

US EPA ARCHIVE DOCUMENT

ATTACHMENT 2

RCRA REVISION CHECKLIST 183

Land Disposal Restrictions Phase IV -- Technical Corrections

64 FR 56469-56472

October 20, 1999

(RCRA Cluster X, HSWA/Non-HSWA)

Note that the revisions to 262.34(a)(4), 268.7(a)(3)(iii), 268.40(j), 268.40 Table, 268.49(c)(1)(A) and 268.49(c)(1)(B) were made pursuant to HSWA. The revisions to 261.32 were made relative to non-HSWA authority. Those provisions designated as HSWA are identified by a “E” (diamond symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART D – LISTS OF HAZARDOUS WASTES						
HAZARDOUS WASTES FROM SPECIFIC SOURCES						
^{1,†} remove entries for K064, K065, K066, K090 and K091	261.32	261.32	X			
PART 262 – STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE						
SUBPART C – PRE-TRANSPORT REQUIREMENTS						
ACCUMULATION TIME						
[†] E replace “268.7(a)(4)” with “268.7(a)(5)”	262.34(a)(4)	262.34(a)(4)	X			
PART 268 – LAND DISPOSAL RESTRICTIONS						
SUBPART A – GENERAL						
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
[†] E add new paragraph; if waste changes, generator must send new notice & certification to receiving facility, & place copy in files; generators excluded under 261.3(f) are not subject to these requirements	268.7(a)(3)(iii)	268.7(a)(3)(iii)	X			

¹ The listings of K064, K065, K066, K090, and K091 were initially added to the Federal code by the September 12, 1988 final rule addressed by Revision Checklist 53 (53 FR 35412). However, the listings were remanded by the U.S. Court of Appeals for the D.C. Circuit in *American Mining Congress v. EPA*, 907 F.2d 1179 (D.C. Cir. 1990). As such, Revision Checklist 53 was modified to not include the addition of these listings. Therefore, States may never have added these listings to their regulations.

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

È	replace old 268.40(j) with new paragraph; effective September 4, 1998, treatment standards for certain “P” and “U” wastes specified in 261.33 may be satisfied by either meeting constituent concentrations in “Treatment Standards for Hazardous Wastes” table, or by treating the waste by technologies specified	268.40(j)	268.40(j)	X			
² È	revise K088 entry as shown at 64 FR 56471	268.40/Table	268.40/Table TTS, “K088”	X			
ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL							
†i È	add “except carbon disulfide, cyclohexanone, and methanol” after “non-metals”	268.49(c)(1)(A)	268.49(c)(1)(A)	X			
†i È	add “and carbon disulfide, cyclohexanone, and methanol” after “metals”	268.49(c)(1)(B)	268.49(c)(1)(B)	X			

†i These changes are conditionally optional. If the State has adopted the optional revisions to the recordkeeping and paperwork requirements in Revision Checklist 157, then the State is required to adopt the change to 262.34(a)(4) in this checklist. Also, if the State has adopted the optional treatment standards for contaminated soils in Revision Checklists 167 B, then the State is required to adopt the changes to 268.7(a)(3) and 268.49(c)(1) in this checklist.

² There are typographical errors in the K088 entry at 64 FR 56471. “Benz(a)anthracene” should be “Benzo(a)anthracene” and “Indeno(1,2,3,-c,d)pyrene” should be “Indeno(1,2,3-cd)pyrene”. The second error was in the Federal code prior to this checklist.

RCRA REVISION CHECKLIST 184

Accumulation Time for Waste Water Treatment Sludges
 65 FR 12378-12398
 March 8, 2000
 (RCRA Cluster X, Non-HSWA)

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

PART 262 – STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C – PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

^{1,†} no change even though included in this rule	262.34(a)(4)	262.34(a)(4)	X			
[†] add new paragraph; generators who generate 1,000 kilograms or greater of hazardous waste per month who also generate F006 wastes, may accumulate F006 waste on-site for up to 180 days without permit or interim status provided:	262.34(g) intro	262.34(g) intro	X			
[†] generator implements pollution prevention practices;	262.34(g)(1)	262.34(g)(1)	X			
[†] waste is legitimately recycled through metals recovery;	262.34(g)(2)	262.34(g)(2)	X			

¹ While the March 8, 2000 rule includes instructions to revise 40 CFR 262.34(a)(4) by replacing the internal reference “268.7(a)(4)” with “268.7(a)(5)”, this revision was already made in the October 20, 1999 rule (64 FR 56469; Revision Checklist 183). The end result is no change to 40 CFR 262.34(a)(4) in this checklist.

† no more than 20,000 kilograms is accumulated on-site at any one time; and	262.34(g)(3)	262.34(g)(3)	X			
† waste is managed in accordance with practices specified	262.34(g)(4) intro	262.34(g)(4) intro	X			
	262.34(g)(4)(i) intro	262.34(g)(4)(i) intro	X			
	262.34(g)(4)(i)(A)	262.34(g)(4)(i)(A)	X			
	262.34(g)(4)(i)(B)	262.34(g)(4)(i)(B)	X			
	262.34(g)(4)(i)(C) intro	262.34(g)(4)(i)(C) intro	X			
	262.34(g)(4)(i)(C) (1)&(2)	262.34(g)(4)(i)(C) (1)&(2)	X			
	262.34(g)(4)(ii)	262.34(g)(4)(ii)	X			
	262.34(g)(4)(iii)	262.34(g)(4)(iii)	X			
	262.34(g)(4)(iv)	262.34(g)(4)(iv)	X			
	262.34(g)(4)(v)	262.34(g)(4)(v)	X			
† add new paragraph; generators who generate 1,000 kilograms or greater of hazardous waste per month who also generate F006 wastes, & must transport 200 miles or more for off-site metals recovery, may accumulate F006 waste on-site for up to 270 days without permit or interim status if complies with 262.34(g)(1)-(4)	262.34(h)	262.34(h)	X			

<p>† add new paragraph; generators accumulating in accordance with 262.34(g) & (h) who accumulate for more than 180 days, or accumulate more than 20,000 kilograms are operators of storage facilities subject to 40 CFR parts 264 & 265, & permit requirements of part 270, unless extension or exception granted; reasons for extensions & exceptions granted; Regional Administrator may grant extensions & exceptions on case-by-case basis</p>	<p>262.34(i)</p>	<p>262.34(i)</p>	<p>X</p>			
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RCRA REVISION CHECKLIST 185

Organobromine Production Wastes Vacatur

65 FR 14472-14475

March 17, 2000

(RCRA Cluster X, HSWA)

Notes: 1) The rule addressed by this checklist also makes changes to 40 CFR Part 148 (addressing Underground Injection Programs) and 40 CFR Part 302 (addressing Reportable Quantities under CERCLA). These changes are outside the RCRA Subtitle C program and are not addressed by this revision checklist.

2) The rule addressed by this checklist vacates the May 4, 1998 listing of K140 and U408 wastes (64 FR 24596; Revision Checklist 165) to conform with an order issued by the U.S. Court of Appeals for the D.C. Circuit in *Great Lakes Chemical Corporation v. EPA* (Docket No. 98-1312). States that have not adopted Revision Checklist 165, do not need to adopt Revision Checklist 185. For States that have adopted Revision Checklist 165, Revision Checklist 185 is optional. A State may decide to be broader in scope than the Federal program..

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART D - LISTS OF HAZARDOUS WASTES						
HAZARDOUS WASTES FROM SPECIFIC SOURCES						
† revise table by removing the K140 entry in the "Organic Chemicals" subgroup	261.32/table	261.32/table	X			
DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF						
† revise table by removing the U408 (2,4,6-Tribromophenol) entry	261.33(f)/table	261.33(f)/table	X			
PART 261 - APPENDIX VII						
BASIS FOR LISTING HAZARDOUS WASTE						
† revise appendix by removing the K140 entry	261 Appendix VII	261 Appendix VII	X			
PART 261 - APPENDIX VIII						
HAZARDOUS CONSTITUENTS						
† revise appendix by removing the 2,4,6-Tribromophenol entry	261 Appendix VIII	261 Appendix VIII	X			
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART C - PROHIBITIONS ON LAND DISPOSAL						
WASTE-SPECIFIC PROHIBITIONS-ORGANOBROMINE WASTES						
† remove and reserve	268.33	268.33	X			
SUBPART D - TREATMENT STANDARDS						

 APPLICABILITY OF TREATMENT STANDARDS

†	revise table by removing the K140 and U408 entries	268.40/table	268.40/table	X			
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 UNIVERSAL TREATMENT STANDARDS

†	revise table by removing the 2,4,6-Tribromophenol entry	268.48(a)/table	268.48(a)/table	X			
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RCRA REVISION CHECKLIST 187

Petroleum Refining Process Wastes – Clarification

64 FR 36365-36367

June 8, 2000

(RCRA Cluster X, HSWA provisions)

Note: The rule addressed by this checklist makes changes to 40 CFR Part 148 addressing Hazardous Waste Injection Restrictions. These changes are outside the RCRA Subtitle C program and are not addressed by this revision checklist.

