practical; examples that meet 265.1087(d)(2)	154	265.1087(d)(2)	265.1087(d)(2)	X			
owner/operator shall install covers & closure devices and secure & maintain them in closed position except:	154	265.1087(d)(3)	265.1087(d)(3)	X			
opening of closure device or cover is allowed to add hazardous waste or other material as follows	154	265.1087(d)(3)(i)	265.1087(d)(3)(i)	X			
	154	265.1087(d)(3)(i)(A)	265.1087(d)(3)(i)(A)	X			
	154	265.1087(d)(3)(i)(B)	265.1087(d)(3)(i)(B)	X			
opening of closure device or cover is allowed to remove hazardous waste as follows	154	265.1087(d)(3)(ii)	265.1087(d)(3)(ii)	X			
	154	265.1087(d)(3)(ii)(A)	265.1087(d)(3)(ii)(A)	X			
	154	265.1087(d)(3)(ii)(B)	265.1087(d)(3)(ii)(B)	X			
opening of closure device or cover allowed when access needed to perform routine activities other than transfer; examples; after activity, promptly secure closure device or	154	265.1087(d)(3)(iii)	265.1087(d)(3)(iii)	X			

reinstall cover							
opening of pressure relief devices allowed during normal operations to maintain internal pressure in accordance with container design; device shall operate with no detectable organic emissions when in closed position; settings at which device opens shall allow device to remain in closed position when internal pressure is within operating range; examples	154	265.1087(d)(3)(i v)	265.1087(d)(3)(iv)	X			
opening of safety device, as defined in 265.1081, is allowed any time conditions require it to avoid unsafe condition	154	265.1087(d)(3)(v)	265.1087(d)(3)(v)	X			
owner/operator shall inspect containers & their covers & closure devices as follows:	154	265.1087(d)(4)	265.1087(d)(4)	X			
if hazardous waste is present in container when owner/operator first accepts possession & container is not emptied within 24 hours, it shall be visually inspected; if defect detected, owner/operator shall repair in accordance with 265.1087(d)(4)(iii)	154	265.1087(d)(4)(i)	265.1087(d)(4)(i)	X			
if container remains at the facility for 1 year or more, owner/operator shall inspect it & its cover & closure devices initially & thereafter, at least every 12 months to check for open spaces into its interior; if defect is detected, owner/operator shall repair in accordance with 265.1087(d)(4)(iii)	154	265.1087(d)(4)(ii)	265.1087(d)(4)(ii)	X			
when defect is detected, owner/operator shall make efforts at repair no later than 24 hours after detections & complete it as soon as possible but no later than 5 days after detection; if repair cannot be completed within 5 days, hazardous waste shall be removed, & container shall not be used until repaired	154	265.1087(d)(4)(ii i)	265.1087(d)(4)(iii)	X			
Container Level 3 standards	154	265.1087(e)	265.1087(e)	X			
container using Container Level 3 controls is one of following:	154	265.1087(e)(1)	265.1087(e)(1)	X			
container that is vented through a closed-vent system to a control device in accordance with 265.1087(e)(2)(ii)	154	265.1087(e)(1)(i)	265.1087(e)(1)(i)	X			

container that is vented inside an enclosure which is exhausted through closed-vent system to a control device in accordance with 265.1087(e)(2)(i)-(ii)	154	265.1087(e)(1)(ii)	265.1087(e)(1)(ii)	X			
owner/operator shall meet the following, as applicable:	154	265.1087(e)(2)	265.1087(e)(2)	X			
container enclosure shall be designed & operated in accordance with 52.741, appendix B; allowance for openings; verification procedure as in ' 5.0	154	265.1087(e)(2)(i)	265.1087(e)(2)(i)	X			
closed-vent system & control device shall be designed & operated in accordance with 265.1088	154	265.1087(e)(2)(ii)	265.1087(e)(2)(ii)	X			
safety devices, in 265.1081, may be installed & operated on any container, enclosure, closed-vent system, or control device used to comply with 265.1087 (e)(1)	154	265.1087(e)(3)	265.1087(e)(3)	X			
owner/operator shall inspect & monitor closed-vent system & control devices as in 265.1088	154	265.1087(e)(4)	265.1087(e)(4)	X			
owners/operators shall prepare & maintain records specified in 265.1090(d)	154	265.1087(e)(5)	265.1087(e)(5)	X			
for purpose of 265.1087(c)(1)(i) or (d)(1)(i) compliance, containers shall meet applicable U.S. DOT regulations on packaging for transportation as follows:	154	265.1087(f)	265.1087(f)	X			
meets applicable requirements in 49 CFR part 178 or 49 CFR part 179	154	265.1087(f)(1)	265.1087(f)(1)	X			
hazardous waste managed in container in accordance with 49 CFR part 107, subpart B; 49 CFR part 172; 49 CFR part 173; & 49 CFR part 180	154	265.1087(f)(2)	265.1087(f)(2)	X			
no exceptions to the 49 CFR part 178 or 179 regulations are allowed except as in 265.1087(f)(4)	154	265.1087(f)(3)	265.1087(f)(3)	X			
for lab pack managed in accordance with 49 CFR part 178, owner/operator may comply with exceptions for combination packagings specified in 49 CFR 173.12(b)	154	265.1087(f)(4)	265.1087(f)(4)	X			
owner/operator shall use procedure in 265.1084(d) for determining	154	265.1087(g)	265.1087(g)	X			

container operates with no detectable organic emissions under 265.1087(d)(1)(ii)							
each potential leak interface on container, its cover, & closure devices shall be checked; examples	154	265.1087(g)(1)	265.1087(g)(1)	X			
test performed when container is filled with material expected to be managed in this container; during test, container cover & closure devices shall be closed	154	265.1087(g)(2)	265.1087(g)(2)	X			
procedure for determining container to be vapor-tight using Method 27 of part 60, appendix A to comply with 265.1087(d)(1)(iii)	154	265.1087(h)	265.1087(h)	X			
test performed in accordance with Method 27 of part 60, appendix A	154	265.1087(h)(1)	265.1087(h)(1)	X			
pressure measurement device shall be used with precision of "2.5mm water & capable of measuring above that used for vapor pressure tightness	154	265.1087(h)(2)	265.1087(h)(2)	X			
if test results indicate container sustains pressure charge $\leq$ 750 Pascals, then it's determined to be vapor-tight	154	265.1087(h)(3)	265.1087(h)(3)	X			

STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

	265.1088 applies to each closed-vent system & control device installed & operated to control air emissions	154.1	265.1088(a)	265.1088(a)	X		
	closed-vent system shall meet following requirements:	154.1	265.1088(b)	265.1088(b)	X		
	route gases, vapors, & fumes to control device that meets requirements in 265.1088(c)	154.1	265.1088(b)(1)	265.1088(b)(1)	X		
	designed & operated in accordance with 265.1033(j)	154.1	265.1088(b)(2)	265.1088(b)(2)	X		
28	if system includes bypass devices, each device shall be equipped with a flow indicator or seal or locking device; for purposes of 265.1088(b)(3)(i) or (ii), other fittings are not bypass devices	154	265.1088(b)(3)	265.1088(b)(3)	X		
	if flow indicator is used to comply with 265.1088(b)(3), it shall be installed at inlet to the bypass line; flow indicator is a device which indicates gas or vapor flow	154	265.1088(b)(3)(i)	265.1088(b)(3)(i)	X		
	if seal or locking device is used to comply with 265.1088(b)(3), it shall be placed such that bypass device cannot be opened without breaking the seal or removing the lock; examples; inspect seal or closure mechanism at least once a month	154	265.1088(b)(3)(ii)	265.1088(b)(3)(ii)	X		
	closed-vent system shall be inspected & monitored by owner/ operator in accordance with 265.1033(k)	154	265.1088(b)(4)	265.1088(b)(4)	X		
	control device shall meet the following requirements:	154.1	265.1088(c)	265.1088(c)	X		
	control device shall be one of following devices:	154.1	265.1088(c)(1)	265.1088(c)(1)	X		
	control device designed & operated to reduce by at least 95% total organic content of inlet vapor stream	154.1	265.1088(c)(1)(i)	265.1088(c)(1)(i)	X		
	enclosed combustion device designed & operated in accordance with 265.1033(c)	154.1	265.1088(c)(1)(ii)	265.1088(c)(1)(ii)	X		
	flare designed & operated in accordance with 265.1033(d)	154.1	265.1088(c)(1)(iii)	265.1088(c)(1)(iii)	X		
28	owner/operator who use closed-vent system & control device to comply	154	265.1088(c)(2)	265.1088(c)(2)	X		

with 265.1088 shall comply with 265.1088(c)(2)(i)-(c)(2)(vi)							
periods of planned routine maintenance of the control device, during which 265.1088 (c)(1)(i)-(iii) are not met, shall not exceed 240 hours/year	154	265.1088(c)(2)(i)	265.1088(c)(2)(i)	X			
requirements in 265.1088(c)(1)(i)-(iii) do not apply during planned routine maintenance	154	265.1088(c)(2)(ii)	265.1088(c)(2)(ii)	X			
requirements in 265.1088(c)(1)(i)-(iii) do not apply during control device system malfunction	154	265.1088(c)(2)(iii)	265.1088(c)(2)(iii)	X			
owner/operator shall demonstrate compliance with 265.1088(c)(2)(i) by recording information in 265.1090(e)(1)(v)	154	265.1088(c)(2)(iv)	265.1088(c)(2)(iv)	X			
owner/operator shall correct control device system malfunctions as soon as practicable to minimize excess air pollutant emissions	154	265.1088(c)(2)(v)	265.1088(c)(2)(v)	X			
owner/operator shall operate closed-vent system such that gases, vapors, or fumes are not vented to control device during maintenance or malfunction except when it is necessary	154	265.1088(c)(2)(vi)	265.1088(c)(2)(vi)	X			
owner/operator using carbon adsorption system shall operate & maintain control device in accordance with following requirements:	154.1	265.1088(c)(3)	265.1088(c)(3)	X			
following initial startup, all activated carbon shall be replaced with fresh carbon regularly in accordance with 265.1033(g) or (h)	154.1	265.1088(c)(3)(i)	265.1088(c)(3)(i)	X			
<sup>29</sup> carbon removed from control device shall be managed in accordance with 265.1033(m)	154.1 154.5 154	265.1088(c)(3)(ii)	265.1088(c)(3)(ii)	X			
owner/operator using control device other than a thermal vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system shall operate & maintain in accordance with 265.1033(i)	154.1	265.1088(c)(4)	265.1088(c)(4)	X			
demonstrate that control device achieves performance requirements of 265.1088(c)(1) as follows:	154.1	265.1088(c)(5)	265.1088(c)(5)	X			

demonstration using performance test as in 265.1088(c)(5)(iii) or design analysis as in 265.1088(c)(5)(iv) for each control device except for following:	154.1	265.1088(c)(5)(i)	265.1088(c)(5)(i)	X			
a flare	154.1	265.1088(c)(5)(i)(A)	265.1088(c)(5)(i)(A)	X			
boiler or process heater with design input capacity of 44 megawatts or greater	154.1	265.1088(c)(5)(i)(B)	265.1088(c)(5)(i)(B)	X			
boiler or process heater into which vent system is introduced with the primary fuel	154.1	265.1088(c)(5)(i)(C)	265.1088(c)(5)(i)(C)	X			
boiler or industrial furnace burning hazardous waste for which owner/operator has been issued a final permit & has designed & operates unit in accordance with 266, Subpart H; or	154.1 154	265.1088(c)(5)(i)(D)	265.1088(c)(5)(i)(D)	X			
boiler or industrial furnace burning hazardous waste for which owner/operator designed & operates in accordance with interim status requirements of 266, Subpart H	154.1 154	265.1088(c)(5)(i)(E)	265.1088(c)(5)(i)(E)	X			
owner/operator shall demonstrate performance of each flare in accordance with 265.1033(e)	154.1	265.1088(c)(5)(ii)	265.1088(c)(5)(ii)	X			
for a performance test, owner/operator shall use test methods & procedures in 265.1034(c)(1)-(4)	154.1	265.1088(c)(5)(iii)	265.1088(c)(5)(iii)	X			
design analysis shall meet requirements specified in 265.1035(b)(4)(iii)	154.1	265.1088(c)(5)(iv)	265.1088(c)(5)(iv)	X			
owner/operator shall demonstrate that a carbon adsorption system achieves 265.1088(c)(1) performance requirements	154.1	265.1088(c)(5)(v)	265.1088(c)(5)(v)	X			
if owner/operator & Regional Administrator do not agree on a demonstration of control device performance using design analysis, then disagreement shall be resolved using performance test in accordance with 265.1088(c)(5)(iii); Regional Administrator may choose authorized representative to observe the test	154.1	265.1088(c)(6)	265.1088(c)(6)	X			
control device shall be inspected & monitored by owner/operator in	154	265.1088(c)(7)	265.1088(c)(7)	X			

accordance with 265.1033(f)(2) & 265.1033(k); readings from each monitoring device inspected at least once each day; any necessary corrective measures immediately implemented							
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27 INSPECTION AND MONITORING REQUIREMENTS

owner/operator shall inspect & monitor air emission control equipment in accordance with 265.1085-1088	154	265.1089(a)	265.1089(a)	X			
owner/operator shall develop & implement a written plan & schedule to perform inspections & monitoring required by 265.1089(a); incorporate plan into facility inspection plan under 265.15	154	265.1089(b)	265.1089(b)	X			