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

†i revise the entry for F037 by replacing in the second sentence “flow, sludge” with “flow. Sludge”	261.31(a)/table	261.31(a)/table	X			
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PART 268 - LAND DISPOSAL RESTRICTIONS

APPENDIX VII TO PART 268

LDR EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES

¹ unchanged	268 Appendix VII	268 Appendix VII	X			
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†i This change is conditionally optional. If the State has adopted the optional revised description of waste F037 in Revision Checklist 169, then the State is required to adopt the change to F037 in 261.31(a)/table in this checklist.

¹ Note that in the preamble to the June 8, 2000 rule, it states that the Agency neglected to delete the reference to U408 in Appendix VII of 40 CFR Part 268 in the March 17, 2000 rule (65 FR 14472; Revision Checklist 185). However, there was no entry for U408 in that Appendix. The actual amendment for the rule incorrectly removes the entry for U048 from Appendix VII to 40 CFR Part 268. Therefore, States should not adopt any changes to this Appendix. This error was corrected by Revision Checklist 192B (66 FR 27266, May 16, 2001).

RCRA REVISION CHECKLIST 188

Hazardous Air Pollutant Standards; Technical Corrections

65 FR 42292-42302

July 10, 2000

as amended May 14, 2001 at 66 FR 24270-24272 and July 3, 2001 at 66 FR 35087-35107
(RCRA Cluster XI, Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-201 *et seq.*

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

Note: The July 3, 2001 amendment to this rule is not included in the printed version of 40 CFR, (revised as of July 1, 2001). States that incorporate by reference through the July 1, 2001 CFR, and are seeking authorization for Revision Checklist 188, should also adopt the July 3, 2001 amendment to the NESHAPS rule.

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

PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D – LISTS OF HAZARDOUS WASTES

COMPARABLE/SYNGAS FUEL EXCLUSION

add subparagraph; gas turbines used to produce electric power, steam, heated or cooled air, or other gases or fluids for sale	261.38(c)(2)(iv)	261.38(c)(2)(iv)	X			
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PART 264 – STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART O – INCINERATORS

APPLICABILITY

in first sentence: replace “paragraph (b)(2)” with “paragraphs (b)(2) and (b)(3)”; replace “subpart EEE of part 63 of this Chapter” with “part 63, subpart EEE of this chapter”	264.340(b)(1)	264.340(b)(1)	X			
add subparagraph; 264.343(c) remains in effect for incinerators that elect to comply with alternative standard	264.340(b)(3)	264.340(b)(3)	X			

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

SUBPART D – CHANGES TO PERMITS

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

¹ completely revise; facility owners/operators must have complied with 40 CFR 63.1210 in effect prior to May 14, 2001 to request permit modification under 270.42	270.42(j)(1)	270.42(j)(1)	X			
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¹ Amended by the May 14, 2001 (66 FR 24270) rule which addresses the *Chemical Manufacturers Association v. EPA*, 217 F. 3d 861 (D. C. Cir. 2000) decision, where the court vacated the Notice of Intent to Comply (NIC) provisions of EPA's rules relating to the standards for hazardous waste combustors.

RCRA REVISION CHECKLIST 189

Chlorinated Aliphatics Listing and LDRs for Newly Identified Wastes
 65 FR 67068-67133
 November 8, 2000
 (RCRA Cluster XI, HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-202 *et seq.*

Title of Regulations : APC&EC Regulation No. 23, Hazardous Waste Management **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART D – LISTS OF HAZARDOUS WASTES						
HAZARDOUS WASTES FROM SPECIFIC SOURCES						
add following waste streams to subgroup "Organic chemicals" in alphanumeric order	261.32	261.32	X			
Industry and EPA hazardous waste No.	Hazardous Waste					Hazard code
* * *	*	*	*	*	*	*
Organic chemicals:						
* * *	*	*	*	*	*	*
K174	Wastewater treatment sludges from the production of ethylene dichloride or vinyl chloride monomer (including sludges that result from commingled ethylene dichloride or vinyl chloride monomer wastewater and other wastewater), unless the sludges meet the following conditions: (i) they are disposed of in a subtitle C or non-hazardous landfill licensed or permitted by the state or federal government; (ii) they are not otherwise placed on the land prior to final disposal; and (iii) the generator maintains documentation demonstrating that the waste was either disposed of in an on-site landfill or consigned to a transporter or disposal facility that provided a written commitment to dispose of the waste in an off-site landfill. Respondents in any action brought to enforce the requirements of subtitle C must, upon a showing by the government that the respondent managed wastewater treatment sludges from the production of vinyl chloride monomer or ethylene dichloride, demonstrate that they meet the terms of the exclusion set forth above. In doing so, they must provide appropriate documentation (<i>e.g.</i> , contracts between the generator and the landfill owner/operator, invoices documenting delivery of waste to landfill, <i>etc.</i>) that the terms of the exclusion were met.					(T)
K175	Wastewater treatment sludges from the production of vinyl chloride monomer using mercuric chloride catalyst in an acetylene-based process.					(T)
* * *	*	*	*	*	*	*

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APPENDIX VII
TO PART 261
BASIS FOR
LISTING
HAZARDOUS
WASTE

add to appendix in alphanumeric order, the following waste streams	261 Appendix VII	261 Appendix VII	X			
EPA hazardous waste No.	Hazardous constituents for which listed					
*	*	*	*	*	*	*
K174	1,2,3,4,6,7,8-Heptachlorodibenzo-p-dioxin (1,2,3,4,6,7,8-HpCDD), 1,2,3,4,6,7,8-Heptachlorodibenzofuran (1,2,3,4,6,7,8-HpCDF), 1,2,3,4,7,8,9-Heptachlorodibenzofuran (1,2,3,6,7,8,9-HpCDF), HxCDDs (All Hexachlorodibenzo-p-dioxins), HxCDFs (All Hexachlorodibenzofurans), PeCDDs (All Pentachlorodibenzo-p-dioxins), OCDD (1,2,3,4,6,7,8,9-Octachlorodibenzo-p-dioxin), OCDF (1,2,3,4,6,7,8,9-Octachlorodibenzofuran), PeCDFs (All Pentachlorodibenzofurans), TCDDs (All Tetrachlorodibenzo-p-dioxins), TCDFs (All Tetrachlorodibenzofurans).					
K175	Mercury					
*	*	*	*	*	*	*

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

add to appendix in alphabetical order, the following entries	261 Appendix VIII	261 Appendix VIII	X			
Common name	Chemical abstracts name		Chemical abstracts No.	Hazardous waste No.		

¹ Note the following typographical errors in the November 8, 2000 rule, in the entry for K174 on page 67127:

- There should be a closing bracket following “Octachlorodibenzo-p-dioxin” in line 4 of the “Hazardous constituents for which listed” column;
- There should not be a hyphenation between “tetrachlorodi” and “benzo-p-dioxins” in line 5 of the “Hazardous constituents for which listed” column; and
- Both “tetrachlorodibenzo-p-dioxins” and “tetrachlorodibenzofurans” should be initially capitalized as with other constituents, in line 5 of the “Hazardous constituents for which listed” column.

* * * * *	* * * * *	* * * * *
Octachlorodibenzo-p-dioxin (OCDD).	1,2,3,4,6,7,8,9- Octachlorodibenzo-p-dioxin	3268-87-9
Octachlorodibenzofuran (OCDF).	1,2,3,4,6,7,8,9- Octachlorodibenzofuran	39001-02-0
* * * * *	* * * * *	* * * * *

PART 268 – LAND DISPOSAL RESTRICTIONS

SUBPART C – PROHIBITIONS ON LAND DISPOSAL

² WASTE SPECIFIC PROHIBITIONS -- CHLORINATED ALIPHATIC WASTES

add new paragraph; effective May 8, 2001, wastes K174 and K175, soil and debris contaminated with these wastes, radioactive wastes mixed with these wastes, and soil and debris contaminated with radioactive wastes mixed with these wastes are prohibited from land disposal	268.33(a)	268.33(a)	X			
add new paragraph; requirements of 268.33(a) do not apply if:	268.33(b) intro	268.33(b) intro	X			
wastes meet treatment standards specified in 268 subpart D;	268.33(b)(1)	268.33(b)(1)	X			

² This is a new section added by the 65 FR 67068 (November 8, 2000) rule. Originally, 268.33 dealt with “Waste Specific Prohibitions – First Third Wastes,” but pursuant to 62 FR 25998-26040 (May 12, 1997; Revision Checklist 157), the section was removed and reserved effective August 11, 1997. Revision Checklist 165 (63 FR 24596; May 4, 1998) added a new section at 268.33 but this rule was vacated on April 9, 1999. The July 1, 2000 CFR reserved section 268.33.