RECORDKEEPING REQUIREMENTS

30	owners/operator subject to 265, Subpart CC shall record & maintain information specified in 265.1090(b)-(i); with exception, records shall be maintained for at least 3 years; documentation maintained until air emission control equipment is replaced; information required by 265.1090(i) shall be maintained as long as the tank or container is not using air emission controls in 264.1084-264.1087	154	265.1090(a)	265.1090(a)	X			
30	owner/operator of a tank using air emission controls in accordance with 265.1085 shall prepare & maintain records that include:	154	265.1090(b)	265.1090(b)	X			
	for tank using air emission controls in accordance with 264.1085, owner/operator shall record:	154	265.1090(b)(1)	265.1090(b)(1)	X			
	tank ID number	154	265.1090(b)(1)(i)	265.1090(b)(1)(i)	X			
	record for each inspection required by 265.1085 that includes the inspection date & other information for defects detected	154	265.1090(b)(1)(ii)	265.1090(b)(1)(ii)	X			
		154	265.1090(b)(1)(ii)(A)	265.1090(b)(1)(ii)(A)	X			
		154	265.1090(b)(1)(ii)(B)	265.1090(b)(1)(ii)(B)	X			
	owner/operator shall record the following information, as applicable to the tank:	154	265.1090(b)(2)	265.1090(b)(2)	X			
	owner/operator using a fixed roof shall prepare & maintain records for each maximum organic vapor pressure determination in accordance with 265.1085(c); date & time of sample collection, analysis method, & results	154	265.1090(b)(2)(i)	265.1090(b)(2)(i)	X			
	owner/operator using internal floating roof shall prepare & maintain documentation describing design	154	265.1090(b)(2)(ii)	265.1090(b)(2)(ii)	X			
	owners/operators using external floating roof shall prepare & maintain documentation & records for specified items	154	265.1090(b)(2)(iii)	265.1090(b)(2)(iii)	X			
		154	265.1090(b)(2)(ii)	265.1090(b)(2)	A			

		i)(A)	(iii)(A)				
	154	265.1090(b)(2)(ii) i)(B)	265.1090(b)(2) (iii)(B)	X			
each owner/operator using an enclosure shall prepare & maintain specified records	154	265.1090(b)(2)(i) v)	265.1090(b)(2) (iv)	X			
	154	265.1090(b)(2)(i) v)(A)	265.1090(b)(2) (iv)(A)	X			
	154	265.1090(b)(2)(i) v)(B)	265.1090(b)(2) (iv)(B)	X			
30 owner/operator of surface impoundment using air emission controls in accordance with 265.1086 shall prepare & maintain records that include:	154	265.1090(c)	265.1090(c)	X			
surface impoundment ID number	154	265.1090(c)(1)	265.1090(c)(1)	X			
documentation describing floating membrane cover that includes description of cover design, & certification that cover meets specifications in 265.1086(c)	154	265.1090(c)(2)	265.1090(c)(2)	X			
record for each inspection required by 265.1086 that includes:	154	265.1090(c)(3)	265.1090(c)(3)	X			
date inspection was conducted	154	265.1090(c)(3)(i)	265.1090(c)(3) (i)	X			
for each defect detected during inspection: location, description, date & corrective action; if repair is delayed, owner/operator shall record reason & date of expected repair	154	265.1090(c)(3)(ii) )	265.1090(c)(3) (ii)	X			
for surface impoundment equipped with cover & vented through a closed-vent system to a control device, owner/operator shall prepare & maintain records specified in 265.1090(e)	154	265.1090(c)(4)	265.1090(c)(4)	X			
30 owner/operator of containers using Container Level 3 air emission controls in accordance with 265.1087 shall prepare & maintain records that include following:	154	265.1090(d)	265.1090(d)	X			
records for most recent calculations & measurements to verify enclosure meets criteria of permanent total enclosure as in "Procedure T", 40 CFR 52.741, appendix B	154	265.1090(d)(1)	265.1090(d)(1)	X			

	records required for closed-vent system & control device in accordance with 265.1090(e)	154	265.1090(d)(2)	265.1090(d)(2)	X			
30	owner/operator using closed-vent system & control device in accordance with 265.1088 shall prepare & maintain records that include:	154	265.1090(e)	265.1090(e)	X			
	documentation that includes:	154	265.1090(e)(1)	265.1090(e)(1)	X			
	certification signed & dated by owner/ operator stating control device is designed to operate at performance level when unit operating at capacity	154	265.1090(e)(1)(i)	265.1090(e)(1)(i)	X			
	specified design documentation if design analysis is used; include description of control device design in accordance with 265.1035(b)(4)(iii) & certification by owner/operator that control equipment meets applicable specifications	154	265.1090(e)(1)(ii)	265.1090(e)(1)(ii)	X			
	performance test plan & all test results, if performance tests are used	154	265.1090(e)(1)(ii)	265.1090(e)(1)(iii)	X			
	information as required by 265.1035(c)(1)-(2)	154	265.1090(e)(1)(iv)	265.1090(e)(1)(iv)	X			
	owner/operator shall record on semiannual basis, information specified in 265.1090(e)(1)(v)(A)-(B) for planned routine maintenance operations requiring control devices to meet 265.1088(c)(1)(i)-(iii) requirements	154	265.1090(e)(1)(v)	265.1090(e)(1)(v)	X			
		154	265.1090(e)(1)(v)(A)	265.1090(e)(1)(v)(A)	X			
		154	265.1090(e)(1)(v)(B)	265.1090(e)(1)(v)(B)	X			
	owner/operator shall record information specified in 265.1090(e)(1)(vi)(A)-(C) for unexpected control device system malfunctions	154	265.1090(e)(1)(vi)	265.1090(e)(1)(vi)	X			
		154	265.1090(e)(1)(vi)(A)	265.1090(e)(1)(vi)(A)	X			
		154	265.1090(e)(1)(vi)(B)	265.1090(e)(1)(vi)(B)	X			
		154	265.1090(e)(1)(vi)(C)	265.1090(e)(1)(vi)(C)	X			

	management records of carbon removed from carbon adsorption system conducted in accordance with 265.1088(c)(3)(ii)	154	265.1090(e)(1)(vi) i)	265.1090(e)(1) (vii)	X			
30	owner/operator of a tank, surface impoundment, or container exempted from standards in accordance with 265.1083(c) shall prepare & maintain the following records:	154	265.1090(f)	265.1090(f)	X			
	if exempted under 265.1083(c)(1)-(2), owner/operator shall record information used for each waste determination in operating log; if waste sample results are used for determination, date, time, & location shall be recorded in accordance with 265.1084	154	265.1090(f)(1)	265.1090(f)(1)	X			
	if exempted under 265.1083(c)(2)(vii) or (viii), owner/operator shall record ID number for incinerator, boiler, or industrial furnace in which hazardous waste is treated	154	265.1090(f)(2)	265.1090(f)(2)	X			
30	owner/operator designating a cover as "unsafe to inspect & monitor" shall record in facility log: ID numbers, explanations, & inspection plans & schedules	154	265.1090(g)	265.1090(g)	X			
	owners/operators subject to 265, Subpart CC & to control device standards in 40 CFR Part 60, Subpart VV or 40 CFR 61, Subpart V may demonstrate compliance by documentation pursuant to those subparts to extent it duplicates that required by 265.1090	154.1 154	265.1090(h)	265.1090(h)	X			
31	in accordance with 265.1080(d), for tank or container not using air emissions controls specified in 265.1085-1088, owner/operator shall record & maintain the following:	154.3 154	265.1090(i)	265.1090(i)	X			
31	list of organic peroxide compounds manufactured at the facility that meet conditions in 265.1080(d)(1)	154.3 154	265.1090(i)(1)	265.1090(i)(1)	X			
31	description of how hazardous waste containing organic peroxide compounds identified in 265.1090(i)(1) are managed; description shall include:	154.3 154	265.1090(i)(2)	265.1090(i)(2)	X			
	for tanks, sufficient information	154.3	265.1090(i)(2)(i)	265.1090(i)(2)	X			

	provided to describe: facility tank ID number, purpose & placement of tank in the management train, & procedures used to ultimately dispose of hazardous waste	154		(i)				
	for containers, sufficient information provided to describe: facility container ID number for the container or group of containers, purpose & placement of container(s) in management train, & procedures used to ultimately dispose of hazardous waste	154.3 154	265.1090(i)(2)(ii)	265.1090(i)(2) (ii)	X			
31	why managing hazardous waste containing organic peroxide compounds identified in 265.1090 (i)(1) would create undue safety hazard if specified air emission controls are installed & operated; include following information:	154.3 154	265.1090(i)(3)	265.1090(i)(3)	X			
	for tanks, sufficient information to explain how required air emission controls would affect design features & facility operating procedures currently used, & why installation of safety devices will not address situations in which evacuation is necessary	154.3 154	265.1090(i)(3)(i)	265.1090(i)(3) (i)	X			
	for containers, sufficient information to explain how required air emission controls would affect design & handling procedures currently used, & why installation of safety devices under Subpart CC will not address situations in which evacuation is necessary	154.3 154	265.1090(i)(3)(ii)	265.1090(i)(3) (ii)	X			

ALTERNATIVE TANK EMISSIONS CONTROL REQUIREMENTS

32	reserve	154.1 154	265.1091	Section deleted from Reg. 23	X			
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APPENDIX VI

	Compounds With Henry's Law Constant Less Than 0.1 Y/X	154	Part 265, Appendix VI	Part 265, Appendix VI	X			
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

EFFECT OF A PERMIT

	remove "or" at end of paragraph	154.1	270.4(a)(2)	270.4(a)(2)	X			
	replace period at end of paragraph	154.1	270.4(a)(3)	270.4(a)(3)	X			

with "; or"						
add new paragraph: requirements promulgated under 265, Subparts AA, BB, or CC limiting air emissions	154.1	270.4(a)(4)	270.4(a)(4)	X		

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

remove "and" before "264.1058"; add ", 264.1088, and 264.1091" at end	154.1	270.14(b)(5)	270.14(b)(5)	X			
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SPECIFIC PART B INFORMATION REQUIREMENTS FOR CONTAINERS

add new paragraph: information requirements on air emission control equipment as in 270.27	154.1	270.15(e)	270.15(e)	X			
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SPECIFIC PART B INFORMATION REQUIREMENTS FOR TANK SYSTEMS

add new paragraph: information requirements on air emission control equipment as in 270.27	154.1	270.16(k)	270.16(k)	X			
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SPECIFIC PART B INFORMATION REQUIREMENTS FOR SURFACE IMPOUNDMENTS

add new paragraph: information requirements on air emission control equipment as in 270.27	154.1	270.17(j)	270.17(j)	X			
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SPECIFIC PART B INFORMATION REQUIREMENTS FOR AIR EMISSION CONTROLS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

add section: except as in 264.1, owners/operators of tanks, surface impoundments, or containers that use air emission controls in accordance with requirements of 264, Subpart CC, shall provide additional information:	154.1	270.27(a)	154.1	X			
documentation for each cover installed on tank subject to 264.1084(b)(2) or (3) that includes information prepared by owner/operator or provided by cover manufacturer or vendor describing cover design, & certification that cover meets applicable design specifications of 265.1091(a)	154.1 154.5	270.27(a)(1)	270.27(a)(1)	X			
ID of each container area subject to requirements of 264, Subpart CC & certification that requirements of 270, Subpart B are met	154.1	270.27(a)(2)	270.27(a)(2)	X			
documentation for each enclosure used to control air emissions from containers in accordance with 264.1086(b)(2)(i) that includes information prepared by owner/operator or provided by manufacturer or vendor describing enclosure design, & certification that enclosure meets specifications of	154.1 154.5	270.27(a)(3)	270.27(a)(3)	X			

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265.1086(b)(2)(ii)							
documentation for each floating membrane cover installed on surface impoundment in accordance with 264.1085(c) that includes information prepared by owner/operator or provided by cover manufacturer or vendor describing cover design, & certification that cover meets specifications of 265.1086(e)	154.1	270.27(a)(4)	270.27(a)(4)	X			
documentation for each closed-vent system & control device installed in accordance with 264.1087 that includes design & performance information as in 270.24(c) & (d)	154.1	270.27(a)(5)	270.27(a)(5)	X			
emissions monitoring plan for both Method 21 & control device monitoring methods; information plan shall include	154.1	270.27(a)(6)	270.27(a)(6)	X			
when owner/operator of facility subject to 265, Subpart CC cannot comply with 264, Subpart CC by date of permit issuance, schedule of implementation required under 265.1082	154.1	270.27(a)(7)	270.27(a)(7)	X			

Rule 154.1 (December 6, 1994; 59 FR 62896) initially revised 262.34(a)(1)(i) and 262.34(a)(1)(ii) by adding Subparts AA, BB, and CC as internal references, and Rule 154.5 (February 9, 1996; 61 FR 4903) made technical corrections to 262.34(a)(1)(i). Rule 154 (November 25, 1996; 61 FR 59932) finally amended these paragraphs by reversing the changes made by Rules 154.1 and 154.5. See the July 1, 1994 CFR for the correct version of these paragraphs.

At 264.73(b)(6), there is a typographical error in Rule 154.1 (December 6, 1994; 59 FR 62896). The internal reference "264.1034(c) through 264.304(f)" should be "264.1034(c) through 264.1034(f)".

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced text at 264.1033(m), (m)(1), (m)(2), and (m)(3). Rule 154.5 (February 9, 1996; 61 FR 4903) significantly revised this paragraph and added subparagraphs (m)(2)(i)-(ii) and (m)(3)(i)-(ii). Rule 154 (November 25, 1996; 61 FR 59932) subsequently redesignated 264.1033(m) as 264.1033(n). The November 25, 1996 rule then revised the newly redesignated text at 264.1033(n) and added subparagraphs (n)(1)(i)-(iii).

At 264.1080(a), there is a typographical error in Rule 154.1 (December 6, 1994; 59 FR 62896); "subparts" should be "subpart".

This paragraph was introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Although the paragraph was included in Rule 154 (November 25, 1996; 61 FR 59932), no changes were made to the text.

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced 264.1082(c)(2)(iii). It was amended by Rule 154.5 (February 9, 1996; 61 FR 4903). Although 264.1082(c)(2)(iii) was included in Rule 154 (November 25, 1996; 61 FR 59932), no changes were made to the text.

Rule 154.1 (December 6, 1994; 59 FR 62896) introduced 264.1082(c)(2)(vi) and (vii) to the Federal code. Rule 154 (November 25, 1996; 61 FR 59932) subsequently redesignated 264.1082(c)(2)(vi) and (vii) as 264.1082(c)(2)(vii) and (viii) and added a new 264.1082(c)(2)(vi).

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced paragraphs 264.1082(d) and (e) into the Federal code. Paragraph 264.1082(d) was subsequently amended by Rule 154.5 (February 9, 1996; 61 FR 4903). Rule 154 (November 25, 1996; 61

FR 59932) then removed the text at 264.1082(d). The November 25, 1996 rule revised 264.1082(e) and redesignated it as 264.1082(d).

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced the text at 264.1082(d)(3)-(5) at 264.1082(e)(2)-(4). Rule 154 (November 25, 1996; 61 FR 59932) redesignated the text at 264.1082(e)(2)-(4) as (d)(3)-(5) and introduced new text at 264.1082(d)(2). The rule also removed the text originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896) at 264.1082(d) and redesignated 264.1082(e) as 264.1082(d).

This subparagraph was introduced by Rule 154.1 (December 6, 1994; 59 FR 62896) and amended by Rule 154.5 (February 9, 1996; 61 FR 4903). Although this subparagraph was included in Rule 154 (November 25, 1996; 61 FR 59932), no changes were made to the text.

The introductory text of this paragraph was introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Although this text was included in Rule 154, no changes were made to it.

Sections 264.1084, 264.1085, 264.1086, and 264.1088 were originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896) and amended by Rule 154.5 (February 9, 1996; 61 FR 4903). Rule 154 (November 25, 1996; 61 FR 59932) completely revised these sections. States should take care to adopt the version of sections 264.1084, 264.1085, 264.1086, and 264.1088 from Rule 154 (November 25, 1996) as reflected on this consolidated revision checklist.

Paragraphs 264.1087(b)(3) and 264.1087(c)(2) and their subparagraphs were originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Rule 154 (November 25, 1996; 61 FR 59932) completely revised these paragraphs. States should take care to adopt the version of these paragraphs from Rule 154 as reflected on this consolidated revision checklist.

Note there is an error in 264.1087(c)(3)(ii). Rule 154.5 (February 9, 1996; 61 FR 4903) replaced "[ ] 264.1033(m)" with "[ ] 264.1033(n)". It is likely the reference to 264.1033(n) should be to 264.1033(m) because 264.1033(n) did not exist at the time.

Paragraphs 264.1089(a) through (g) were originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Rule 154.5 (February 9, 1996; 61 FR 4903) subsequently amended 264.1089(a)(1) and (e). Rule 154 (November 25, 1996; 61 FR 59932) completely revised the structure and text of these paragraphs. States should take care to adopt the version of paragraphs 264.1089(a) through (g) from Rule 154 (November 25, 1996) as reflected on this consolidated revision checklist.