exemption from a prohibition pursuant to petition granted under 268.6, with respect to wastes and units covered by the petition;	268.33(b)(2)	268.33(b)(2)	X			
wastes meet treatment standards established pursuant to petition granted under 268.44;	268.33(b)(3)	268.33(b)(3)	X			
hazardous debris has met treatment standards in 268.40 or alternative treatment standards in 268.45; or	268.33(b)(4)	268.33(b)(4)	X			
extension to effective date of prohibition granted pursuant to 268.5, with respect to wastes covered by extension	268.33(b)(5)	268.33(b)(5)	X			

<p>add new paragraph; to determine if identified hazardous waste exceeds 268.40 treatment standards, initial generator must test waste, or use knowledge of waste; if waste contains regulated constituents in excess of 268 subpart D levels, waste is prohibited from land disposal, and all requirements of part 268 are applicable, except as otherwise specified</p>	<p>268.33(c)</p>	<p>268.33(c)</p>	<p>X</p>			
<p>add new paragraph; disposal of K175 wastes complying with 268.40 treatment standards must also be macroencapsulated in accordance with 268.45 Table 1 unless waste is placed in:</p>	<p>268.33(d) intro</p>	<p>268.33(d) intro</p>	<p>X</p>			

Subtitle C monofill containing only applicable K175 wastes that meet 268.40 treatment standards; or	268.33(d)(1)	268.33(d)(1)	X			
dedicated Subtitle C landfill cell in which other co-disposed wastes are at pH#6.0	268.33(d)(2)	268.33(d)(2)	X			

SUBPART D – TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

³ add entries to F039 in alphabetic order, add in alphanumeric order new entries for K174 and K175, and add new footnote 12 as shown at 65 FR 67128-67131	268.40/Table	268.40/Table	X			
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UNIVERSAL TREATMENT STANDARDS

⁴ add following to the subgroup “Organic Constituents” in alphabetical order	268.48(a)/Table	268.48(a)/Table	X			
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UNIVERSAL TREATMENT STANDARDS NOTE: NA means not applicable

REGULATED CONSTITUENT Common Name	CAS ¹ Number	Wastewater Standard	Nonwastewater Standard
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³Note that in addition to adding a new footnote 12 to the table, the November 8, 2000 rule (Revision Checklist 189) also republished footnotes 1-5 and 11. The only changes to these footnotes were revising upper case “Part” and “Subpart” to lower case “part” and “subpart” in footnotes 5 and 11.

⁴ Note that although the amendatory language states the footnotes are republished without change, “mg/l” is incorrectly revised to “mg/L” in footnote 2. Also note that lower case “part” and “subpart” were incorrectly revised to upper case “Part” and “Subpart” in footnote 3. States should not adopt these revisions.

							Concentration in mg/l ²	Concentration in mg/kg ³ unless noted as "mg/l TCLP"			
*	*	*	*	*	*	*	*	*	*	*	>
							1,2,3,4,6,7,8-Heptachlorodibenzo-p-dioxin (1,2,3,4,6,7,8-HpCDD)	35822-46-9	0.000035	0.0025	
							1,2,3,4,6,7,8-Heptachlorodibenzofuran (1,2,3,4,6,7,8-HpCDF)	67562-39-4	0.000035	0.0025	
							1,2,3,4,7,8,9-Heptachlorodibenzofuran (1,2,3,4,7,8,9-HpCDF)	55673-89-7	0.000035	0.0025	
*	*	*	*	*	*	*	*	*	*	*	*
							1,2,3,4,6,7,8,9-Octachlorodibenzo-p-dioxin (OCDD)	3268-87-9	0.000063	0.005	
							1,2,3,4,6,7,8,9-Octachlorodibenzofuran (OCDF)	39001-02-0	0.000063	0.005	
*	*	*	*	*	*	*	*	*	*	*	>

RCRA REVISION CHECKLIST 190

Land Disposal Restrictions Phase IV -- Deferral for PCBs in Soil

65 FR 81373-81381

December 26, 2000

(RCRA Cluster XI, HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-201 *et seq.*

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 268 – LAND DISPOSAL RESTRICTIONS						
SUBPART C – PROHIBITIONS ON LAND DISPOSAL						
† WASTE SPECIFIC PROHIBITIONS -- SOILS EXHIBITING THE TOXICITY CHARACTERISTIC FOR METALS AND CONTAINING PCBs						
add new paragraph; effective December 26, 2000, the following wastes are prohibited from land disposal: soil exhibiting the toxicity characteristic solely because of metals (D004-D011) and containing PCBs	268.32(a)	268.32(a)	X			
requirements of 268.32(a) do not apply if:	268.32(b) intro	268.32(b) intro	X			
wastes contain halogenated organic compounds in total concentration less than 1,000 mg/kg; and	268.32(b)(1)(i)	268.32(b)(1)(i)	X			
wastes meet 268 subpart D treatment standards for D004-D011, as applicable; or	268.32(b)(1)(ii)	268.32(b)(1)(ii)	X			
wastes contain halogenated organic compounds in total concentration less than 1,000 mg/kg; and	268.32(b)(2)(i)	268.32(b)(2)(i)	X			
wastes meet 268.49 alternative treatment standards for contaminated soil; or	268.32(b)(2)(ii)	268.32(b)(2)(ii)	X			

persons have been granted an extension from prohibition pursuant to 268.6 with respect to wastes and units covered by petition; or	268.32(b)(3)	268.32(b)(3)	X			
wastes meet alternative treatment standards pursuant to 268.44 petition	268.32(b)(4)	268.32(b)(4)	X			

SUBPART D – TREATMENT STANDARDS

UNIVERSAL TREATMENT STANDARDS

† add reference to new footnote "8" to "Total PCBs (sum of all PCB isomers, or all Aroclors)" entry; add new footnote "8" as shown at 65 <u>FR</u> 81381 (December 26, 2000)	268.48(a)/Table UTS	268.48(a)/Table UTS	X			
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 ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL

†, ¹ replace “40 CFR” with “§”; remove comma after “268.48”; replace “and” with a comma after “vanadium”; insert “that” after “zinc, and”; at end of paragraph insert new sentence: PCBs are not a constituent subject to treatment in soil which exhibits the toxicity characteristic solely because of metals	268.49(d)	268.49(d)	X			
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 APPENDIX III TO PART 268

†, ² add new appendix: “List of Halogenated Organic Compounds Regulated Under § 268.32”	Appendix III	Appendix III	X			
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† Optional.

¹ There is a typographical error in the December 26, 2000 rule (65 FR 81373; Revision Checklist 190). “PCBs are not constituent subject to treatment” should be “PCBs are not a constituent subject to treatment”.

² The amendatory language in the December 26, 2000 rule (65 FR 81373; Revision Checklist 190) erroneously states “Appendix III to Part 268 is added to subpart C”. Appendix III should instead be added to the section reserved for it at the end of Part 268.

RCRA REVISION CHECKLIST 191

Mixed Waste Rule
 66 FR 27218-27266
 May 16, 2001
 (RCRA Cluster XI, non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-201 *et seq.*

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 266 – STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES						
SUBPART N – CONDITIONAL EXEMPTION FOR LOW-LEVEL MIXED WASTE STORAGE, TREATMENT, TRANSPORTATION AND DISPOSAL						

WHAT DEFINITIONS APPLY TO THIS SUBPART?

the following special definitions are added:	266.210 intro	266.210 intro	X			
“Agreement State”	266.210	266.210	X			
“Certified delivery”	266.210	266.210	X			
“Director”	266.210	266.210	X			
“Eligible Naturally Occurring and/or Accelerator-produced Radioactive Material (NARM)”	266.210	266.210	X			
“Exempted waste”	266.210	266.210	X			
“Hazardous waste”	266.210	266.210	X			
“Land Disposal Restriction (LDR) Treatment Standards”	266.210	266.210	X			
“License”	266.210	266.210	X			
“Low-Level Mixed Waste (LLMW)”	266.210	266.210	X			
“Low-Level Radioactive Waste (LLW)”	266.210	266.210	X			

¹ Revision Checklist 191 added a new subpart N to part 266 (§§ 266.210 through 266.360).

² Note on page 27262 of 66 FR 27218-27266, the FR notice presents two versions of the title of subpart N. In column two, the subpart is entitled “Conditional Exemption for Low-Level Mixed Waste Storage, Treatment, Transportation and Disposal”. In column three, the subpart is entitled “Conditional Exemption for Low-Level Mixed Waste Storage and Disposal”. It was assumed the title in column two was the intended title.

“Mixed Waste”	266.210	266.210	X			
“Naturally Occurring and/or Accelerator-produced Radioactive Material (NARM)”	266.210	266.210	X			
“NRC”	266.210	266.210	X			
“We or us”	266.210	266.210	X			
“You”	266.210	266.210	X			

WHAT DOES A STORAGE AND TREATMENT CONDITIONAL EXEMPTION DO?

LLMW exempt from 261.3 if certain criteria or conditions met	266.220	266.220	X			
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WHAT WASTES ARE ELIGIBLE FOR THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION?

eligible if generated and managed under license	266.225	266.225	X			
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WHAT CONDITIONS MUST YOU MEET FOR YOUR LLMW TO QUALIFY FOR AND MAINTAIN A STORAGE AND TREATMENT EXEMPTION?

notification in writing by certified delivery; notification information; signature requirements; timeliness	266.230(a)	266.230(a)	X			
to qualify for and maintain LLMW exemption:	266.230(b) intro	266.230(b) intro	X			
storage, training, inventory, inspection and emergency plan requirements	266.230(b)(1)-(5)	266.230(b)(1)-(5)	X			

WHAT WASTE TREATMENT DOES THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION ALLOW?

treatment in licensed tanks or containers; treatment requiring RCRA permit is not allowed	266.235	266.235	X			
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HOW COULD YOU LOSE THE CONDITIONAL EXEMPTION FOR YOUR LLMW AND WHAT ACTION MUST YOU TAKE?

failing to meet 266.230 conditions; non-exempt waste and storage unit immediately subject to RCRA requirements	266.240(a) intro	266.240(a) intro	X			
failure to meet 266.230 conditions requires written report within 30 days; certification; report must include:	266.240(a)(1) intro	266.240(a)(1) intro	X			
specific conditions failed; storage location; dates failed	266.240(a)(1)(i)-(iii)	266.240(a)(1)(i)-(iii)	X			
failure endangering human health or environment requires oral notification and written follow up; qualifying failures; emergency plan must be followed	266.240(a)(2)	266.240(a)(2)	X			
termination of exemption for serious or repeated noncompliance	266.240(b)	266.240(b)	X			

IF YOU LOSE THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION FOR YOUR LLMW, CAN THE EXEMPTION BE RECLAIMED?

exemption may be reclaimed if:	266.245(a) intro	266.245(a) intro	X			
266.230 conditions are again met; and	266.245(a)(1)	266.245(a)(1)	X			
notification that exemption is being reclaimed; signature requirements; notice must:	266.245(a)(2) intro	266.245(a)(2) intro	X			
explain each failure; certification; action taken; other information	266.245(a)(2)(i)-(iv)	266.245(a)(2)(i)-(iv)	X			
factors which can terminate a reclaimed exemption; additional conditions may be added	266.245(b)	266.245(b)	X			

WHAT RECORDS MUST YOU KEEP AT YOUR FACILITY AND FOR HOW LONG?

records must be kept as follows:	266.250(a) intro	266.250(a) intro	X			
initial notification, return receipts, failure reports and exemption reclaim records; inventories, inspections, training, emergency plan	266.250(a)(1)-(4)	266.250(a)(1)-(4)	X			

retention periods for notification, training, emergency plan, inventory and inspection records	266.250(b)	266.250(b)	X			
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WHEN IS YOUR LLMW NO LONGER ELIGIBLE FOR THE STORAGE AND TREATMENT CONDITIONAL EXEMPTION?

when waste meets decay-in-storage requirements and can be disposed; waste becomes subject to RCRA and accumulation period begins	266.255(a)	266.255(a)	X			
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once removed from storage, no longer eligible for exemption; 266.305 exemption may apply	266.255(b)	266.255(b)	X			
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DO CLOSURE REQUIREMENTS APPLY TO UNITS THAT STORED LLMW PRIOR TO THE EFFECTIVE DATE OF SUBPART N?

units not subject to closure requirements; units subject to closure requirements	266.260	266.260	X			
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WHAT DOES THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION DO?

waste exempted from 261.3 if conditions are met	266.305	266.305	X			
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WHAT WASTES ARE ELIGIBLE FOR THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION?

eligible waste must be:	266.310 intro	266.310 intro	X			
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a LLMW as defined in 266.210 that meets LLRWDF criteria; and/or	266.310(a)	266.310(a)	X			
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an eligible NARM waste, defined in 266.210	266.310(b)	266.310(b)	X			
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WHAT ARE THE CONDITIONS YOU MUST MEET FOR YOUR WASTE TO QUALIFY FOR AND MAINTAIN THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION?

following conditions must be met for exemption:	266.315 intro	266.315 intro	X			
eligible waste meets LDR treatment standards	266.315(a)	266.315(a)	X			
manifested and transported according to NRC regulations	266.315(b)	266.315(b)	X			
waste meets container storage requirements	266.315(c)	266.315(c)	X			
waste disposed of at designated LLRWDF	266.315(d)	266.315(d)	X			

WHAT TREATMENT STANDARDS MUST YOUR ELIGIBLE WASTE MEET?

LLMW or eligible NARM must meet 268 subpart D LDR treatment standards	266.320	266.320	X			
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ARE YOU SUBJECT TO THE MANIFEST AND TRANSPORTATION CONDITION IN § 266.315(b)?

must meet manifest and transportation requirements	266.325	266.325	X			
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WHEN DOES THE TRANSPORTATION AND DISPOSAL EXEMPTION TAKE EFFECT?

exemption is effective when:	266.330 intro	266.330 intro	X			
waste meets applicable LDR treatment standards	266.330(a)	266.330(a)	X			
return receipts for notification are received	266.330(b)	266.330(b)	X			
packaging and preparation requirements are completed and manifest is prepared, and	266.330(c)	266.330(c)	X			
waste placed on vehicle destined for licensed LLRWDF	266.330(d)	266.330(d)	X			

WHERE MUST YOUR EXEMPTED WASTE BE DISPOSED OF?

waste must be disposed of in regulated and licensed LLRWDF	266.335	266.335	X			
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WHAT TYPE OF CONTAINER MUST BE USED FOR DISPOSAL OF EXEMPTED WASTE?

waste must be placed in containers before disposal that are:	266.340 intro	266.340 intro	X			
carbon steel drum; or	266.340(a)	266.340(a)	X			

equivalent performance of a carbon steel drum; or	266.340(b)	266.340(b)	X			
high integrity container	266.340(c)	266.340(c)	X			

WHOM MUST YOU NOTIFY?

notification of exemption prior to initial shipment of waste; contents of dated written notice	266.345(a)	266.345(a)	X			
notification before shipment of each exempted waste; return receipt required; notification to include:	266.345(b) intro	266.345(b) intro	X			
notification requirements	266.345(b)(1)-(7)	266.345(b)(1)-(7)	X			

WHAT RECORDS MUST YOU KEEP AT YOUR FACILITY AND FOR HOW LONG?

in addition to records required by license, records must:	266.350 intro	266.350 intro	X			
follow applicable recordkeeping requirements	266.350(a)	266.350(a)	X			
keep copy of all notifications for three years after last disposal	266.350(b)	266.350(b)	X			
keep copy of all notifications and return receipts for three years after last waste disposed	266.350(c)	266.350(c)	X			
keep copy of 266.345(b) notifications and return receipts for three years after disposal	266.350(d)	266.350(d)	X			
keep all required documents related to waste tracking and 266.350(a)-(d) records	266.350(e)	266.350(e)	X			

HOW COULD YOU LOSE THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION FOR YOUR WASTE AND WHAT ACTIONS MUST YOU TAKE?

waste loses exemption if not managed in accordance with 266.315	266.355(a) intro	266.355(a) intro	X			
failure to meet 266.315 conditions requires notification; must be certified; notification must include:	266.355(a)(1) intro	266.355(a)(1) intro	X			
notification requirements	266.355(a)(1)(i)-(iii)	266.355(a)(1)(i)-(iii)	X			
if failure endangers human health or environment, provide oral notification and written follow up	266.355(a)(2)	266.355(a)(2)	X			
termination of exemption or additional conditions required for noncompliance	266.355(b)	266.355(b)	X			

IF YOU LOSE THE TRANSPORTATION AND DISPOSAL CONDITIONAL EXEMPTION FOR A WASTE, CAN THE EXEMPTION BE RECLAIMED?

exemption reclaimed after notification of exemption loss, and if:	266.360(a) intro	266.360(a) intro	X			
266.315 conditions are again met; and	266.360(a)(1)	266.360(a)(1)	X			
notification of reclaimed exemption; signature requirements; notice must:	266.360(a)(2) intro	266.360(a)(2) intro	X			
notification requirements	366.360(a)(2)(i)-(iv)	366.360(a)(2)(i)-(iv)	X			
reclaimed exemption may be terminated based on listed factors; conditions may be added	266.360(b)	266.360(b)	X			

RCRA REVISION CHECKLIST 192 A

Mixture and Derived-From Rules Revisions

66 FR 27266-27297

May 16, 2001

(RCRA Cluster XI, HSWA/Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-201 *et seq.*

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

Notes: The revisions to 40 CFR 261.3(g) and 261.3(h)(1)-(3) are promulgated pursuant to HSWA. The HSWA revisions are considered less stringent than the existing Federal regulations and therefore, are immediately effective only in those States not authorized for the base RCRA program. The revisions to 40 CFR 261.3(a)(2)(iii) and (iv), and 261.3(c)(2)(i) are promulgated pursuant to non-HSWA authorities and do not go into effect in an authorized State until the State adopts and receives authorization for the revisions. HSWA provisions are identified by a "E" (diamond symbol) in this checklist.