The language at 264.1089(i), (i)(1), (i)(2), and (i)(3) was introduced by Rule 154.3 (September 29, 1995; 60 FR 50426). Although these paragraphs were included in Rule 154 (November 25, 1996; 61 FR 59932), no changes were made to the text.

Paragraphs 264.1090(c) and (d) were originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Rule 154.5 (February 9, 1996; 61 FR 4903) revised these paragraphs and divided the original text into subparagraphs. Note that the last two sentences from 264.1090(c) as introduced by Rule 154.1 were not removed by Rule 154.5. The sentences remain as undesignated text following 264.1090(c)(2).

Section 264.1091, Alternative Control Requirements for Tanks, was introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). It was subsequently removed and reserved by Rule 154 (November 25, 1996; 61 FR 59932).

Note there is a typographical error in 265.1033(f)(2)(vi)(B) in Rule 154 (November 25, 1996; 61 FR 59932): "Celsius (oC) or  $\pm$  0.5 oC" should be "Celsius (°C) or  $\pm$  0.5 °C".

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced text at 265.1033(l), (l)(1), (l)(2), and (l)(3). Rule 154.5 (February 9, 1996; 61 FR 4903) significantly revised the paragraph and added subparagraphs (l)(2)(i)-(ii) and (l)(3)(i)-(ii). Rule 154 (November 25, 1996; 61 FR 59932) subsequently redesignated 265.1033(l) as 265.1033(m). The November 25, 1996 rule then revised the newly redesignated text at 265.1033(m) and added subparagraphs (m)(1)(i)-(iii).

At 265.1080(a), there is a typographical error in Rule 154.1 (December 6, 1994; 59 FR 62896): "subparts" should be "subpart".

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced 265.1083(c)(2)(iii). It was amended by Rule 154.5 (February 9, 1996; 61 FR 4903). Although it was included in Rule 154 (November 25, 1996; 61 FR 59932), no changes were made to the text.

Rule 154.1 (December 6, 1994; 59 FR 62896) introduced 265.1083(c)(2)(vi) and (vii) into the Federal code. Rule 154 (November 25, 1996; 61 FR 59932) subsequently redesignated 265.1083(c)(2)(vi) and (vii) as 265.1083(c)(2)(vii) and (viii) and added a new 265.1083(c)(2)(vi).

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced paragraphs 265.1083(d) and (e) into the Federal code. Paragraph 265.1083(d) was subsequently amended by Rule 154.5 (February 9, 1996; 61 FR 4903). Rule 154 (November 25, 1996; 61

FR 59932) then removed the text at 265.1083(d). The November 25, 1996 rule revised 265.1083(e) and redesignated it as 265.1083(d).

Rule 154.1 (December 6, 1994; 59 FR 62896) originally introduced the text at 265.1083(d)(3)-(5) at 265.1083(e)(2)-(4). Rule 154 (November 25, 1996; 61 FR 59932) redesignated the text at 265.1083(e)(2)-(4) as (d)(3)-(5) and introduced new text at 265.1083(d)(2). The rule also removed the text originally introduced by Rule 154.1 at 265.1083(d) and redesignated 265.1083(e) as 265.1083(d).

This subparagraph was introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Although this subparagraph was included in Rule 154 (November 25, 1996; 61 FR 59932), no changes were made to the text.

Sections 265.1085, 265.1086, 265.1087, and 265.1089 were originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896) and amended by Rule 154.5 (February 9, 1996; 61 FR 4903). Rule 154 (November 25, 1996; 61 FR 59932) completely revised these sections. States should take care to adopt the version of sections 265.1085, 265.1086, 265.1087, and 265.1089 from Rule 154 (November 25, 1996) as reflected on this consolidated revision checklist.

Paragraphs 265.1088(b)(3) and 265.1088(c)(2) and their subparagraphs were originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Rule 154 (November 25, 1996; 61 FR 59932) completely revised these paragraphs. States should take care to adopt the version of these paragraphs from Rule 154 as reflected on this consolidated revision checklist.

Note there is an error in 265.1088(c)(3)(ii). Rule 154.5 (February 9, 1996; 61 FR 4903) replaced "265.1033(l)" with "265.1033(m)". It is likely the reference to 265.1033(m) should be to 265.1033(l) because 265.1033(m) did not exist at the time.

Paragraphs 265.1090(a) through (g) were originally introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). Rule 154.5 (February 9, 1996; 61 FR 4903) subsequently amended 265.1090(a)(1) and (e). Rule 154 (November 25, 1996; 61 FR 59932) completely revised the structure and text of these paragraphs. States should take care to adopt the version of paragraphs 265.1090(a) through (g) from Rule 154 (November 25, 1996) as reflected on this consolidated revision checklist.

The language at 265.1090(i), (i)(1), (i)(2), and (i)(3) was introduced by Rule 154.3 (September 29, 1995; 60 FR 50426). Although these paragraphs were included in Rule 154 (November 25, 1996; 61 FR 59932), no changes were made to the text.

Section 265.1091, Alternative Tank Emissions Control Requirements, was introduced by Rule 154.1 (December 6, 1994; 59 FR 62896). It was subsequently removed and reserved by Rule 154 (November 25, 1996; 61 FR 59932).

**RCRA REVISION CHECKLIST 155**

**Land Disposal Restrictions Phase III--  
Emergency Extension of the K088 Capacity Variance**

62 FR 1992-1997

January 14, 1997

(RCRA Cluster VII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>PART 268 - LAND DISPOSAL RESTRICTIONS</b>						
<b>SUBPART C - PROHIBITIONS ON LAND DISPOSAL</b>						
<b>WASTE SPECIFIC PROHIBITIONS-- SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES</b>						
replace "January 8, 1997" with "July 8, 1997"; add "on July 8, 1997" to the last sentence after "disposal"	268.39(c)	268.39(c)	X			

**RCRA REVISION CHECKLIST 156**

**Military Munitions Rule: Hazardous Waste Identification and Management; Explosives Emergencies; Manifest Exemption for Transport of Hazardous Waste on Right-of-Ways on Contiguous Properties**

62 FR 6622-6657

February 12, 1997

(RCRA Cluster VII, non-HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION (APC&EC Reg. No. 23)	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL**

**SUBPART B - DEFINITIONS**

**DEFINITIONS**

add "explosives or munitions emergency"	260.10	260.10	X			
add "explosives or munitions emergency response"	260.10	260.10	X			
add "explosives or emergency response specialist"	260.10	260.10	X			
add "military munitions"	260.10	260.10	X			

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

**SUBPART A - GENERAL**

**DEFINITION OF SOLID WASTE**

replace "." at end of paragraph with "; or"	261.2(a)(2)(iii)	261.2(a)(2)(iii)	X			
add paragraph; a military munition identified as a solid waste in § 266.202	261.2(a)(2)(iv)	261.2(a)(2)(iv)	X			

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

add paragraph; persons responding to an explosives or munitions emergency not required to comply with Part 262	262.10(i)	262.10(i)	X			
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GENERAL REQUIREMENTS

† add paragraph; exemption for transporters of hazardous waste on a right-of-way within or along the border of contiguous property; generator/transporter requirements if discharge	262.20(f)	262.20(f)	X			
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PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART A - GENERAL

SCOPE

add paragraph; Part 263 does not apply to transportation during an explosives or munitions emergency response	263.10(e)	263.10(f)	X			
add paragraph; § 266.203 identifies how this part applies to military munitions classified as solid waste	263.10(f)	263.10(g)	X			

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

SUBPART A – GENERAL

PURPOSE, SCOPE AND APPLICABILITY

add paragraph; immediate threat to human health, public safety, property, or the environment, from presence of military munitions or explosives	264.1(g)(8)(i)(D)	264.1(g)(8)(i)(D)	X			
add paragraph; when an official or specialist may authorize the removal or transport of waste without meeting all RCRA requirements; recordkeeping requirement for military	264.1(g)(8)(iv)	264.1(g)(8)(iv)	X			
add paragraph; requirements of storage of military munitions are in 266.205; treatment and disposal are subject to all standards in 40 CFR 260 through 270	264.1(i)	264.1(i)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

replace "." after "sources" with "," and clause about military munitions	264.70	264.70	X			
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SUBPART EE - HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

APPLICABILITY

A new Subpart EE (§§ 264.1200 through 264.1202) was added to Part 264 by Revision Checklist 156.

subpart applies to owners and operators who store munitions and explosive hazardous wastes	264.1200	264.1200	X		
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DESIGN AND OPERATING STANDARDS

storage units must meet following requirements	264.1201(a)	264.1201(a)				
minimize potential for detonation or release	264.1201(a)(1)	264.1201(a)(1)				
provide primary barrier to contain waste	264.1201(a)(2)	264.1201(a)(2)	X			
if stored outdoors must not be in standing precipitation	264.1201(a)(3)	264.1201(a)(3)	X			
for liquids, provide secondary containment or vapor detection system	264.1201(a)(4)	264.1201(a)(4)	X			
provide monitoring and inspection procedures meeting specified requirements	264.1201(a)(5)	264.1201(a)(5)	X			
hazardous waste military munitions and explosives may be stored in the following	264.1201(b)	264.1201(b)	X			
earth-covered magazines; requirements for earth-covered magazines	264.1201(b)(1)	264.1201(b)(1)	X			
	264.1201(b)(1)(i)	264.1201(b)(1)(i)	X			
	264.1201(b)(1)(ii)	264.1201(b)(1)(ii)	X			
	264.1201(b)(1)(ii)(A)-(C)	264.1201(b)(1)(ii)(A)-(C)	X			
	264.1201(b)(1)(iii)	264.1201(b)(1)(iii)	X			
above-ground magazines must be designed to minimize propagation of explosion	264.1201(b)(2)	264.1201(b)(2)	X			

outdoor or open storage areas must be designed to minimize propagation of explosion	264.1201(b)(3)	264.1201(b)(3)	X			
hazardous waste military munitions and explosives must be stored in accordance with Standard Operating Procedure; if procedure serves same purpose as certain Part 264 requirements, they may be used	264.1201(c)	264.1201(c)	X			
hazardous waste military munitions and explosives must be packaged to ensure safety	264.1201(d)	264.1201(d)	X			
hazardous waste military munitions and explosives must be inventoried annually	264.1201(e)	264.1201(e)	X			
hazardous waste military munitions and explosives must be inspected and monitored to ensure safety and no migration	264.1201(f)	264.1201(f)	X			

CLOSURE AND POST-CLOSURE CARE

at closure of magazine or unit that stored hazardous waste under Subpart EE, o/o must remove or decontaminate residues, components, subsoils, structures and equipment; closure must meet 264 subparts G and H requirements, but may defer as long as munitions or explosives magazine or storage unit	264.1202(a)	264.1202(a)	X			
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if all contaminated subsoils cannot be practicably removed, o/o must close facility and perform post-closure as per 264.310	264.1202(b)	264.1202(b)	X			
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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

add paragraph; immediate threat to human health, public safety, property, or the environment, from presence of military munitions or explosives	265.1(c)(11)(i)(D)	265.1(c)(11)(i)(D)	X			
add paragraph; when an official or specialist may authorize the removal or transport of waste without meeting all RCRA requirements; recordkeeping requirement for military	265.1(c)(11)(iv)	265.1(c)(11)(iv)	X			
add paragraph; requirements of storage of military munitions are in 266.205; treatment and disposal are subject to all standards in 40 CFR 260 through 270	265.1(f)	265.1(f)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

replace "." after "sources" with "," and clause about military munitions	265.70	265.70	X			
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ii SUBPART EE - HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

APPLICABILITY

subpart applies to owners and operators who store munitions and explosive hazardous wastes	265.1200	265.1200	X			
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DESIGN AND OPERATING STANDARDS

storage units must meet following requirements	265.1201(a)	265.1201(a)	X			
minimize potential for detonation or release	265.1201(a)(1)	265.1201(a)(1)	X			
provide primary barrier to contain waste	265.1201(a)(2)	265.1201(a)(2)	X			
if stored outdoors, must not be in standing precipitation	265.1201(a)(3)	265.1201(a)(3)	X			
for liquids, provide secondary containment or vapor detection system	265.1201(a)(4)	265.1201(a)(4)	X			
provide monitoring and inspection procedures	265.1201(a)(5)	265.1201(a)(5)	X			
hazardous waste military munitions and explosives may be stored in the following	265.1201(b)	265.1201(b)	X			
add paragraph; earth-covered magazines; requirements for earth-covered magazines	265.1201(b)(1)	265.1201(b)(1)	X			
	265.1201(b)(1)(i)	265.1201(b)(1)(i)	X			
	265.1201(b)(1)(ii)	265.1201(b)(1)(ii)	X			

ii A new Subpart EE (§§ 265.1200 through 265.1202) was added to Part 265 by Revision Checklist 156.

	265.1201(b)(1)(ii)(A)-(C)	265.1201(b)(1)(ii)(A)-(C)	X			
	265.1201(b)(1)(iii)	265.1201(b)(1)(iii)	X			
above-ground magazines must be designed to minimize propagation of explosion	265.1201(b)(2)	265.1201(b)(2)	X			
outdoor or open storage areas must be designed to minimize propagation of explosion	265.1201(b)(3)	265.1201(b)(3)	X			
hazardous waste military munitions and explosives must be stored in accordance with Standard Operating Procedure; if procedures serve same purpose as certain Part 265 requirements, they will be used	265.1201(c)	265.1201(c)	X			
hazardous waste military munitions and explosives must be packaged to ensure safety	265.1201(d)	265.1201(d)	X			
hazardous waste military munitions and explosives must be inventoried annually	265.1201(e)	265.1201(e)	X			
hazardous waste military munitions and explosives must be inspected and monitored to ensure safety and no migration	265.1201(f)	265.1201(f)	X			

## CLOSURE AND POST-CLOSURE CARE

at closure of magazine or unit storing hazardous waste under Subpart EE, o/o must remove or decontaminate residues, components, subsoils, and equipment and manage as a hazardous waste closure; must meet subparts 265 G and H requirements	265.1202(a)	265.1202(a)	X			
if all contaminated subsoils cannot be practicably removed, o/o must close facility and perform post-closure as per 264.310	265.1202(b)	265.1202(b)	X			

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

iii SUBPARTS I - L (Reserved)

iv SUBPART M - MILITARY MUNITIONS

APPLICABILITY

subpart identifies when military munitions become a solid waste, and if they are hazardous	266.200(a)	266.200(a)	X			
all requirements of 40 CFR 260 through 270 apply unless otherwise specified	266.200(b)	266.200(b)	X			

DEFINITIONS

definitions are in addition to 260.10 definitions	266.201 intro	266.201 intro	X			
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iii Revision Checklist 156 reserved Subparts I-L of Part 266.

iv Revision Checklist 156 added a new Subpart M to Part 266 (§§ 266.200 through 266.206).

"active range"	266.201	266.201	X			
"chemical agents and munitions"	266.201	266.201	X			
"director"	266.201	266.201	X			
"explosives or munitions emergency response specialist"	266.201	266.201	X			
"explosives or munitions emergency"	266.201	266.201	X			
"explosives or munitions emergency response"	266.201	266.201	X			
"inactive range"	266.201	266.201	X			
"military"	266.201	266.201	X			
"military munitions"	266.201	266.201	X			
"military range"	266.201	266.201	X			
"unexploded ordnance (UXO)"	266.201	266.201	X			

## DEFINITION OF SOLID WASTE

military munition is not a solid waste under listed circumstances	266.202(a)	266.202(a)	X			
	266.202(a)(1)	266.202(a)(1)	X			
	266.202(a)(1)(i)	266.202(a)(1)(i)	X			
	266.202(a)(1)(ii)	266.202(a)(1)(ii)	X			
	266.202(a)(1)(iii)	266.202(a)(1)(iii)	X			
	266.202(a)(2)	266.202(a)(2)	X			
unused military munition is a solid waste under listed circumstances	266.202(b)	266.202(b)	X			
	266.202(b)(1)	266.202(b)(1)	X			
	266.202(b)(2)	266.202(b)(2)	X			

	266.202(b)(3)	266.202(b)(3)	X			
	266.202(b)(4)	266.202(b)(4)	X			
used or fired military munition is solid waste under listed circumstances	266.202(c)	266.202(c)	X			
	266.202(c)(1)	266.202(c)(1)	X			
	266.202(c)(2)	266.202(c)(2)	X			
military munition is solid waste when it lands off- range and is not promptly taken care of; imminent and substantial threats must be addressed; action if remedial action is infeasible	266.202(d)	266.202(d)	X			

† STANDARDS APPLICABLE TO THE TRANSPORTATION OF SOLID WASTE MILITARY MUNITIONS

criteria for regulation of waste non-chemical military munitions in transportation	266.203(a)	266.203(a)	X			
military munitions that are being transported and exhibit hazardous waste characteristic or are listed in Part 261 are hazardous unless all listed conditions are met	266.203(a)(1)	266.203(a)(1)	X			
	266.203(a)(1)(i)	266.203(a)(1)(i)	X			
	266.203(a)(1)(ii)	266.203(a)(1)(ii)	X			
	266.203(a)(1)(iii)	266.203(a)(1)(iii)	X			
	266.203(a)(1)(iv)	266.203(a)(1)(iv)	X			

receiving facility has 5 days to report to Director shipments not received within 45 days of shipment	266.203(a)(2)	266.203(a)(2)	X			
266.203(a)(1) exemption only applies to transportation; does not affect storage, treatment or disposal	266.203(a)(3)	266.203(a)(3)	X			
266.203(a)(1) exemption applies so long as all listed 266.203(a)(1) conditions are met	266.203(a)(4)	266.203(a)(4)	X			
if 266.203(a)(1) exemption lost, can apply to Director for reinstatement as soon as munitions returned to 266.203(a)(1) compliance; if Director finds appropriate, may reinstate; if no action in 60 days, reinstatement deemed granted; termination of conditional exemption; Director may specify additional conditions	266.203(b)	266.203(b)	X			
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in <u>FR</u>	266.203(c)	266.203(c)	X			
<b>STANDARDS APPLICABLE TO EMERGENCY RESPONSES</b>						
explosives and military munitions emergencies are subject to listed citations	266.204	266.204	X			

† STANDARDS APPLICABLE TO THE STORAGE OF SOLID WASTE MILITARY MUNITIONS

criteria for regulation of storage	266.205(a)	266.205(a)	X			
waste military munitions in storage that exhibit hazardous waste characteristic or listed in Part 261 are hazardous waste unless listed conditions met	266.205(a)(1)	266.205(a)(1)	X			
	266.205(a)(1)(i)	266.205(a)(1)(i)	X			
	266.205(a)(1)(ii)	266.205(a)(1)(ii)	X			
	266.205(a)(1)(iii)	266.205(a)(1)(iii)	X			
	266.205(a)(1)(iv)	266.205(a)(1)(iv)	X			
	266.205(a)(1)(v)	266.205(a)(1)(v)	X			
	266.205(a)(1)(vi)	266.205(a)(1)(vi)	X			
	266.205(a)(1)(vii)	266.205(a)(1)(vii)	X			
266.205(a)(1) exemption only applies to storage; does not affect transportation, treatment or disposal	266.205(a)(2)	266.205(a)(2)	X			
266.205(a)(1) exemption applies so long as all listed 266.205(a)(1) conditions met	266.205(a)(3)	266.205(a)(3)	X			
o/o must notify Director when 266.205(a)(1)(iv) storage is no longer used	266.205(b)	266.205(b)	X			
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in <u>FR</u>	266.205(c)	266.205(c)	X			
waste chemical munitions	266.205(d)	266.205(d)	X			

chemical agents or chemical military munitions that exhibit hazardous characteristic or listed in Part 261 are hazardous and subject to RCRA Subtitle C	266.205(d)(1)	266.205(d)(1)	X			
hazardous waste chemical agents or chemical munitions not subject to 268.50	266.205(d)(2)	266.205(d)(2)	X			
DDESB storage standards which are applicable; any amendments are effective on date published in <u>FR</u>	266.205(e)	266.205(e)	X			

STANDARDS APPLICABLE TO THE TREATMENT AND DISPOSAL OF WASTE MILITARY MUNITIONS

treatment and disposal of hazardous waste military munitions subject to Parts 260 through 270	266.206	266.206	X			
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

add paragraph; immediate threat to human health, public safety, property, or environment from military munitions or other explosive material/device	270.1(c)(3)(i)(D)	270.1(c)(3)(i)(D)	X			
emergency response recordkeeping requirement for military unit	270.1(c)(3)(iii)	270.1(c)(3)(iii)	X			

SUBPART D - CHANGES TO PERMITS

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

redesignate (h) as (i) and add new paragraph at (h); if listed conditions met, permittee may accept military munitions even when permit conditions bar acceptance of off-site wastes	270.42(h)	270.42(h)	X			
	270.42(h)(1)	270.42(h)(1)	X			
	270.42(h)(2)	270.42(h)(2)	X			
	270.42(h)(3)	270.42(h)(3)	X			
redesignated text at (h) as (i)	270.42(i)	270.42(i)	X			

**RCRA REVISION CHECKLIST 157**

**Land Disposal Restrictions Phase IV--  
Treatment Standards for Wood Preserving Wastes, Paperwork Reduction and Streamlining,  
Exemptions From RCRA for Certain Processed Materials; and Miscellaneous Hazardous Waste  
Provisions**

62 FR 25998-26040

May 12, 1997

(RCRA Cluster VII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		APC&EC Reg. No. 23				

PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A – GENERAL

† PURPOSE AND SCOPE

add new paragraph; definition "Excluded scrap metal"	261.1(c)(9)	261.1(c)(9)	X			
add new paragraph; definition "Processed scrap metal"	261.1(c)(10)	261.1(c)(10)	X			
add new paragraph; definition "Home scrap metal"	261.1(c)(11)	261.1(c)(11)	X			
add new paragraph; definition "Prompt scrap metal"	261.1(c)(12)	261.1(c)(12)	X			

† DEFINITION OF SOLID WASTE

revise table 1; add after entry for scrap metal "other than excluded scrap metal (see 261.1(c)(9))" also add "and 'processed scrap metal'" after "scrap metal" in Note.	261.2(c)/Table 1	261.2(c)/Table 1	X			
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† EXCLUSIONS

add paragraph; excluded scrap metal being recycled	261.4(a)(13)	261.4(a)(13)	X			
add paragraph; shredded circuit boards being recycled provided that they are:	261.4(a)(14)	261.4(a)(14)	X			
add paragraph; stored in containers sufficient to prevent release, and	261.4(a)(14)(i)	261.4(a)(14)(i)	X			
add paragraph; free of mercury switches, mercury relays and nickel cadmium batteries and lithium batteries	261.4(a)(14)(ii)	261.4(a)(14)(ii)	X			

† REQUIREMENTS FOR RECYCLABLE MATERIALS

scrap metal; add "that is not excluded under 261.4(a)(13)"	261.6(a)(3)(ii)	261.6(a)(3)(ii)	X			
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PART 268 -- LAND DISPOSAL RESTRICTIONS

SUBPART A – GENERAL

PURPOSE, SCOPE AND APPLICABILITY

no change	268.1(e)intro - (e)(3)	268.1(e)intro - (e)(3)	X			
revise paragraph; <i>de minimis</i> losses of characteristic wastes to wastewaters are not considered prohibited wastes and definition of " <i>de minimis</i> losses"	268.1(e)(4)	268.1(e)(4)	X			

TREATMENT SURFACE IMPOUNDMENT EXEMPTION

completely revise subparagraph; sampling and testing and recordkeeping provisions of 264.13 and 265.13 of this chapter apply	268.4(a)(2)(iv)	268.4(a)(2)(iv)	X			
remove "and submits a copy of the waste analysis plan under §268.4(a)(2)"	268.4(a)(4)	268.4(a)(4)	X			

TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES

redesignate old 268.7(a) as 268.7(a)(1); requirements for generators	268.7(a)intro	268.7(a)intro	X			
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<sup>i</sup> This section heading has been revised. The former heading read "Waste analysis and recordkeeping".

<p>old 268.7(a) is new 268.7(a)(1); completely revise paragraph; generator of hazardous waste must determine if it has to be treated before it can be land disposed; this is done by determining if the waste meets treatment standards in 268.40 or 268.45; determination can be made in two ways: test the waste; or use knowledge of the waste; for testing, method 1311 is used and land treatment methods of 268.40 and 268.42 may apply; if characteristic waste, generators must comply with 268.9</p>	<p>268.7(a)(1)</p>	<p>268.7(a)(1)</p>	<p>X</p>			
<p>REMOVED</p>	<p>268.7(a)(1)(i)-(v)</p>	<p>268.7(a)(1)</p>	<p>X</p>			
<p>revise paragraph; if waste does not meet treatment standard, one-time notice with initial shipment of waste to each treatment or storage facility receiving waste; the generator must place a copy in the file; notice must include information in 268.7(a)(2) column of 268.7(a)(4) table; no further notice is necessary unless waste or facility change</p>	<p>268.7(a)(2)</p>	<p>268.7(a)(2)</p>	<p>X</p>			
<p>REMOVED</p>	<p>268.7(a)(2)(i)(A)-(D)</p>	<p>268.7(a)(2)</p>	<p>X</p>			
<p>REMOVED</p>	<p>268.7(a)(2)(ii)</p>	<p>268.7(a)(2)</p>	<p>X</p>			

completely revise subparagraph; if waste meets treatment standard at original point of generation	268.7(a)(3)	268.7(a)(3)	X			
completely revise subparagraph; with initial shipment of waste, generator must send one-time written notice to each treatment/storage/ disposal facility receiving waste, and place a copy in the file; notice must include information in the 268.7(a)(3) column of 268.7(a)(4) table; certification statement	268.7(a)(3)(i)	268.7(a)(3)(i)	X			
completely revise subparagraph; if waste changes, generator must send new notice and certification to receiving facility and place a copy in their files; generators of hazardous debris excluded from definition of hazardous waste under 261.3(f) are not subject to these requirements	268.7(a)(3)(ii)	268.7(a)(3)(ii)	X			
REMOVED	268.7(a)(3)(iii)-(vii)	268.7(a)(3)	X			

<p>insert new 268.7(a)(4) and redesignate old 268.7(a)(4) as 268.7(a)(5); completely revise subparagraph; certain exemptions from the requirement that hazardous wastes meet treatment standards before land disposed include but are not limited to case-by-case extensions under 268.5, disposal in a no-migration unit under 268.6 or national capacity variance or case by case capacity variance under subpart C; with initial shipment, generator must send one-time written notice to each land disposal facility for exempted waste; notice must include information in 268.7(a)(4) column of 268.7(a)(4) table; changed waste requires further notice</p>	<p>268.7(a)(4)</p>	<p>268.7(a)(4)</p>	<p>X</p>			
<p>add table</p>	<p>268.7(a)(4)/table</p>	<p>268.7(a)(4)/table</p>	<p>X</p>			

<p>old 268.7(a)(4) is new 268.7(a)(5); add "and treating" after "managing"; remove ", and is treating such waste in such tank, containers or containment buildings"; add "LDR" before "treatment standards"; replace "under subpart D of this part" with "found at 268.40"; replace "the generator" with "they" after "describes the procedures"</p>	<p>268.7(a)(5)</p>	<p>268.7(a)(5)</p>	<p>X</p>			
<p>redesignate old 268.7(a)(4)(i) as 268.7(a)(5)(i); replace "Part" with "part"</p>	<p>268.7(a)(5)(i)</p>	<p>268.7(a)(5)(i)</p>	<p>X</p>			
<p>redesignate 268.7(a)(4)(ii) as 268.7(a)(5)(ii); completely revise subparagraph; plan must be kept on-site and made available to inspectors</p>	<p>268.7(a)(5)(ii)</p>	<p>268.7(a)(5)(ii)</p>	<p>X</p>			
<p>redesignate old 268.7(a)(4)(iii) as 268.7(a)(5)(iii); replace "268.7(a)(2)" with "268.7(a)(3)"</p>	<p>268.7(a)(5)(iii)</p>	<p>268.7(a)(5)(iii)</p>	<p>X</p>			
<p>redesignate old 268.7(a)(5) as 268.7(a)(6); replace "whether the" with "that the"; replace "described in Appendix I of this part" with wording referencing method 1311, SW-846 and 260.11</p>	<p>268.7(a)(6)</p>	<p>268.7(a)(6)</p>	<p>X</p>			

	redesignate old 268.7(a)(6) as 268.7(a)(7); insert parenthetical phrase addressing characteristic waste subject to CWA	268.7(a)(7)	268.7(a)(7)	X			
	redesignate old 268.7(a)(7) as 268.7(a)(8); replace the two occurrences of "five years" with "three years"	268.7(a)(8)	268.7(a)(8)	X			
† , <sup>ii</sup>	redesignate old 268.7(a)(8) as 268.7(a)(9); completely revise subparagraph and place certification in new 268.7(a)(9)(i); if generator is managing lab packs containing hazardous waste and wishes to use alternative treatment method in 268.42(c):	268.7(a)(9)	268.7(a)(9)	X			
† ,	add new subparagraph; with initial shipment of waste, generator must submit notice with information in the 268.7(a)(9) column of the 268.7(a)(4) table; certification must be placed in files; replace old certification with new certification	268.7(a)(9)(i)	268.7(a)(9)(i)	X			

<sup>ii</sup> If a State has chosen to adopt the lab pack option (see Revision Checklist 78), then it must make the revisions specified in this checklist for this provision. If the lab pack option has not been adopted, these revisions are not required. As a reminder, the requirements for the lab pack options are 264.316(f), 265.316(f), 268.7(a)(9), 268.42(c), 268.42(c)(1-4), Appendix IV and V to Part 268.