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 WASTE						
SUBPART A – GENERAL						

DEFINITION OF HAZARDOUS WASTE

remove and reserve	261.3(a)(2)(iii)	261.3(a)(2)(iii)	X			
† replace “§§” with “40 CFR”; replace “of this chapter” with “, paragraph (g) of this section, or paragraph (h) of this section”; replace ending colon with semicolon	261.3(a)(2)(iv)	261.3(a)(2)(iv)	X			
†, ¹ insert “, (g) or (h)” after “(c)(2)(ii)”	261.3(c)(2)(i)	261.3(c)(2)(i)	X			

¹ There is a typographical error in the May 16, 2001 rule (66 FR 27266; May 16, 2001). States should not remove the comma following “ash”. The phrase should continue to read “...spill residue, ash, emission control dust, ...”.

Ë	add new subparagraph; listed hazardous waste solely because it exhibits one or more characteristic, is not a hazardous waste, if characteristics are no longer exhibited	261.3(g)(1)	261.3(g)(1)	X			
Ë	261.3(g)(1) exclusion also pertains to:	261.3(g)(2)	261.3(g)(2)	X			
Ë	wastes excluded	261.3(g)(2)(i)	261.3(g)(2)(i)	X			
		261.3(g)(2)(ii)	261.3(g)(2)(ii)	X			
Ë	wastes excluded are subject to 268, even if no longer exhibit characteristic at point of land disposal	261.3(g)(3)	261.3(g)(3)	X			
†,Ë	add new subparagraph; hazardous waste containing radioactive waste is no longer a hazardous waste	261.3(h)(1)	261.3(h)(1)	X			
†,Ë	exemption also pertains to:	261.3(h)(2)	261.3(h)(2)	X			
†,Ë	wastes excluded	261.3(h)(2)(i)	261.3(h)(2)(i)	X			
		261.3(h)(2)(ii)	261.3(h)(2)(ii)	X			
†,Ë	waste exempted must meet storage and transportation criteria; waste that fails is regulated as hazardous	261.3(h)(3)	261.3(h)(3)	X			

† Optional.

RCRA REVISION CHECKLIST 192 B

Land Disposal Restrictions Correction

66 FR 27266-27297

May 16, 2001

(RCRA Cluster XI, HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-201 *et seq.*

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 268 – LAND DISPOSAL RESTRICTIONS						
APPENDIX VII TO PART 268						
LDR EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES						
revise Table 1 by adding an entry for U048 as shown at 66 <u>FR</u> 27297	Appendix VII, Table 1	Appendix VII, Table 1	X			

RCRA REVISION CHECKLIST 193

Change of Official EPA Mailing Address

66 FR 34374-34376

June 28, 2001

(RCRA Cluster XI, non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-201 *et seq.*

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 260 – HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B – DEFINITIONS						
REFERENCES						
replace the phrase “OSW Methods Team, 401 M St., SW.” with “OSW Methods Team, 1200 Pennsylvania Ave., NW.”	260.11(a)(11)	260.11(a)(11)	X			

RCRA REVISION CHECKLIST 194

Mixture and Derived-From Rules Revision II
66 FR 50332-50334

October 3, 2001

(RCRA Cluster XII, HSWA/Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 *et seq.*)

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

Notes: The addition of 40 CFR 261.3(g)(4) is promulgated pursuant to HSWA. The HSWA revision is considered less stringent than the existing Federal regulations and, therefore, is immediately effective only in those States not authorized for the base RCRA program. HSWA provisions are identified by a "É" (diamond symbol) in this checklist.

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 WASTE

SUBPART A – GENERAL

DEFINITION OF HAZARDOUS WASTE

<p>¹Note that in the on-line version of the 2001 CFR, 40 CFR 261.3(a)(2)(iv) intro does not include the revisions from the May 16, 2001 rule but it does include subparagraphs (A)-(G)..†</p>	<p>unchanged even though included in this rule</p>	<p>261.3(a)(2)(iv)</p>	<p>261.3(a)(2)(iv)</p>	<p>X</p>			
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¹ The October 3, 2001 rule contains potentially confusing information. In the preamble (p. 50332), it states that EPA inadvertently deleted subparagraphs A-G of 40 CFR 261.3(a)(2)(iv) in the May 16, 2001 rule (Revision Checklist 192 A) and is, therefore, reinserting the deleted subparagraphs. Additionally, on page 50333, the amendatory language states that 40 CFR 261.3 is amended by revising paragraph (a)(2)(iv). However, the May 16, 2001 rule does not contain instructions to remove 40 CFR 261.3(a)(2)(iv)(A)-(G). In comparison to the May 16, 2001 rule, the October 3, 2001 rule merely reprints 40 CFR 261.3(a)(2)(iv) intro and subparagraphs (a)(2)(iv)(A)-(G) unchanged.

	261.3(a)(2)(iv)(A)	261.3(a)(2)(iv)(A)	X			
	261.3(a)(2)(iv)(B)	261.3(a)(2)(iv)(B)	X			
	261.3(a)(2)(iv)(C)	261.3(a)(2)(iv)(C)	X			
	261.3(a)(2)(iv)(D)	261.3(a)(2)(iv)(D)	X			
	261.3(a)(2)(iv)(E)	261.3(a)(2)(iv)(E)	X			
	261.3(a)(2)(iv)(F)	261.3(a)(2)(iv)(F)	X			
	261.3(a)(2)(iv)(G)	261.3(a)(2)(iv)(G)	X			
†, E	add new subparagraph; any mixture of a solid waste excluded under 261.4(b)(7) & a hazardous waste listed in 261 subpart D solely because it exhibits a characteristic, is not a hazardous waste if it no longer exhibits a characteristic for which it was listed	261.3(g)(4)	261.3(g)(4)	X		

† Optional

RCRA REVISION CHECKLIST 195

Inorganic Chemical Manufacturing Wastes Identification and Listing

66 FR 58258-58300; 67 FR 17119-17120

November 20, 2001; April 9, 2002

(RCRA Cluster XII, HSWA/Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 et seq.)

Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

This rule is promulgated under both HSWA and non-HSWA authorities. The listings of K176 and K177 are promulgated under HSWA authorities. The land disposal restrictions promulgated in this rule are also issued under HSWA authorities. These requirements, with the exception of the application of the land disposal restrictions to K178, will go into effect in all States, including authorized States, on the effective date of this rule. The listing of K178 is promulgated under non-HSWA authorities and will only become effective in an authorized State when the State amends its regulations to include this listing and receives authorization. For States without authorization, the listing of K178 goes into effect on the effective date of this rule. While all land disposal restrictions are adopted under HSWA authorities regardless of the statutory authority for the corresponding waste listing, the treatment standards and prohibitions for K178 will not have immediate regulatory effect. This is consistent with prior rules establishing LDR requirements for new, non-HSWA lists. The treatment standards and prohibitions for K178 only take effect when EPA authorizes State regulations listing K178 wastes.

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 WASTE

SUBPART A – GENERAL

EXCLUSIONS

unchanged even though included in this rule	261.4(b)(15)	261.4(b)(15)	X			
1,† remove “and”; after “K172” insert “,K174, K175, K176, K177, and K178,”; remove “(February 8, 1999)”	261.4(b)(15)(i)	261.4(b)(15)(i)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
unchanged even though included in this rule	261.4(b)(15)(ii)-(iv)	261.4(b)(15)(ii)-(iv)	X			
† replace “After” with “As of”; replace “will” with “derived from K169-K172 is”; remove “be” after “longer”; insert new 2 nd sentence “After November 21, 2003, leachate...to discharge”; insert “(b)(15)(v)” after “paragraph”	261.4(b)(15)(v)	261.4(b)(15)(v)	X			

SUBPART D – LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM SPECIFIC SOURCES

add following waste streams to subgroup “Inorganic chemicals” in alphanumeric order	261.32	261.32	X			
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Industry and EPA hazardous waste No.	Hazardous Waste	
* * * * *		
Inorganic chemicals:		
* * * * *		
K176	Baghouse filters from the production of antimony oxide, including filters from the production of intermediates (e.g., antimony metal or crude antimony oxide).	(E)
K177	Slag from the production of antimony oxide that is speculatively accumulated or disposed, including slag from the production of intermediates (e.g., antimony metal or crude antimony oxide).	(T)
K178	Residues from manufacturing and manufacturing-site storage of ferric chloride from acids formed during the production of titanium dioxide using the chloride-ilmenite process	(T)
*		

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add to appendix in alphanumeric order, the following waste streams	261 Appendix VII	261 Appendix VII	X			

Hazardous constituents for
which listed

EPA hazardous waste No. _____

*

K176 Arsenic, Lead.

K177 Antimony.

K178 Thallium.