† , add new subparagraph; no further notification is necessary until wastes or receiving facility change in which case new notice and certification must be sent and copy placed in files	268.7(a)(9)(ii)	268.7(a)(9)(ii)	X			
† , add new subparagraph; if lab pack contains characteristic hazardous wastes (D001-D043), underlying hazardous constituents need not be determined	268.7(a)(9)(iii)	268.7(a)(9)(iii)	X			
† , add new subparagraph; generator must also comply with requirements in 268.7(a)(6) and (a)(7)	268.7(a)(9)(iv)	268.7(a)(9)(iv)	X			
no change	268.7(a)(10)	268.7(a)(10)	X			
insert "40 CFR" before "264.13" and "265.13"; insert "(for permitted TSDs)" after "264.13"; insert "(for interim status facilities)" after "265.13"	268.7(b)	268.7(b)	X			
revise subparagraph; for wastes with treatment standards expressed as concentrations in waste extract, owner or operator must test extract of treatment residues using test method 1311 to assure that treatment residues extract meet applicable treatment standards	268.7(b)(1)	268.7(b)(1)	X			

remove old 268.7(b)(2); redesignate old 268.7(b)(3) as 268.7(b)(2); remove "(268.43)"; replace "the treatment residues" with "they" after "to assure"	268.7(b)(2)	268.7(b)(2)	X			
redesignate old 268.7(b)(4) as 268.7(b)(3); completely revise paragraph; one-time notice must be sent with initial shipment of waste to land disposal facility; copy of notice must be placed in facility's file	268.7(b)(3)intro	268.7(b)(3)intro	X			
redesignate old 268.7(b)(4)(i) as 268.7(b)(3)(i); completely revise subparagraph; no further notification is necessary until waste or receiving facility change in which case new notice must be sent and copy placed in facility's file	268.7(b)(3)(i)	268.7(b)(3)(i)	X			
redesignate old 268.7(b)(4)(ii) as 268.7(b)(3)(ii); completely revise subparagraph; the one-time notice must include these requirements; remove old 268.7(b)(4)(iii) and (iv)	268.7(b)(3)(ii)	268.7(b)(3)(ii)	X			
add table	268.7(b)(3)(ii)/table	268.7(b)(3)(ii)/table	X			

<p>iii redesignate old 268.7(b)(5) as 268.7(b)(4); completely revise subparagraph; treatment facility must submit a one-time certification signed by an authorized representative with initial shipment of waste or treatment residue of restricted waste to land disposal facility; certification</p>	<p>268.7(b)(4)</p>	<p>268.7(b)(4)</p>	<p>X</p>			
<p>redesignate old 268.7(b)(5)(i) as 268.7(b)(4)(i); completely revise subparagraph; copy of the certification must be placed in treatment facility's on-site files; if waste or treatment residue changes, new notice must be sent and copy placed in files</p>	<p>268.7(b)(4)(i)</p>	<p>268.7(b)(4)(i)</p>	<p>X</p>			
<p>redesignate old 268.7(b)(5)(ii) as 268.7(b)(4)(ii); completely revise subparagraph; debris excluded from definition of hazardous waste in 261.3(e) is subject to notification and certification requirements of 268.7(d)</p>	<p>268.7(b)(4)(ii)</p>	<p>268.7(b)(4)(ii)</p>	<p>X</p>			

iii Subparagraphs 268.7(b)(5)-(b)(5)(v) were redesignated and revised by Revision Checklist 157 as 268.7(b)(4)-(b)(4)(iii).

redesignate old 268.7(b)(5)(iii) as 268.7(b)(4)(iii); completely revise subparagraph; for wastes with organic constituents having treatment standards expressed as concentration levels, if compliance with treatment standards is based in whole or in part on analytical detection limit alternative specified in 268.40(d), certification, signed by authorized representative; certification statement	268.7(b)(4)(iii)	268.7(b)(4)(iii)	X			
remove	268.7(b)(4)(iv)-(v)	268.7(b)(4)	X			
redesignate old 268.7(b)(6) as 268.7(b)(5); compliance with generator notice and certification requirements if waste sent offsite	268.7(b)(5)	268.7(b)(5)	X			
redesignate old 268.7(b)(7) as 268.7(b)(6); notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste-derived products	268.7(b)(6)	268.7(b)(6)	X			
delete ", and the certification specified in 268.8 if applicable."	268.7(c)(1)	268.7(c)(1)	X			

replace "method described in Appendix I of this part or using any method required by generators under 268.32 of this part" with the wording referencing method 1311 SW-846 and 260.11	268.7(c)(2)	268.7(c)(2)	X			
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SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC

<p>revise paragraph; initial generator of solid waste must determine each EPA Hazardous Waste Number in order to determine treatment standards under subpart D; for 268, waste will carry the waste code for any applicable listed waste; where waste exhibits characteristic, it will carry one or more of the characteristic waste codes, except when treatment standard operates in lieu of treatment standard for characteristic waste, as specified 268.9(b); if generator determines that waste displays hazardous characteristic, generator must determine defined hazardous constituent except for certain D001 wastes</p>	<p>268.9(a)</p>	<p>268.9(a)</p>	<p>X</p>			
<p>replace "Hazardous Waste Number(s)" with "hazardous waste code(s)"; replace "in D001 and D002 wastes prohibited under §268.37 or D0012-D0043 wastes under §268.38" with a phrase and sentence renaming listing requirement if all underlying hazardous constituents will be treated and monitored</p>	<p>268.9(d)(1)(ii)</p>	<p>268.9(d)(1)(ii)</p>	<p>X</p>			

SUBPART C -- PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS -- WOOD PRESERVING WASTES

completely revise paragraph; effective August 11, 1997, the following wastes are prohibited from land disposal: F032, F034, F035	268.30(a)	268.30(a)	X			
REMOVED	268.30(a)(1)-(4)	268.30(a)	X			
completely revise paragraph; effective May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive wastes mixed with F032, F034, F035 are prohibited from land disposal	268.30(b)	268.30(b)				
completely revise paragraph; between May 12, 1997 and May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive waste mixed with F032, F034, F035 may be disposed in a landfill or surface impoundment only if 268.5(h)(2) requirements are met	268.30(c)	268.30(c)	X			
completely revise paragraph; requirements of 268.30 (a) and (b) do not apply if:	268.30(d)	268.30(d)	X			

insert "applicable treatment" before "standards"; replace "of Subpart D" with "specified in Subpart D"; remove "or" at end of paragraph	268.30(d)(1)	268.30(d)(1)	X			
remove "or" at end of paragraph	268.30(d)(2)	268.30(d)(2)	X			
redesignate old 268.30(d)(3) as new 268.30(d)(4); add new 268.30(d)(3); the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	268.30(d)(3)	268.30(d)(3)	X			
old 268.30(d)(3) is new 268.30(d)(4); persons have been granted an extension to effective date of prohibition pursuant to 268.5 with respect to wastes covered by extension	268.30(d)(4)	268.30(d)(4)	X			

add new paragraph; to determine whether a hazardous waste identified in 268.40 exceeds applicable treatment standards, initial generator must test a sample of waste extract or entire waste; if waste contains constituents in excess of applicable treatment levels of 268.48, waste is prohibited from land disposal and all requirements of 268 are applicable unless otherwise specified	268.30(e)	268.30(e)	X			
REMOVED AND RESERVED	268.32 - 268.36	268.32 - 268.36	X			

SUBPART D-- TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

add entries for F032, F034 and F035; revise entries for D001 and F024 as per 62 FR 26023-26025	268.40/ Table of Treatment Standards for Hazardous Wastes	268.40/ Table TTS	X			
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TREATMENT STANDARDS EXPRESSED AS SPECIFIC TECHNOLOGIES

add entry for "POLYM" as per 62 FR 26025	268.42/ Table 1	268.42/ Table 1	X			
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VARIANCE FROM A TREATMENT STANDARD

iv	revise paragraph; the following facilities are excluded from the treatment standards under 268.40 and are subject to the following constituent concentrations:	268.44(o)	268.44(o)	X			
	revise title of table to read "Table--Wastes Excluded from the Treatment Standards Under §268.40"	268.44(o)/ Table 1	268.44(o)/ Table 1	X			

## APPENDIX I, II, III and X TO PART 268

REMOVED AND RESERVED	268 Appendices I, II, III and X	268 Appendices I, II, III and X	X			
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## APPENDIX VI TO PART 268

## RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN SECTION 268.42

<sup>iv</sup> Note that 268.44(o) was added to the Federal code by a March 25, 1991 rule at 56 FR 12351. The provision contains a variance from the treatment standards under 268.43(a) that only affects two facilities located in Chicago, Illinois. The March 25, 1991 rule also added and reserved paragraphs 268.44(m) and (n). Due to the limited applicability of this variance, no revision checklist was necessary for this rule. Revision Checklist 157 made changes to 268.44(o) and is included in this checklist for completeness. However, States would likely not want to include 268.44(m)-(o) in their code, unless the variance is extended to a facility in that particular State.

revise introduction to appendix; treatment standard for many characteristic wastes is stated in 268.40; characteristic wastes that are not managed in a facility must be treated not only by "deactivating" but also to achieve UTS for underlying constituents; the appendix presents a partial list that may help meet treatment standards; use of these treatment standards is not mandatory	268 Appendix VI	268 Appendix VI	X			
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APPENDIX VII TO PART 268

LDR EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES

revise tables 1 and 2 as shown in 62 FR 26025-26037	268 Appendix VII	268 Appendix VII	X			
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APPENDIX VIII TO PART 268

<sup>v</sup> NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

revise table as shown in 62 <u>FR</u> 26037-26039	268 Appendix VIII	268 Appendix VIII	X			
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APPENDIX X TO PART 268

RECORDKEEPING, NOTIFICATION, AND/OR CERTIFICATION REQUIREMENTS

removed and reserved	268 Appendix X	268 Appendix X	X			
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† Optional.

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

<sup>v</sup> Note that there is an error at 62 FR 26037. The title for Appendix VIII should be listed as "National Capacity LDR Variances for UIC Wastes" but is incorrectly listed in the Federal Register as "LDR Effective Dates of Surface Disposed Prohibited Hazardous Wastes".

# RCRA REVISION CHECKLIST 158

## Testing and Monitoring Activities Amendment III

62 FR 32452-32463

June 13, 1997

(RCRA Cluster VII, 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

APC&EC  
Reg. No. 23

PART 260 – HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B -- DEFINITIONS

REFERENCES

no change	260.11(a) intro	260.11(a) intro	X			
redesignate "ASTM Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester" from a 260.11(a) undesignated entry to 260.11(a)(1)	260.11(a)(1)	260.11(a)(1)	X			
redesignate "ASTM Standard Test Methods for Flash Point by Pensky-Martens Closed Tester" from a 260.11(a) undesignated entry to 260.11(a)(2)	260.11(a)(2)	260.11(a)(2)	X			
redesignate "ASTM Standard Method for Analysis of Reformed Gas by Gas Chromatography" from a 260.11(a) undesignated entry to 260.11(a)(3)	260.11(a)(3)	260.11(a)(3)	X			
redesignate "ASTM Standard Test Method for Heat Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method)" from a 260.11(a) undesignated entry to 260.11(a)(4)	260.11(a)(4)	260.11(a)(4)	X			

redesignate "ASTM Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis" from a 260.11(a) undesignated entry to 260.11(a)(5)	260.11(a)(5)	260.11(a)(5)	X			
redesignate "ASTM Standard Practices for General Techniques of Infrared Quantitative Analysis" from a 260.11(a) undesignated entry to 260.11(a)(6)	260.11(a)(6)	260.11(a)(6)	X			
redesignate "ASTM Standard Practices for Packed Column Gas Chromatography" from a 260.11(a) undesignated entry to 260.11(a)(7)	260.11(a)(7)	260.11(a)(7)	X			
redesignate "ASTM Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography" from a 260.11(a) undesignated entry to 260.11(a)(8)	260.11(a)(8)	260.11(a)(8)	X			
remove entry for "ASTM Standard Test Method for Vapor Pressure--Temperature Relationship..." (this is a duplicate entry)	No designation		X			
redesignate "APTI Course 415: Control of Gaseous Emissions" from a 260.11(a) undesignated entry to 260.11(a)(9)	260.11(a)(9)	260.11(a)(9)	X			

redesignate "Flammable and Combustible Liquids Code" from a 260.11(a) undesignated entry to 260.11(a)(10)	260.11(a)(10)	260.11(a)(10)	X			
redesignate "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" from a 260.11(a) undesignated entry to 260.11(a)(11); remove "and" before the first "IIB"; insert "and III (December 1996)" after "(August 1993)"; replace the second "and IIB" with "IIB, and III"; insert new sentence regarding copies of the third edition	260.11(a)(11)	260.11(a)(11)	X			
redesignate "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised" from a 260.11(a) undesignated entry to 260.11(a)(12)	260.11(a)(12)	260.11(a)(12)	X			
redesignate "ASTM Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analysis of Metals" from a 260.11(a) undesignated entry to 260.11(a)(13)	260.11(a)(13)	260.11(a)(13)	X			
redesignate "API Publication 2517, Third Edition" from a 260.11(a) undesignated entry to 260.11(a)(14)	260.11(a)(14)	260.11(a)(14)	X			

re designate "ASTM Standard Test Method for Vapor Pressure -- Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope" from a 260.11(a) undesignated entry to 260.11(a)(15)	260.11(a)(15)	260.11(a)(15)	X			
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PART 264 -- STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART AA -- AIR EMISSION STANDARDS FOR PROCESS VENTS

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	264.1034(d)(1)(iii)	264.1034(d)(1)(iii)	X			
replace "Method 8240" with "Method 8260 of SW-846 (incorporated by reference under §260.11)"	264.1034(f)	264.1034(f)	X			

SUBPART BB -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	264.1063(d)(2)	264.1063(d)(2)	X			
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PART 264 -- APPENDIX IX

GROUNDWATER MONITORING LIST

replace "EPA Report SW-846" with "the EPA publication, SW-846"; replace "third edition, November 1986" with "Third Edition"; replace "agency" with "Agency"; remove "CAUTION: . . ." and all text after; add explanation of replacement of "packed column gas chromatography methods" with "capillary column GC methods"	264 Appendix IX, footnote 5	264 Appendix IX, footnote 5	X			
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PART 265 -- INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART AA -- AIR EMISSION STANDARDS FOR PROCESS VENTS

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	265.1034(d)(1)(iii)	265.1034(d)(1)(iii)	X			
replace "8240 can" with "8260 of SW-846 (incorporated by reference under §260.11) may"	265.1034(f)	265.1034(f)	X			

SUBPART BB -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	265.1063(d)(2)	265.1063(d)(2)	X			
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PART 266 -- STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

<sup>i</sup> SUBPART H -- HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES (EFFECTIVE AUGUST 21, 1991)

STANDARDS TO CONTROL ORGANIC EMISSIONS

<sup>i</sup> Note this title was changed by adding "(Effective August 21, 1991)" to it.

replace "Method 23" and all text after with "Method 0023A, Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans Emissions from Stationary Sources, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter."	266.104(e)(1)	266.104(e)(1)			
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## STANDARDS TO CONTROL METALS EMISSIONS

replace "the Multiple Methods Train" and all text after with "Method 0060, Determinations of Metals in Stack Emissions, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter."	266.106(g)(1)	266.106(g)(1)	X			
replace "appendix IX of this part" with "Method 0061, Determination of Hexavalent Chromium Emissions from Stationary Sources, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter"	266.106(g)(2)	266.106(g)(2)	X			