*

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS – INORGANIC CHEMICAL WASTES

add new paragraph; effective May 20, 2002, wastes K176-K178, soil and debris contaminated with these wastes, radioactive wastes mixed with these wastes, and soil and debris contaminated with radioactive wastes mixed with these wastes are prohibited from land disposal	268.36(a)	268.36(a)	X			
add new paragraph; requirements of 268.36(a) do not apply if:	268.36(b) intro	268.36(b) intro	X			
wastes meet treatment standards specified in 268 subpart D;	268.36(b)(1)	268.36(b)(1)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
exemption from a prohibition pursuant to petition under 268.6, with respect to wastes and units covered by the petition;	268.36(b)(2)	268.36(b)(2)	X			
wastes meet treatment standards established pursuant to petition granted under 268.44;	268.36(b)(3)	268.36(b)(3)	X			
hazardous debris has met treatment standards in 268.40 or alternative treatment standards in 268.45; or	268.36(b)(4)	268.36(b)(4)	X			
extension to effective date of prohibition granted pursuant to 268.5, with respect to wastes covered by extension	268.36(b)(5)	268.36(b)(5)	X			
add new paragraph; to determine if identified hazardous waste exceeds 268.40 treatment standards, initial generator must test waste, or use knowledge of waste; if waste contains regulated constituents in excess of 268 subpart D levels, waste is prohibited from land disposal, and all requirements of part 268 are applicable, except as otherwise specified	268.36(c)	268.36(c)	X			

SUBPART D – TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
2 add in alphabetic order, new entries for K176-178 as shown at 66 <u>FR</u> 58298-58299	268.40/Table	268.40/Table	X			

† Optional

¹ While the November 20, 2001 rule, as amended on April 4, 2002, added K174 and K175 wastes (as well as K176-K178) to 40 CFR 261.4(b)(15)(i), the rule does not discuss the Agency's rationale for adding these two K wastes. Regulatory specialists at the RCRA Hotline related that the addition of K174 and K175 is not an error. These two wastes were added to the hazardous waste listings in the November 8, 2000 rule (65 FR 67068; Revision Checklist 189). At that time, EPA deferred the addition of K174 and K175 wastes to the exclusions at 40 CFR 261.4(b)(15)(i). The Hotline believes the Agency has made a decision to add the wastes to the exclusions with the current rule, even though this is not explained in the preamble.

² While the November 20, 2001 rule, as amended on April 4, 2002, reprints footnotes 1-5 and 11 to the table at 40 CFR 268.40, the footnotes are reprinted without change.

RCRA REVISION CHECKLIST 196

CAMU Amendments

67 FR 2962-3029

January 22, 2002

(RCRA Cluster XII, HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 *et seq.*)

Title of Regulations : APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 260 – HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B – DEFINITIONS						
DEFINITIONS						
remove “Corrective action management unit (CAMU)”	260.10	260.10	X			
revise “Remediation waste”; insert comma after “debris”; remove “contain listed hazardous wastes or that themselves exhibit a hazardous characteristic and”	260.10	260.10	X			

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

¹ SUBPART S – SPECIAL PROVISIONS FOR CLEANUP

APPLICABILITY OF CORRECTIVE ACTION MANAGEMENT UNIT (CAMU) REGULATIONS

add new subparagraph; except as provided in 264.550(b), CAMU's are subject to 264.552	264.550(a)	264.550(a)	X			
add new subparagraph; CAMU's approved before April 22, 2002, or that have submitted substantially complete applications on or before November 20, 2000, are subject to 264.551 for grandfathered CAMUs; such CAMUs will not be subject to 264.552, so long as they remain within approved scope	264.550(b)	264.550(b)	X			
² GRANDFATHERED CORRECTIVE ACTION MANAGEMENT UNITS (CAMUs)						
³ redesignate old 264.552 as 264.551	264.551	264.551	X			

¹ Revision Checklist 196 revised the title of Subpart S of Part 264 from “Corrective Action for Solid Waste Management Units” to “Special Provisions for Cleanup”.

² Revision Checklist 196 redesignated 264.552 as 265.551 and revised the section heading from “Corrective Action Management Units (CAMU)” to “Grandfathered Corrective Action Management Units (CAMUs)”.

³ Revision Checklist 196 redesignated 264.552 as 265.551, revised the introductory paragraph at newly redesignated 264.551(a), and inserted a new section 264.552.

revise redesignated intro paragraph; insert "Section" after "RCRA"; remove " , as defined in § 260.10,"; insert new second sentence on meaning of CAMU; replace "owner/operator" with "owner or operator"	264.551(a) intro	264.551(a) intro	X			
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CORRECTIVE ACTION MANAGEMENT UNITS (CAMU)

Regional Administrator (RA) may designate an area at facility as CAMU for purpose of implementing remedies under 264.101 or RCRA 3008(h) or to implement remedies at a facility not subject to 264.101; meaning of CAMU; CAMU must be located within contiguous property under owner/operator control where wastes originated; one or more CAMUs may be designated at facility	264.552(a)	264.552(a)	X			
<i>CAMU-eligible waste means:</i>	264.552(a)(1)	264.552(a)(1)	X			
all solid & hazardous wastes, and all media & debris, managed for implementing cleanup; as-generated wastes from ongoing industrial operations at a site are not CAMU-eligible wastes	264.552(a)(1)(i)	264.552(a)(1)(i)	X			
wastes that otherwise meet 264.552(a)(1)(i) description are not "CAMU-Eligible Wastes" where:	264.552(a)(1)(ii)	264.552(a)(1)(ii)	X			

they are hazardous wastes found during cleanup in intact or substantially intact containers, tanks, or other non-land-based above ground units, unless wastes are first placed in these units as part of cleanup, or containers or tanks are excavated during cleanup; or	264.552(a)(1)(ii)(A)	264.552(a)(1)(ii)(A)	X			
RA exercises discretion in 264.552(a)(2) to prohibit management of wastes in a CAMU	264.552(a)(1)(ii)(B)	264.552(a)(1)(ii)(B)	X			
notwithstanding 264.552(a)(1)(i), as-generated non-hazardous waste may be placed in a CAMU when used to facilitate treatment or performance of CAMU	264.552(a)(1)(iii)	264.552(a)(1)(iii)	X			
RA may prohibit waste placement in a CAMU if wastes not managed in compliance with applicable part 268 or 265 requirements, or non-compliance with other RCRA requirements contributed to a release	264.552(a)(2)	264.552(a)(2)	X			
liquids prohibition	264.552(a)(3)	264.552(a)(3)	X			
placement of bulk or noncontainerized liquid hazardous waste or free liquids contained in hazardous waste is prohibited in any CAMU except where placement facilitates cleanup remedy	264.552(a)(3)(i)	264.552(a)(3)(i)	X			

264.314(d) requirements for placement of containers holding free liquids in landfills apply to CAMU except where placement facilitates cleanup remedy	264.552(a)(3)(ii)	264.552(a)(3)(ii)	X			
placement of nonhazardous liquid waste in CAMU is prohibited unless it facilitates cleanup remedy or 264.314(f) demonstration is made	264.552(a)(3)(iii)	264.552(a)(3)(iii)	X			
absence or presence of free liquids must be determined in accordance with 264.314(c); sorbents used to treat free liquids must meet 264.314(e)	264.552(a)(3)(iv)	264.552(a)(3)(iv)	X			
placement of CAMU-eligible wastes into or within CAMU is not land disposal	264.552(a)(4)	264.552(a)(4)	X			
consolidation or placement of CAMU-eligible wastes into or within CAMU is not creation of a unit subject to minimum technology requirements	264.552(a)(5)	264.552(a)(5)	X			
RA may designate a regulated unit as a CAMU, or incorporate a regulated unit into a CAMU, if:	264.552(b)(1)	264.552(b)(1)	X			
regulated unit is closed or closing under 264.113 or 265.113; and	264.552(b)(1)(i)	264.552(b)(1)(i)	X			
inclusion will enhance effective, protective & reliable remedial actions	264.552(b)(1)(ii)	264.552(b)(1)(ii)	X			

subpart F, G & H and the unit-specific requirements of 264/265 that applied to regulated unit will continue to apply to that portion of the CAMU after incorporation into the CAMU	264.552(b)(2)	264.552(b)(2)	X			
only in accordance with 264.552(f) shall RA designate a CAMU to be used for storage and/or treatment; all other CAMUs designated in accordance with:	264.552(c)	264.552(c)	X			
CAMU shall facilitate effective, protective, reliable & cost-effective remedies;	264.552(c)(1)	264.552(c)(1)	X			
CAMU waste management activities shall not create unacceptable risks from exposure to hazardous wastes or constituents;	264.552(c)(2)	264.552(c)(2)	X			
CAMU includes uncontaminated areas of facility, only if including such areas for managing CAMU-eligible waste is more protective than management of such wastes at contaminated areas of facility;	264.552(c)(3)	264.552(c)(3)	X			
areas where wastes remain in place after CAMU closure, shall be managed to minimize future releases;	264.552(c)(4)	264.552(c)(4)	X			
CAMU expedites timing of remedial activity implementation;	264.552(c)(5)	264.552(c)(5)	X			

CAMU enables use of treatment technologies to enhance long-term remedial action effectiveness by reducing toxicity, mobility or volume of wastes that remain after closure; and	264.552(c)(6)	264.552(c)(6)	X			
CAMU minimizes land area upon which wastes will remain after closure	264.552(c)(7)	264.552(c)(7)	X			
owner/operator to provide sufficient information to enable RA to designate CAMU; information must include:	264.552(d)	264.552(d)	X			
origin of waste and how managed;	264.552(d)(1)	264.552(d)(1)	X			
whether waste was listed or identified as hazardous at time of disposal and/or release; and	264.552(d)(2)	264.552(d)(2)	X			
whether disposal and/or release occurred before or after LDRs were in effect for the listing or characteristic	264.552(d)(3)	264.552(d)(3)	X			
RA shall specify, in a permit or order CAMU requirements to include:	264.552(e)	264.552(e)	X			
areal configuration	264.552(e)(1)	264.552(e)(1)	X			
except as 264.552(g) provides, applicable design, operation, treatment & closure requirements	264.552(e)(2)	264.552(e)(2)	X			
except as 264.552(g) provides, minimum design requirements:	264.552(e)(3)	264.552(e)(3)	X			

except 264.552(e)(3)(ii) approved alternate, CAMUs consisting of new, replacement or laterally expanded units must include composite liner & leachate collection system; meaning of <i>composite liner</i> ; construction of upper component; thickness of HDPE; installation of FML;	264.552(e)(3)(i)	264.552(e)(3)(i)	X			
alternate requirements may be approved if:	264.552(e)(3)(ii)	264.552(e)(3)(ii)	X			
RA finds alternate design & operating practices, together with location, will prevent migration into ground or surface water at least as effectively as 264.552(e)(3)(i) systems; or	264.552(e)(3)(ii)(A)	264.552(e)(3)(ii)(A)	X			
CAMU to be established in area with existing significant contamination, and RA finds alternative design would prevent migration that exceeds long-term remedial goals	264.552(e)(3)(ii)(B)	264.552(e)(3)(ii)(B)	X			

minimum treatment requirements; unless in CAMU treatment/ storage only under 264.552(f), CAMU eligible waste that absent 264.552 would be subject to 268 Treatment Standards and the RA determines waste contains principal hazardous constituents must be treated to 264.052(e)(4)(iii) standards	264.552(e)(4)	264.552(e)(4)	X			
principal hazardous constituents are those that pose a risk substantially higher than cleanup levels or goals at site	264.552(e)(4)(i)	264.552(e)(4)(i)	X			
principal hazardous constituents (PHCs):	264.552(e)(4)(i)(A)	264.552(e)(4)(i)(A)	X			
carcinogens that pose specified risk from ingestion or inhalation; and	264.552(e)(4)(i)(A)(1)	264.552(e)(4)(i)(A)(1)	X			
non-carcinogens that pose specified risk from ingestion or inhalation an order of magnitude or more above their reference dose	264.552(e)(4)(i)(A)(2)	264.552(e)(4)(i)(A)(2)	X			

PHCs can also be designated when risks posed by potential migration to ground water are substantially higher than cleanup levels or goals; factors for designation	264.552(e)(4)(i)(B)	264.552(e)(4)(i)(B)	X			
RA may designate other constituents as PHCs if determined to pose a risk substantially higher than cleanup levels or goals at site	264.552(e)(4)(i)(C)	264.552(e)(4)(i)(C)	X			
in determining PHCs, the RA must consider all constituents subject to 268 treatment standards	264.552(e)(4)(ii)	264.552(e)(4)(ii)	X			
⁴ waste determined to contain PHCs must meet treatment standards determined in accordance with 264.552(e)(4)(iv) or (v)	264.552(e)(4)(iii)	264.552(e)(4)(iii)	X			
treatment standards for wastes placed in CAMUs	264.552(e)(4)(iv)	264.552(e)(4)(iv)	X			
non-metals must achieve 90% reduction in PHC concentrations	264.552(e)(4)(iv)(A)	264.552(e)(4)(iv)(A)	X			
metals must achieve 90% reduction in PHC concentrations or in total constituent concentrations	264.552(e)(4)(iv)(B)	264.552(e)(4)(iv)(B)	X			

⁴ There is a punctuation error at 264.552(e)(4)(iii) in the January 22, 2002 rule (67 FR 2962; Revision Checklist 196): the ending colon should be replaced with a period.

when 90% reduction in PHC concentrations result in a concentration less than 10 times the UTS, treatment is not required; UTS are identified in 268.48	264.552(e)(4)(iv) (C)	264.552(e)(4)(iv)(C)	X			
wastes exhibiting ignitability, corrosivity or reactivity must also be treated to eliminate characteristic	264.552(e)(4)(iv) (D)	264.552(e)(4)(iv)(D)	X			
debris must be treated in accordance with 268.45, or to 264.552(e)(4)(iv) (A)-(D) or (e)(4)(v) levels	264.552(e)(4)(iv) (E)	264.552(e)(4)(iv)(E)	X			
alternatives to TCLP; for metal bearing wastes, RA may specify a test other than TCLP to measure treatment effectiveness	264.552(e)(4)(iv) (F)	264.552(e)(4)(iv)(F)	X			
RA may adjust treatment standards based on following; adjusted level must be protective of human health and environment:	264.552(e)(4)(v)	264.552(e)(4)(v)	X			
technical impracticability of 264.552(e)(4)(iv);	264.552(e)(4)(v) (A)	264.552(e)(4)(v) (A)	X			
264.552(e)(4)(iv) would result in PHC concentrations significantly above or below cleanup standards;	264.552(e)(4)(v) (B)	264.552(e)(4)(v) (B)	X			
affected local community views of 264.552(e)(4)(iv) methods;	264.552(e)(4)(v) (C)	264.552(e)(4)(v) (C)	X			
short-term risks of method necessary to achieve 264.552(e)(4)(iv);	264.552(e)(4)(v) (D)	264.552(e)(4)(v) (D)	X			
long-term protection of CAMU & engineering controls:	264.552(e)(4)(v) (E)	264.552(e)(4)(v) (E)	X			

where 264.552(e)(4)(iv) treatment standards are substantially met & PHCs are of very low mobility; or	264.552(e)(4)(v) (E)(1)	264.552(e)(4)(v) (E)(1)	X			
where cost-effective treatment is used & CAMU meets 264.301(c)&(d) requirements; or	264.552(e)(4)(v) (E)(2)	264.552(e)(4)(v) (E)(2)	X			
where cost-effective treatment is not reasonably available & CAMU meets 264.301(c)&(d) requirements; or	264.552(e)(4)(v) (E)(3)	264.552(e)(4)(v) (E)(3)	X			
where cost-effective treatment has been used & PHCs are of very low mobility; or	264.552(e)(4)(v) (E)(4)	264.552(e)(4)(v) (E)(4)	X			
where cost-effective treatment is not available, PHCs are of very low mobility, & CAMU meets/exceeds 264.552(e)(3)(i)&(ii) requirements, or CAMU provides substantially equivalent or greater protection	264.552(e)(4)(v) (E)(5)	264.552(e)(4)(v) (E)(5)	X			
treatment required must be completed prior to, or within reasonable time after, placement in CAMU	264.552(e)(4)(vi)	264.552(e)(4) (vi)	X			
RA may specify a PHC subset as analytical surrogates for determining if treatment standards are met for other PHCs; specification based on difficulty of treatment	264.552(e)(4)(vii)	264.552(e)(4) (vii)	X			
ground water monitoring & corrective action requirements sufficient to:	264.552(e)(5)	264.552(e)(5)	X			

detect & characterize existing releases in ground water from CAMU; and	264.552(e)(5)(i)	264.552(e)(5)(i)	X			
detect & characterize releases to ground water from CAMU when wastes remain after closure; and	264.552(e)(5)(ii)	264.552(e)(5)(ii)	X			
require RA notification & corrective action for releases to ground water from CAMU	264.552(e)(5)(iii)	264.552(e)(5)(iii)	X			
except as 264.552(d) provides, closure & post-closure requirements:	264.552(e)(6)	264.552(e)(6)	X			
closure of CAMU shall:	264.552(e)(6)(i)	264.552(e)(6)(i)	X			
minimize further maintenance; and	264.552(e)(6)(i) (A)	264.552(e)(6)(i) (A)	X			
control, minimize or eliminate post-closure escape of hazardous wastes to ground, surface waters or atmosphere	264.552(e)(6)(i) (B)	264.552(e)(6)(i) (B)	X			
requirements for CAMU closure shall include:	264.552(e)(6)(ii)	264.552(e)(6)(ii)	X			
waste excavation, removal, treatment or containment requirements; and	264.552(e)(6)(ii) (A)	264.552(e)(6)(ii) (A)	X			
equipment, devices & structures removal and decontamination requirements	264.552(e)(6)(ii) (B)	264.552(e)(6)(ii) (B)	X			
in establishing 264.552(e) closure requirements, the RA shall consider:	264.552(e)(6)(iii)	264.552(e)(6)(iii)	X			
CAMU characteristics;	264.552(e)(6)(iii) (A)	264.552(e)(6)(iii) (A)	X			
volume of wastes remaining after closure;	264.552(e)(6)(iii) (B)	264.552(e)(6)(iii) (B)	X			
potential for releases;	264.552(e)(6)(iii) (C)	264.552(e)(6)(iii) (C)	X			
physical & chemical characteristics of waste;	264.552(e)(6)(iii) (D)	264.552(e)(6)(iii) (D)	X			