STANDARDS TO CONTROL HYDROGEN CHLORIDE (HCl) AND CHLORINE GAS (Cl<sup>2</sup>) EMISSIONS

replace "appendix IX of this part" with "Methods 0050 or 0051, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter"	266.107(f)	266.107(f)	X			
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## PART 266 -- APPENDIX IX

## METHODS MANUAL FOR COMPLIANCE WITH THE BIF REGULATIONS

## SAMPLING AND ANALYTICAL METHODS

add new note right under title addressing sampling and analytical methods to BIF manual	Appendix IX, Section 3.0, Note	Appendix IX, Section 3.0, Note <i>(Incorporated by reference), § 3(b)(2))</i>	X			
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# RCRA REVISION CHECKLIST 159

## Conformance With the Carbamate Vacatur

62 FR 32974-32980

June 17, 1997

(RCRA Cluster VII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION APC&EC Reg. No. 23	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE

PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

† HAZARDOUS WASTE FROM SPECIFIC SOURCES

revise table by removing entry for K160 and revising entries for K156, K157 and K158 as shown below:	261.32/table	261.32/table	X			
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Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
* * * * *	Organic chemicals:	
* * * * *	K156 Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
* * * * *	K157 Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
* * * * *	K158 Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
* * * * *		

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

revise table by removing in their entirety the entries listed below:	261.33(f)	261.33(f)	X			
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H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester, (U365)  
 Bis(dimethylthiocarbamoyl) sulfide, (U401)  
 Bis (pentamethylene)thiuram tetrasulfide, (U400)  
 Butylate, (U392)  
 Carbamic acid, butyl-3-iodo-2-propynyl ester, (U375)  
 Carbamodithioic acid, dibutyl, sodium salt, (U379)  
 Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester, (U277)  
 Carbamodithioic acid, diethyl-, sodium salt, (U381)  
 Carbamodithioic acid, dimethyl-, potassium salt, (U383)  
 Carbamodithioic acid, dimethyl-, sodium salt, (U382)  
 Carbamodithioic acid, dimethyl-, tetraanhydrosulfide with orthothioselenious acid, (U376)  
 Carbamodithioic acid, (hydroxymethyl) methyl-,monopotassium salt, (U378)  
 Carbamodithioic acid, methyl-, monosodium salt, (U384)  
 Carbamodithioic acid, methyl-,monopotassium salt, (U377)  
 Carbamothioic acid, bis(2-methylpropyl)-, S-ethyl ester, (U392)  
 Carbamothioic acid, butylethyl-,S-propyl ester, (U391)  
 Carbamothioic acid, cyclohexylethyl-, S-ethyl ester, (U386)  
 Carbamothioic acid, dipropyl-, S-ethyl ester, (U390)  
 Carbamothioic acid, dipropyl-, S-propyl ester, (U385)  
 Copper, bis(dimethylcarbamodithioato-S,S')-, (U393)  
 Copper dimethyldithiocarbamate,(U393)  
 Cycloate, (U386)  
 Dazomet, (U366)  
 Disulfiram, (U403)  
 EPTC, (U390)  
 Ethyl Ziram, (U407)  
 Ferbam, (U396)  
 3-Iodo-2-propynyl n-butylcarbamate, (U375)  
 Iron, tris(dimethylcarbamodithioato-S,S')-, (U396)  
 Metam Sodium, (U384)  
 Molinate, (U365)  
 Pebulate, (U391)  
 Piperidine, 1,1'-(tetrathiodicarbonothioyl)-bis-, (U400)  
 Potassium dimethyldithiocarbamate, (U383)  
 Potassium n-hydroxymethyl-n-methyldi-thiocarbamate, (U378)  
 Potassium n-methyldithiocarbamate, (U377)  
 Selenium, tetrakis(dimethyldithiocarbamate), (U376)  
 Sodium dibutyldithiocarbamate, (U379)  
 Sodium diethyldithiocarbamate, (U381)  
 Sodium dimethyldithiocarbamate, (U382)  
 Sulfallate, (U277)  
 Tetrabutylthiuram disulfide, (U402)  
 Tetramethylthiuram monosulfide, (U401)  
 2H-1,3,5-Tithiadiazine-2-thione, tetrahydro-3,5-dimethyl-, (U366)  
 Thioperoxydicarbonic diamide, tetrabutyl, (U402)  
 Thioperoxydicarbonic diamide, tetraethyl, (U403)  
 Vernolate, (U385)  
 Zinc, bis(diethylcarbamodithioato-S,S')-, (U407)

PART 261 -- APPENDIX VII

† BASIS FOR LISTING HAZARDOUS WASTE

remove entire entry for EPA hazardous waste number K160	261 Appendix VII	261 Appendix VII	X			
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PART 261 -- APPENDIX VIII

† HAZARDOUS CONSTITUENTS

<sup>i</sup> remove entries "Potassium hydroxymethyl-n-methyl-dithiocarbamate" and "Tetrabutylthiuram monosulfide" and revise as shown in following table:	261 Appendix VIII	261 Appendix VIII	X			
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Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.
Bis(pentamethylene)-thiuram tetrasulfide.	Piperidine, 1,1'-(tetrathiodicarbonothioyl)-bis-	120-54-7	
Butylate	Carbamoithioic acid, bis(2-methylpropyl)-, S-ethyl ester.	2008-41-5	
Copper dimethyldithiocarbamate	Copper, bis(dimethylcarbomodithioato-S,S')-	137-29-1	
Cycloate	Carbamoithioic acid, cyclohexylethyl-, S-ethyl ester	1134-23-2	
Dazomet	2H-1,3,5-thiadiazine-2-thione, tetrahydro-3,5-dimethyl.	533-74-4	
Disulfiram	Thioperoxydicarbonic diamide, tetraethyl.	97-77-8	
EPTC	Carbamoithioic acid, dipropyl-, S-ethyl ester.	759-94-4	
Ethyl Ziram	Zinc, bis(diethylcarbomodithioato-S,S')-	14324-55-1	
Ferbam	Iron, tris(dimethylcarbomodithioato-S,S')-	14484-64-1	

<sup>i</sup>Note that there is a typographical error in the Federal Register. "Potassium hydroxymethyl-..." should be "Potassium hydroxymethyl-...". (62 FR 32977).

3-Iodo-2-propynyl n-butylcarbamate

Carbamic acid, butyl-, 3-iodo-2-propynyl ester.

55406-53-6

**SPA 18**

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Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.
Metam Sodium	Carbamodithioic acid, methyl-, monosodium salt.	137-42-8	
* * * *	* * * * *	* *	
Molinate	1H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester.	2212-67-1	
* * * *	* * * * *	* *	
Pebulate	Carbamothioic acid, butylethyl-, S-propyl ester.	1114-71-2	
* * * *	* * * * *	* *	
Potassium dimethyldithiocarbamate	Carbamodithioic acid, dimethyl-, potassium salt.	128-03-0	
Potassium n-hydroxymethyl-n-methyl- dithiocarbamate	Carbamodithioic acid, (hydroxymethyl)methyl-, monopotassium salt.	51026-28-9	
Potassium n-methylidithiocarbamate	Carbamodithioic acid, methyl-monopotassium salt.	137-41-7	
* * * *	* * * * *	* *	
Selenium, tetrakis (dimethyl-dithiocarbamate)	Carbamodithioic acid, dimethyl-, tetraanhydrosulfide with orthothioselenious acid	144-34-3	
* * * *	* * * * *	* *	
Sodium dibutyldithiocarbamate	Carbamodithioic acid, dibutyl-, sodium salt.	136-30-1	
Sodium diethyldithiocarbamate	Carbamodithioic acid, diethyl-, sodium salt.	148-18-5	
Sodium dimethyldithiocarbamate	Carbamodithioic acid, dimethyl-, sodium salt.	128-04-1	
* * * *	* * * * *	* *	
Sulfallate	Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester.	95-06-7	
* * * *	* * * * *	* *	
Tetrabutylthiuram disulfide	Thioperoxydicarbonic diamide, tetrabutyl	1634-02-2	
* * * *	* * * * *	* *	
Tetramethylthiuram monosulfide	Bis(dimethylthiocarbamoyl) sulfide	97-74-5	
* * * *	* * * * *	* *	
Vernolate	Carbamothioic acid, dipropyl-,S-propyl ester.	1929-77-7	
* * * *	* * * * *	* *	

## PART 268 -- LAND DISPOSAL RESTRICTIONS

## SUBPART C -- PROHIBITIONS ON LAND DISPOSAL

## † WASTE SPECIFIC PROHIBITIONS -- SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES

replace "K156-K161" with "K156-K159 and K161"; replace "U277-U280" with "U278-U280"; replace "U364-U367" with "U364, U367"; remove "U375-U379,"; replace "U381-U387, U389-U396" with "U387, U389, U394, U395"; replace "U400-U404" with "U404"; remove "U407,"	268.39(a)	268.39(a)	X			
replace "U277-U280" with "U278-U280"; replace "U364-U367" with "U364, U367"; remove "U375-U379,"; replace "U381-U387, U389-U396" with "U387, U389, U394, U395"; replace "U400-U404" with "U404"; remove "U407,"	268.39(d)	268.39(d)	X			
amend table by adding language "(This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)" at end of existing text in second column for K156, K157 and K158	268.40 table	268.40 table	X			

**RCRA REVISION CHECKLIST 160**

**Land Disposal Restrictions Phase III -- Emergency Extension of the K088  
National Capacity Variance, Amendment  
62 FR 37694-37699  
July 14, 1997  
(RCRA Cluster VIII, HSWA provisions)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		APC&EC Reg. No. 23				
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART C - PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS - SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES						
i revise paragraph: replace "July 8" with "October 8"; replace "these wastes" with "this waste"; remove "on July 8, 1997" from last sentence	268.39(c)	268.39(c)	X			

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i According to the Office of Solid Waste in the EPA, the change of "these wastes" to "this waste" was unintentional. The final rule should only have changed the date in this paragraph. The previous wording was more consistent.

**RCRA REVISION CHECKLIST 161**

**Emergency Revision of the Carbamate Land Disposal Restrictions**

62 FR 45568

August 28, 1997

(RCRA Cluster VIII, 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 268 -- LAND DISPOSAL RESTRICTIONS						
SUBPART D -- TREATMENT STANDARDS						
APPLICABILITY OF THE TREATMENT STANDARDS						
replace "Between August 26, 1996 and August 26, 1997" with "Between August 26, 1997 and August 26, 1998"	268.40(g)	268.40(g)	X			
in footnote 6 to the table, replace "Between August 26, 1996 and August 26, 1997" with "Between August 26, 1997 and August 26, 1998"	268.48(a)/Table	268.48(a)/Table	X			

**RCRA REVISION CHECKLIST 162**

**Clarification of Standards for Hazardous Waste LDR Treatment Variances**

62 FR 64504-64509

December 5, 1997

(RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION APC&EC Reg. No. 23	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 268

SUBPART D - TREATMENT STANDARDS

† VARIANCES FROM A TREATMENT STANDARD

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***Guidance Note: 40 CFR 268.44(a)-(g) are not delegable because the variance addressed by these provisions could result in nationally-applicable standards for a new waste treatability group. States who have correctly adopted these provisions with the authority remaining with EPA are strongly encouraged to make the optional revisions to 40 CFR 268.44(a) addressed by this checklist.***

completely revise paragraph; based on petition, Administrator may approve a variance from applicable treatment standard if:	268.44(a) intro	268.44(a) intro	X			
add new subparagraph; it is not physically possible to treat waste to level specified in or by method specified as the treatment standard; petitioner must demonstrate that physical/chemical properties of waste differ significantly from waste analyzed in developing treatment standard; or	268.44(a)(1)	268.44(a)(1)	X			

add new subparagraph; it is inappropriate to require waste to be treated to level specified or by method specified, even though such treatment is technically possible; petitioner must demonstrate that:	268.44(a)(2) intro	268.44(a)(2) intro	X			
add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or	268.44(a)(2)(i)	268.44(a)(2)(i)	X			
add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation	268.44(a)(2)(ii)	268.44(a)(2)(ii)	X			
***** *****						
completely revise paragraph; based on petition, Administrator or delegated representative may approve a site-specific variance from an applicable treatment standard if:	268.44(h) intro	268.44(h) intro	X			

<p>add new subparagraph; it is not physically possible to treat waste to level specified in or by method specified as the treatment standard; petitioner must demonstrate that physical/chemical properties of waste differ significantly from waste analyzed in developing treatment standard; or</p>	<p>268.44(h)(1)</p>	<p>268.44(h)(1)</p>	<p>X</p>			
<p>add new subparagraph; it is inappropriate to require waste to be treated to level specified or by method specified, even though such treatment is technically possible; petitioner must demonstrate that:</p>	<p>268.44(h)(2) intro</p>	<p>268.44(h)(2) intro</p>	<p>X</p>			
<p>add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or</p>	<p>268.44(h)(2)(i)</p>	<p>268.44(h)(2)(i)</p>	<p>X</p>			
<p>add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation</p>	<p>268.44(h)(2)(ii)</p>	<p>268.44(h)(2)(ii)</p>	<p>X</p>			

add new subparagraph; public notice and opportunity for comment must be provided before granting or denying petition	268.44(h)(3)	268.44(h)(3)	X			
add paragraph; for all variances, petitioner must demonstrate that compliance with treatment variance is sufficient to minimize threats to human health and environment; in evaluating demonstration, EPA may take into account whether a treatment variance should be approved if the waste is to be used in manner constituting disposal under 40 CFR 266.20 through 266.23	268.44(m)	268.44(m)	X			
remove	268.44(p)	N/A	X			

**RCRA REVISION CHECKLIST 163**

**Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers;  
Clarification and Technical Amendment**

62 FR 64636-64671

December 8, 1997

(RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		APC&EC Reg. No. 23				
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART B - GENERAL FACILITY STANDARDS						
GENERAL INSPECTION REQUIREMENTS						
replace "264.1088, and 264.1091(b)" with "and 264.1083 through 264.1089 of this part"	264.15(b)(4)	264.15(b)(4)	X			
SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING						
OPERATING RECORD						
replace "264.252 through 264.254" with "264.252- 264.254"; replace "264.302 through 264.304" with "264.302- 264.304"; replace "264.1034(c) through 264.304(f)" with "264.1034(c)- 264.1034(f)"; replace "264.1063(d) through 264.1063(i)" with "264.1063(d)- 264.1063(i)"; replace "264.1088, 264.1089, and 264.1091" with "and 264.1082 through 264.1090 of this part"	264.73(b)(6)	264.73(b)(6)	X			

SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

<p>revise paragraph; add quotation marks around "90-day"; insert "and is not a recycling unit under the provisions of 40 CFR 261.6" after "or container)"</p>	<p>264.1030(b)(3)</p>	<p>264.1030(b)(3)</p>	<p>X</p>			
<p>completely revise paragraph; for owner and operator of facility subject to part 264 and who received final permit prior to December 6, 1996, requirements of part 264, subpart AA shall be incorporated into permit when reissued under 40 CFR 124.15 requirements or reviewed under 40 CFR 270.50(d); until owner and operator receive such final permit, owner and operator subject to 40 CFR part 265, subpart AA requirements</p>	<p>264.1030(c)</p>	<p>264.1030(c)</p>	<p>X</p>			

add new paragraph; requirements of part 264, subpart AA do not apply to process vents at facility where owner or operator certifies that all process vents are equipped and operating air emission controls in accordance with process vent requirements under 40 CFR part 60, part 61, or part 63 ; documentation of compliance kept, or made available, with facility operating record	264.1030(e)	264.1030(e)	X			
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## DEFINITIONS

revise "In light liquid service"; insert "organic" after "one or more of the" and after "pure"; replace "0.3 kPa" with "0.3 kilopascals (kPa)"	264.1031	264.1031	X			
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## STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

redesignate paragraph (a)(2) as (a)(2)(i), except for last sentence	264.1033(a)(2)(i)	264.1033(a)(2)(i)	X			
revise and redesignate last sentence of (a)(2) as (a)(2)(ii); any unit that begins operation after December 21, 1990, and is subject to part 264, Subpart AA, must comply with rules immediately	264.1033(a)(2)(ii)	264.1033(a)(2)(ii)	X			

<p>add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 264, subpart AA, shall comply with subpart AA requirements no later than 30 months after effective date of amendment; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility</p>	<p>264.1033(a)(2)(iii)</p>	<p>264.1033(a)(2)(iii)</p>	<p>X</p>			
<p>add new paragraph; owners and operators of facilities and units newly subject to part 264, subpart AA after December 8, 1997, due to action other than under 264.1033(a)(2)(iii), must comply with requirements immediately</p>	<p>264.1033(a)(2)(iv)</p>	<p>264.1033(a)(2)(iv)</p>	<p>X</p>			

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY

<p>revise paragraph; add "and is not a recycling unit under the provisions of 40 CFR 261.6" at end</p>	<p>264.1050(b)(3)</p>	<p>264.1050(b)(3)</p>	<p>X</p>			
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completely revise paragraph; for owner and operator of facility newly subject to part 264, subpart BB, and who received final permit prior to December 6, 1996, requirements of part 264, subpart BB shall be incorporated into permit when reissued under 40 CFR 124.15 requirements or reviewed under 40 CFR 270.50(d); until owner and operator receives such final permit, owner and operator subject to 40 CFR 265, subpart BB requirements	264.1050(c)	264.1050(c)	X			
remove "a period of"; insert comma after "identified"	264.1050(f)	264.1050(f)	X			

## STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

redesignate 264.1060 as 264.1060(a); insert "subject to this subpart" following "control devices" and insert "of this part" at end of paragraph	264.1060(a)	264.1060(a)	X			
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<p>add new paragraph; owner or operator who cannot install closed-vent system and control device to comply with part 264, subpart BB, by the effective date must prepare implementation schedule including dates by which closed-vent system and control device will be installed and in operation; implementation schedule may allow up to 30 months after effective date for installation and startup</p>	<p>264.1060(b)(1)</p>	<p>264.1060(b)(1)</p>	<p>X</p>			
<p>add new paragraph; any unit that begins operation after December 21, 1990, and is subject to part 264, Subpart BB, must comply with rules immediately</p>	<p>264.1060(b)(2)</p>	<p>264.1060(b)(2)</p>	<p>X</p>			
<p>add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 264, subpart BB, shall comply with subpart BB requirements no later than 30 months after effective date of amendment; when control equipment cannot be installed and</p>	<p>264.1060(b)(3)</p>	<p>264.1060(b)(3)</p>	<p>X</p>			
<p>operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility</p>						

add new paragraph; owners and operators of facilities and units newly subject to part 264, subpart BB, after December 8, 1997, due to action other than under 264.1060(b)(3), must comply with requirements immediately	264.1060(b)(4)	264.1060(b)(4)	X			
ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR						
insert "(i.e., monitor for leaks once every six months)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(2)	264.1062(b)(2)	X			
insert "(i.e., monitor for leaks once every year)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(3)	264.1062(b)(3)	X			
RECORDKEEPING REQUIREMENTS						
delete "a period of"; insert "calendar" following "per"	264.1064(g)(6)	264.1064(g)(6)	X			

revise paragraph; owner or operator of facility with equipment subject to part 264, subpart BB, and to 40 CFR part 60, part 61, or part 63 may determine compliance with subpart BB by documentation under 264.1064 or by documentation of compliance with 40 CFR part 60, part 61, or part 63; documentation of compliance under 40 CFR part 60, part 61, or part 63 shall be kept or made available with the operating record	264.1064(m)	264.1064(m)	X			
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SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

APPLICABILITY

replace "October 6, 1996" and "this date" with "December 6, 1996"	264.1080(b)(1)	264.1080(b)(1)	X			
replace "subpart and who" with "subpart who"; replace "October 6, 1996" with "December 6, 1996"; replace "the owner and operator receives a final permit incorporating the requirements of this subpart" with "the permit is reissued in accordance with the requirements of 40 CFR 124.15 or reviewed in accordance with the requirements of 40 CFR 270.50(d)"	264.1080(c)	264.1080(c)	X			

STANDARDS: GENERAL

insert "hazardous" before both occurrences of "waste management unit"; replace "§264.1084 through §264.1087" with "§§264.1084 through 264.1087"	264.1082(b)	264.1082(b)	X			
add "at section 4.4 of Method 25D in 40 CFR part 60, appendix A, or a value of 25 ppmw, whichever is less" at end of paragraph	264.1082(c)(2)(ix)(A)	264.1082(c)(2)(ix)(A)	X			
completely revise paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant value at least 0.1 Y/X at 25 degrees Celsius	264.1082(c)(2)(ix)(B)	264.1082(c)(2)(ix)(B)	X			
insert "or surface impoundment" following "tank"	264.1082(c)(3)	264.1082(c)(3)	X			
replace "Has" with "The organic hazardous constituents in the waste have"; add "the" before "EPA"; replace "or treated" with "or have been removed or destroyed"	264.1082(c)(4)(ii)	264.1082(c)(4)(ii)	X			

## WASTE DETERMINATION PROCEDURES

insert "For a waste determination that is required by paragraph (a)(1) of this section," at beginning of paragraph; replace "may" with "shall"	264.1083(a)(2)	264.1083(a)(2)	X			
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replace "a waste management unit" with "waste management units"; replace "264.1082(c)(2)" with "264.1082(c)(2)(i) through 264.1082(c)(2)(vi)"; replace "§ 264.1084 through § 264.1087" with "§§ 264.1084 through 264.1087"	264.1083(b)(1)	264.1083(b)(1)	X			
STANDARDS: TANKS						
insert ", and any manifold system associated with the fixed roof," before "shall be"	264.1084(c)(2)(iii)	264.1084(c)(2)(iii)	X			
delete "it" before "shall be"; insert ", except as provided for in paragraphs (c)(2)(iii)(B)(1) and (2) of this section" at end of paragraph	264.1084(c)(2)(iii)(B)	264.1084(c)(2)(iii)(B)	X			
add new paragraph; when necessary to provide access to tank for performing activities of 264.1084(c)(2)(iii)(B)(2), venting of vapor headspace underneath fixed roof to control device is not required, opening of closure devices is allowed, and removal of fixed roof is allowed; following completion of activity, owner or operator shall secure closure device in closed position or reinstall cover and resume operation of control device	264.1084(c)(2)(iii)(B)(1)	264.1084(c)(2)(iii)(B)(1)	X			

add new paragraph; during routine inspection, maintenance, or other activities needed for normal operations, and for removal of sludge or other residues from tank bottom	264.1084(c)(2)(iii)(B)(2)	264.1084(c)(2)(iii)(B)(2)	X			
add new paragraph; safety devices, as defined in 40 CFR 265.1081, may be installed and operated as necessary on tank complying with 264.1084(e) requirements	264.1084(e)(4)	264.1084(e)(4)	X			
replace "perimeter" with "diameter"	264.1084(f)(3)(i)(D)(4)	264.1084(f)(3)(i)(D)(4)	X			
replace "this subpart" with "this section"	264.1084(f)(3)(iii)	264.1084(f)(3)(iii)	X			
add new paragraph; safety devices, as defined in 40 CFR 265.1081, may be installed and operated on tank complying with 264.1084(f)	264.1084(f)(4)	264.1084(f)(4)	X			
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1084(j)(2)(iii)	264.1084(j)(2)(iii)	X			

## STANDARDS: SURFACE IMPOUNDMENTS

replace "sections" with "section"	264.1085(b)(2)	264.1085(b)(2)	X			
replace "for and designing" with "of construction and designing"	264.1085(d)(1)(iii)	264.1085(d)(1)(iii)	X			
insert "the" before "surface impoundment"	264.1085(d)(2)(i)(B)	264.1085(d)(2)(i)(B)	X			
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1085(e)(2)(iii)	264.1085(e)(2)(iii)	X			

## STANDARDS: CONTAINERS

replace "it" with "the container"; insert comma after "integrity"; replace comma after "permeability" with ";	264.1086(c)(2)	264.1086(c)(2)	X			
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container is accepted at facility; date of acceptance	264.1086(c)(4)(i)	264.1086(c)(4)(i)	X			
replace "a submerged-fill" with "A submerged-fill"	264.1086(d)(2)	264.1086(d)(2)	X			
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	264.1086(d)(4)(i)	264.1086(d)(4)(i)	X			
completely revise paragraph; to determine compliance with 264.1086(d)(1)(ii), use procedure specified in 264.1083(d)	264.1086(g)	264.1086(g)	X			

STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

add "that is a hazardous waste and that" after "All carbon"; add ", regardless of the average volatile organic concentration of the carbon" at end of paragraph	264.1087(c)(3)(ii)	264.1087(c)(3)(ii)	X			
insert "closed-vent system and" before the first occurrence of "control device"	264.1087(c)(7)	264.1087(c)(7)	X			

## RECORDKEEPING REQUIREMENTS

replace "(b) through (i)" with "(b) through (j)"; replace both occurrences of "paragraph (i)" with "paragraphs (i) and (j)"; replace "tank or container" with "waste management unit"; replace "§264.1084(d) of this subpart" with "§264.1080(d) or §264.1080(b)(7) of this subpart, respectively"	264.1089(a)	264.1089(a)	X			
delete ", the following information"; replace "provisions" with "requirements"	264.1089(b)(1)(ii)(B)	264.1089(b)(1)(ii)(B)	X			
replace "or containers" with "and containers"; replace "(c)(2)" with "§§ 264.1082(c)(2)(i) through (c)(2)(vi)"	264.1089(f)(1)	264.1089(f)(1)	X			
add new paragraph; for each hazardous waste management unit not using air emission controls under 264.1084 through 264.1087 in accordance with 264.1080(b)(7), owner and operator shall record and maintain the following:	264.1089(j)	264.1089(j)	X			
add new paragraph; certification that waste management unit equipped with and operating air emission controls in accordance with 40 CFR part 60, part 61, or part 63	264.1089(j)(1)	264.1089(j)(1)	X			

add new paragraph; identification of specific requirements under 40 CFR part 60, part 61, or part 63 with which waste management unit is in compliance	264.1089(j)(2)	264.1089(j)(2)	X			
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PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL INSPECTION REQUIREMENTS

replace "it" with "the frequency; replace "265.1089, and 265.1091b" with "and 265.1084 through 265.1090 of this part,"	265.15(b)(4)	265.15(b)(4)	X			
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SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

replace "when required" with ", and corrective action where required by subpart F of this part and"; replace "265.1089, 265.1090, and 265.1091" with "and 265.1083 through 265.1090 of this part"	265.73(b)(6)	265.73(b)(6)	X			
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SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

APPLICABILITY

add quotation marks around "90-day"; add "and is not a recycling unit under the requirements of 40 CFR 261.6" at end of paragraph	265.1030(b)(3)	265.1030(b)(3)	X			
i add new paragraph; requirements of part 265, subpart AA, do not apply to process vents at facility where owner or operator certifies that all process vents are equipped with and operating air emission controls in accordance with 40 CFR part 60, part 61, or part 63; documentation of compliance with 40 CFR part 60, part 61, or part 63 shall be kept or made available with facility operating record	265.1030(d)	265.1030(d)	X			

<sup>i</sup> Note the December 8, 1997 rule (62 FR 64636) added paragraph 265.1030(d). There is no 265.1030(c); therefore, it is assumed that 265.1030(c) is reserved.

STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

<p>add new paragraph; owner or operator of existing facility who cannot install closed-vent system and control device to comply with part 265, subpart AA by effective date must prepare implementation schedule that includes expected dates of installation and operation; implementation schedule may allow up to 30 months for installation and startup</p>	<p>265.1033(a)(2)(i)</p>	<p>265.1033(a)(2)(i)</p>	<p>X</p>			
<p>add new paragraph; unit that begins operation after December 21, 1990, and subject to requirements of part 265, subpart AA when operation begins must comply with rules immediately</p>	<p>265.1033(a)(2)(ii)</p>	<p>265.1033(a)(2)(ii)</p>	<p>X</p>			

<p>add new paragraph; owner or operator of facility in existence on effective date of statutory or EPA regulatory amendment that renders facility subject to part 265, subpart AA shall comply with requirements of part 265, subpart AA no later than 30 months after amendment's effective date; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility</p>	<p>265.1033(a)(2)(iii)</p>	<p>265.1033(a)(2)(iii)</p>	<p>X</p>			
<p>add new paragraph; owners and operators of facilities and units newly subject to part 265, subpart AA after December 8, 1997, due to action other than under 265.1033(a)(2)(iii), must comply with requirements immediately</p>	<p>265.1033(a)(2)(iv)</p>	<p>265.1033(a)(2)(iv)</p>	<p>X</p>			
<p>replace both occurrences of "oC" with " C"</p>	<p>265.1033(f)(2)(vi)(B)</p>	<p>265.1033(f)(2)(vi)(B)</p>	<p>X</p>			

## SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

## APPLICABILITY

add quotation marks around "90-day"; add "and is not a recycling unit under the provisions of 40 CFR 261.6" at end of paragraph	265.1050(b)(3)	265.1050(b)(3)	X			
remove "a period of"; replace "§ 265.1052 through § 265.1060" with "§§ 265.1052 through 265.1060"; insert comma between "identified" and "as required"	265.1050(e)	265.1050(e)	X			

## STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

redesignate 265.1060 as 265.1060(a); add "subject to this subpart" after "devices"; add "of this part" at end	265.1060(a)	265.1060(a)	X			
add new paragraph; owner or operator who cannot install closed-vent system and control device to comply with part 265, subpart BB by effective date must prepare implementation schedule including dates by which closed-vent system and control device will be installed and in operation; implementation schedule may allow up to 30 months after effective date for installation and startup	265.1060(b)(1)	265.1060(b)(1)	X			

add new paragraph; any units that begin operation after December 21, 1990, and are subject to part 265, Subpart BB, must comply with rules immediately	265.1060(b)(2)	265.1060(b)(2)	X			
add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 265, subpart BB shall comply with subpart BB, requirements no later than 30 months after effective date of amendment; facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	265.1060(b)(3)	265.1060(b)(3)	X			
add new paragraph; owners and operators of facilities and units newly subject to part 265, subpart BB, after December 8, 1997, due to action other than under 265.1060(b)(3), must comply with requirements immediately	265.1060(b)(4)	265.1060(b)(4)	X			

ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR

add "(i.e., monitor for leaks once every six months)" after "periods"; add "of this subpart" at end of paragraph	265.1062(b)(2)	265.1062(b)(2)	X			
add "(i.e., monitor for leaks once every year)" after second occurrence of "periods"; add "of this subpart" at end of paragraph	265.1062(b)(3)	265.1062(b)(3)	X			

RECORDKEEPING REQUIREMENTS

delete "a period of"	265.1064(g)(6)	265.1064(g)(6)	X			
revise paragraph; owner or operator of facility with equipment subject to part 265, subpart BB, and to leak detection, monitoring, and repair requirements of 40 CFR part 60, part 61, or part 63 may elect to determine compliance with subpart BB by documentation under 265.1064 or by documentation of compliance with 40 CFR part 60, part 61, or part 63; documentation of compliance under 40 CFR part 60, part 61, or part 63 shall be kept or made available with the operating record	265.1064(m)	265.1064(m)	X			

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

APPLICABILITY

replace both "October 6, 1996" and "this date" with "December 6, 1996"	265.1080(b)(1)	265.1080(b)(1)	X			
replace "October 6, 1996" with "December 6, 1996"	265.1080(c)	265.1080(c)	X			

DEFINITIONS

revise "In light material service"; replace "the vapor" with "The vapor"	265.1081	265.1081	X			
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SCHEDULE FOR IMPLEMENTATION OF AIR EMISSION STANDARDS

replace "October 6, 1996" with "December 6, 1996"	265.1082(a)	265.1082(a)	X			
replace "required by" with "or waste management units required to comply with this subpart and complete modifications of production or treatment processes to satisfy exemption criteria in accordance with § 265.1083(c) of"; replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(1)	265.1082(a)(1)	X			
revise paragraph; when control equipment or waste management units required to comply with part 265, subpart CC cannot be installed and in operation or modifications of production or treatment processes to satisfy exemption criteria under § 265.1083(c) cannot be completed by December 6, 1996, owner or operator shall:	265.1082(a)(2)	265.1082(a)(2)	X			

add "and waste management units, and complete modifications of production or treatment processes" after "equipment"	265.1082(a)(2)(i)	265.1082(a)(2)(i)	X			
replace "orders for the control equipment," with "orders for control equipment, waste management units, and production or treatment process modifications;"; add "or waste management units, and modifications of production or treatment processes;" before "completion"; replace "control equipment installation," with "control equipment or waste management unit installation, and production or treatment process modifications;" delete "any"; replace "meets" with "or waste management units, and modified production or treatment processes meet"	265.1082(a)(2)(ii)	265.1082(a)(2)(ii)	X			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iii)	265.1082(a)(2)(iii)	X			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iv)	265.1082(a)(2)(iv)	X			
add "and units" after "facilities"; replace "statutory or regulatory amendments under the Act that render" with "a statutory or EPA regulatory amendment that renders"	265.1082(b)	265.1082(b)	X			

replace "all control equipment required by" with "control equipment or waste management units required to comply with this subpart, and complete modifications of production or treatment processes to satisfy exemption criteria of § 265.1083(c) of"	265.1082(b)(1)	265.1082(b)(1)	X			
insert "or waste management units required to comply with" after "control equipment"; insert ", or when modifications of production or treatment processes to satisfy exemption criteria of § 265.1083(c) of this subpart cannot be completed" after "operation"	265.1082(b)(2)	265.1082(b)(2)	X			
replace "operate" with "begin operation of"; insert "or waste management unit, and complete modification of production or treatment processes" after "control equipment"	265.1082(b)(2)(i)	265.1082(b)(2)(i)	X			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(ii)	265.1082(b)(2)(ii)	X			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(iii)	265.1082(b)(2)(iii)	X			

redesignate 265.1082(c) as 265.1082(d) and add new 265.1082(c); owners and operators of facilities and units that become newly subject to the part 265, subpart CC, requirements after December 8, 1997 due to action other than those in 265.1082(b) must comply with requirements immediately	265.1082(c)	265.1082(c)	X			
insert comma between "control equipment" and "and"	265.1082(d)	265.1082(d)	X			
STANDARDS: GENERAL						
replace both occurrences of "waste management unit" with "hazardous waste management unit"; replace "§265.1085 through §265.1088" with "§§ 265.1085 through 265.1088"	265.1083(b)	265.1083(b)	X			
replace "C <sup>b</sup> " with "C <sub>i</sub> "	265.1083(c)(2)(i)	265.1083(c)(2)(i)	X			
add "at section 4.4 of Method 25D in 40 CFR part 60, appendix A, or a value of 25 ppmw, whichever is less" at end of paragraph	265.1083(c)(2)(ix)(A)	265.1083(c)(2)(ix)(A)	X			
completely revise paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant value at least 0.1 Y/X at 25 degrees Celsius	265.1083(c)(2)(ix)(B)	265.1083(c)(2)(ix)(B)	X			
add "or surface impoundment" after "tank"	265.1083(c)(3)	265.1083(c)(3)	X			

replace "Has" with "The organic hazardous constituents in the waste have"; replace "EPA" with "the EPA"; replace "or treated" with "or have been removed or destroyed"	265.1083(c)(4)(ii)	265.1083(c)(4)(ii)	X			
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## WASTE DETERMINATION PROCEDURES

replace "The" with "For a waste determination that is required by paragraph (a)(1) of this section, the" at beginning of paragraph	265.1084(a)(2)	265.1084(a)(2)	X			
replace "for the hazardous waste stream" with "and analyzed for a hazardous waste determination. The average of the four or more sample results constitutes a waste determination for the waste stream. One or more waste determinations may be required"	265.1084(a)(3)(ii)(B)	265.1084(a)(3)(ii)(B)	X			
replace "8260(B) or 8270(C)" with "8260 or 8270"	265.1084(a)(3)(iii)	265.1084(a)(3)(iii)	X			
no change	265.1084(a)(3)(iii)(A)	265.1084(a)(3)(iii)(A)	X			
replace both occurrences of "8260(B)" with "8260"	265.1084(a)(3)(iii)(F)	265.1084(a)(3)(iii)(F)	X			
replace both occurrences of "8270(C)" with "8270"	265.1084(a)(3)(iii)(G)	265.1084(a)(3)(iii)(G)	X			
insert ", introduction, and analysis" after "preparation"	265.1084(a)(3)(iii)(G)(I)	265.1084(a)(3)(iii)(G)(I)	X			
redesignate all except title as 265.1084(a)(3)(iv)(A)	265.1084(a)(3)(iv)	265.1084(a)(3)(iv)	X			

<p>revise redesignated paragraph; replace “samples analyzed” with “waste determinations conducted”; replace “paragraph (a)(3)(iii)” with “paragraphs (a)(3)(ii) and (iii)”; replace all “sample” with “waste determination”; at “n =”, replace “collected (at least 4)” with “conducted”; at “C<sub>i</sub> =”, replace “§ 265.1084(a)(3)(ii) of this subpart” with “paragraph (a)(3)(iii) of this section (i.e., the average of the four or more samples specified in paragraph (a)(3)(ii)(B) of this section)”</p>	<p>265.1084(a)(3)(iv)(A)</p>	<p>265.1084(a)(3)(iv)(A)</p>	<p>X</p>			
<p>add new paragraph; for purpose of determining C<sub>i</sub>, for individual waste samples analyzed in accordance with 265.1084(a)(3)(iii), owner or operator shall account for VO concentrations determined to be below limit of detection of analytical method by using following VO concentration:</p>	<p>265.1084(a)(3)(iv)(B)</p>	<p>265.1084(a)(3)(iv)(B)</p>	<p>X</p>			
<p>add new paragraph; if Method 25D in 40 CFR part 60, appendix A is used for analysis, one-half blank value determined in method at section 4.4 of Method 25D</p>	<p>265.1084(a)(3)(iv)(B)(I)</p>	<p>265.1084(a)(3)(iv)(B)(I)</p>	<p>X</p>			

add new paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant values at least 0.1 Y/X at 25 degrees Celsius	265.1084(a)(3)(iv)(B)(2)	265.1084(a)(3)(iv)(B)(2)	X			
add new paragraph; provided that test method is appropriate for waste as required under 265.1084(a)(3)(iii), EPA will determine compliance based on test method used by owner or operator as recorded pursuant to § 265.1090(f)(1)	265.1084(a)(3)(v)	265.1084(a)(3)(v)	X			
add "The owner or operator may choose one or more appropriate methods to analyze each collected sample in accordance with the requirements of paragraph (a)(3)(iii) of this section" at end of paragraph	265.1084(a)(4)(iv)	265.1084(a)(4)(iv)	X			
replace "265.1083(c)(2)" with "265.1083(c)(2)(i) through (c)(2)(vi)"; replace "§ 265.1085 through § 265.1088" with "§§ 265.1085 through 265.1088"	265.1084(b)(1)	265.1084(b)(1)	X			

replace “for the hazardous waste stream” with “and analyzed for a hazardous waste determination. The average of the four or more sample results constitutes a waste determination for the waste stream. One or more waste determinations may be required”; insert “waste” before “compositions”; replace “process treating” with “source or process generating”	265.1084(b)(3)(ii)(B)	265.1084(b)(3)(ii)(B)	X			
ii insert new second sentence; when owner or operator is making hazardous waste determination for treated hazardous waste to be compared to average VO concentration at point of waste origination or entry to treatment system, to determine if conditions of 264.1082(c)(2)(i) through (c)(2)(vi) or 265.1083(c)(2)(i) through (c)(2)(vi) are met, then waste samples shall be prepared and analyzed using same method(s) as used in making initial waste determinations at point of waste origination or at point of entry; remove “EPA” before “Method 624”; replace “8260(B) or 8270(C)” with “8260 or 8270”	265.1084(b)(3)(iii)	265.1084(b)(3)(iii)	X			

ii At (b)(3)(iii) there is a typographical error. The internal reference to “(b)(4)(iii)” should be “(a)(4)(iii)”.

replace both occurrences of "8260(B)" with "8260"	265.1084(b)(3)(iii)(F)	265.1084(b)(3)(iii)(F)	X			
replace both occurrences of "8270(C)" with "8270"	265.1084(b)(3)(iii)(G)	265.1084(b)(3)(iii)(G)	X			
revise paragraph; replace "samples analyzed" with "waste determinations conducted"; replace "paragraph (b)(3)(iii)" with "paragraphs (b)(3)(ii) and (iii)"; replace all "sample" with "waste determination"; at "n =", replace "collected (at least 4)" with "conducted"; at "C <sub>i</sub> =", replace "§ 265.1084(b)(3)(iii) of this subpart" with "paragraph (b)(3)(iii) of this section (i.e., the average of the four or more samples specified in paragraph (b)(3)(ii)(B) of this section)"	265.1084(b)(3)(iv)	265.1084(b)(3)(iv)	X			
add new paragraph; provided that test method is appropriate for waste as required under 265.1084(b)(3)(iii), determine compliance based on test method used by owner or operator as recorded pursuant to § 265.1090(f)(1)	265.1084(b)(3)(v)	265.1084(b)(3)(v)	X			
revised by placing "MR = E <sub>b</sub> - E <sub>a</sub> " before "Where:"	265.1084(b)(8)(iii)	265.1084(b)(8)(iii)	X			
revised by moving "respectively" to follow "of this section" and by placing "MR <sub>bio</sub> = E <sub>b</sub> x F <sub>bio</sub> " before "Where:"	265.1084(b)(9)(iv)	265.1084(b)(9)(iv)	X			

replace "in air" with "or n-hexane and air"; add "methane or n-hexane" at end of paragraph	265.1084(d)(5)(ii)	265.1084(d)(5)(ii)	X			
STANDARDS: TANKS						
insert ", and any manifold system associated with the fixed roof," following "fixed roof"	265.1085(c)(2)(iii)	265.1085(c)(2)(iii)	X			
replace "and it shall" with "and shall"; insert ", except as provided for in paragraphs (c)(2)(iii)(B)(1) and (2) of this section" at end of paragraph	265.1085(c)(2)(iii)(B)	265.1085(c)(2)(iii)(B)	X			
add new paragraph; during periods necessary to provide access to tank for performing activities of 265.1085(c)(2)(iii)(B)(2), venting of vapor headspace underneath fixed roof to control device not required, opening of closure devices is allowed, and removal of fixed roof is allowed; following completion of activity, owner or operator shall promptly secure closure device in closed position or reinstall cover and resume operation of control device	265.1085(c)(2)(iii)(B)(1)	265.1085(c)(2)(iii)(B)				

add new paragraph; during periods of routine inspection, maintenance, or other activities needed for normal operations, and for removal of accumulated sludge or other residues from bottom of tank	265.1085(c)(2)(iii)(B)(2)	265.1085(c)(2)(iii)(B)(2)	X			
add new paragraph; safety devices, as defined in 265.1081, may be installed and operated as necessary on tank complying with requirements of 265.1085(e)	265.1085(e)(4)	265.1085(e)(4)	X			
replace "perimeter" with "diameter"; replace "are then are" with "are then"	265.1085(f)(3)(i)(D)(4)	265.1085(f)(3)(i)(D)(4)	X			
add new paragraph; safety devices, as defined in 265.1081, may be installed and operated as necessary on tank complying with requirements of 265.1085(f)	265.1085(f)(4)	265.1085(f)(4)	X			
add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1085(j)(2)(iii)	265.1085(j)(2)(iii)	X			

## STANDARDS: SURFACE IMPOUNDMENTS

replace "provisions" with "requirements"; replace "this sections" with "this section"	265.1086(b)(2)	265.1086(b)(2)	X			
replace "materials for" with "materials of construction"	265.1086(d)(1)(iii)	265.1086(d)(1)(iii)	X			
insert "the" before "surface impoundment"	265.1086(d)(2)(i)(B)	265.1086(d)(2)(i)(B)	X			

add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1086(e)(2)(iii)	265.1086(e)(2)(iii)	X			
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## STANDARDS: CONTAINERS

revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	265.1087(c)(4)(i)	265.1087(c)(4)(i)	X			
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revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	265.1087(d)(4)(i)	265.1087(d)(4)(i)	X			
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completely revise paragraph; to determine compliance with 265.1087(d)(1)(ii), procedure specified in 265.1084(d) shall be used	265.1087(g)	265.1087(g)	X			
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## STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

add "that is a hazardous waste and that" after "carbon"; add ", regardless of the average volatile organic concentration of the carbon" at end of paragraph	265.1088(c)(3)(ii)	265.1088(c)(3)(ii)	X			
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insert "closed-vent system and" between "The" and "control"	265.1088(c)(7)	265.1088(c)(7)	X			
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## RECORDKEEPING REQUIREMENTS

**RCRA REVISION CHECKLIST 164**

**Kraft Mill Steam Stripper Condensate Exclusion**

63 FR 18504-18751

April 15, 1998

(RCRA Cluster VIII, 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
		APC&EC Reg. No. 23				

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

† EXCLUSIONS

add new paragraph; condensates derived from overhead gases from kraft mill steam strippers used to comply with 40 CFR 63.446(e); exemption applies only to combustion at mill generating condensates	261.4(a)(15)	261.4(a)(15)	X			
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