environmental conditions which may influence migration of any potential or actual releases; and	264.552(e)(6)(iii) (E)	264.552(e)(6) (iii) (E)	X			
exposure potential from releases	264.552(e)(6)(iii) (F)	264.552(e)(6) (iii) (F)	X			
cap requirements:	264.552(e)(6)(iv)	264.552(e)(6) (iv)	X			
at final closure in areas where wastes will remain, owner/operator must cover CAMU with cover that meets following performance criteria:	264.552(e)(6)(iv) (A)	264.552(e)(6) (iv) (A)	X			
long-term liquids migration minimization;	264.552(e)(6)(iv) (A)(1)	264.552(e)(6) (iv) (A)(1)	X			
minimum maintenance;	264.552(e)(6)(iv) (A)(2)	264.552(e)(6) (iv) (A)(2)	X			
promote drainage & minimize erosion;	264.552(e)(6)(iv) (A)(3)	264.552(e)(6) (iv) (A)(3)	X			
accommodate settling and subsidence to maintain cover integrity; and	264.552(e)(6)(iv) (A)(4)	264.552(e)(6) (iv) (A)(4)	X			
permeability less than or equal to any bottom liner system or natural subsoils	264.552(e)(6)(iv) (A)(5)	264.552(e)(6) (iv) (A)(5)	X			
RA may determine that 264.552(e)(6)(iv)(A) modifications are needed to facilitate treatment or performance	264.552(e)(6)(iv) (B)	264.552(e)(6) (iv) (B)	X			
post-closure requirements to protect human health & environment to include monitoring & maintenance; frequency to ensure integrity of cap, final cover or other containment system	264.552(e)(6)(v)	264.552(e)(6)(v)	X			

CAMUs used only for storage and/or treatment will not have wastes remaining after closure; such CAMUs designated using all 264.552 requirements, with following exceptions	264.552(f)	264.552(f)	X			
qualified CAMUs that operate within 264.554(d)(1)(iii), (h) & (i) time limits are subject to specified staging pile requirements in lieu of 264.552(c) & (e)(3)-(6)	264.552(f)(1)	264.552(f)(1)	X			
qualified CAMUs that do not operate within 264.554(d)(1)(iii), (h) & (i) time limits:	264.552(f)(2)	264.552(f)(2)	X			
must operate with a time limit established by RA, no longer than necessary to achieve timely remedy, and	264.552(f)(2)(i)	264.552(f)(2)(i)	X			
are subject to specified staging pile requirements in lieu of 264.552(c) & (e)(4) & (6)	264.552(f)(2)(ii)	264.552(f)(2)(ii)	X			
CAMUs with wastes at or below remedial levels or goals do not have to comply with liner, cap, ground water monitoring or design standards	264.552(g)	264.552(g)	X			
RA shall provide public notice & opportunity for comment before designating a CAMU; notice shall include rationale for any proposed adjustments	264.552(h)	264.552(h)	X			

RA may impose additional requirements to protect human health & the environment	264.552(i)	264.552(i)	X			
incorporation of a CAMU into existing permit must be approved by RA according to 270.41 or 270.42	264.552(j)	264.552(j)	X			
CAMU designation does not change EPA's authority to address clean-up levels, media-specific compliance, or other remedy selection decisions	264.552(k)	264.552(k)	X			

STAGING PILES

add new subparagraph; storage includes mixing, sizing, blending or other similar physical operations as long as they prepare wastes for subsequent management or treatment	264.554(a)(1)	264.554(a)(1)	X			
add and reserve new subparagraph	264.554(a)(2)	264.554(a)(2)	X			

†, ⁵ DISPOSAL OF CAMU-ELIGIBLE WASTES IN PERMITTED HAZARDOUS WASTE LANDFILLS

if 264.555(a)(1)-(3) conditions are met, the RA may approve placement of CAMU-eligible wastes in hazardous waste landfills not at waste origination site, without meeting 268 requirements:	264.555(a)	264.555(a)	X			
waste meets 264.552(a)(1) & (2) definition	264.555(a)(1)	264.555(a)(1)	X			

⁵ Revision Checklist 196 added a new section to Subpart S at 264.555 called "Disposal of CAMU-eligible wastes in permitted hazardous waste landfills".

RA identifies PHCs in waste & requires treatment to any of the following standards:	264.555(a)(2)	264.555(a)(2)	X			
264.552(e)(4)(iv); or	264.555(a)(2)(i)	264.555(a)(2)(i)	X			
264.552(e)(4)(v)(A), (C), (D) or (E)(1); or	264.555(a)(2)(ii)	264.555(a)(2)(ii)	X			
264.552(e)(4)(v)(E)(2), where treatment significantly reduces toxicity or mobility of PHCs, minimizing threat posed by waste	264.555(a)(2)(iii)	264.555(a)(2)(iii)	X			
landfill must have RCRA permit, meet 264 subpart N requirements & be authorized to accept CAMU-eligible wastes; "permit" does not include interim status	264.555(a)(3)	264.555(a)(3)	X			
person seeking approval to provide sufficient information to enable RA to approve placement of CAMU-eligible waste; information in 264.552(d)(1)-(3) required, unless not reasonably available	264.555(b)	264.555(b)	X			
RA shall provide public notice & opportunity for comment before approving CAMU-eligible waste for placement off-site; approval must be specific to a single remediation	264.555(c)	264.555(c)	X			

applicable part 264 hazardous waste management requirements for CAMU-eligible waste must be incorporated into receiving facility permit through permit issuance or modification, providing notice and opportunity for comment & hearing; a landfill may not receive hazardous CAMU-eligible waste unless specifically authorized by permit	264.555(d)	264.555(d)	X			
CAMU-eligible wastes may not be placed in off-site landfill in accordance with 264.555(d) until:	264.555(e)	264.555(e)	X			
owner/operator notifies RA & persons on mailing list of intent to receive waste; contents of notice	264.555(e)(1)	264.555(e)(1)	X			
within 15 days of notification, persons on mailing list may provide comments to RA	264.555(e)(2)	264.555(e)(2)	X			
within 30 days of notification, RA may object to waste placement; RA can extend review for additional 30 days	264.555(e)(3)	264.555(e)(3)	X			
RA notifies owner/operator that he/she does not object	264.555(e)(4)	264.555(e)(4)	X			
if RA objects, facility may not receive waste until objection resolved or permit modification under 270.42 is obtained	264.555(e)(5)	264.555(e)(5)	X			
RA may modify, reduce or eliminate notification requirements as part of 264.555(d) process	264.555(e)(6)	264.555(e)(6)	X			

generators of CAMU-eligible wastes sent off-site under 264.555, must comply with 268.7(a)(4); off-site facilities treating such wastes must comply with 268.7(b)(4); certification with respect to 264.555(a)(2) treatment requirements	264.555(f)	264.555(f)	X			
for purposes of 264.555 only, "design of CAMU" in 264.552(e)(4)(v)(E) means design of permitted Subtitle C landfill	264.555(g)	264.555(g)	X			

† Optional

RCRA REVISION CHECKLIST 197

Hazardous Air Pollutant Standards for Combustors: Interim Standards

67 FR 6792-6818

February 13, 2002

(RCRA Cluster XII, HSWA/Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 et seq.)

Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

HSWA provisions are identified by a "E" (diamond symbol) in this checklist.

Conditionally optional provisions are identified by a "††" (double dagger symbol) in this checklist.

Note: Throughout the rule represented by Revision Checklist 197, the terms "Administrator" and "Director" are used to mean the same person (the head of each agency). Different terms are used because the Air program uses the term "Administrator", while the Hazardous Waste program generally uses "Director" relative to air emissions standards. Thus, "Administrator" is used in provisions which reference 40 CFR part 63 (the Air program), while "Director" is used in provisions which reference air emissions standards in 40 CFR parts 260 through 279. States should substitute terms used for State Heads of Air and Hazardous Waste programs for "Administrator" and "Director", respectively.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 264 – STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART O – INCINERATORS						

APPLICABILITY

†,E1	replace "paragraph (b)(2)" with "paragraphs (b)(2), (b)(3), and (b)(4)"; replace "63.1210(d)" with "63.1210(b)"; at end of first sentence, replace "subpart EEE of part 63 of this Chapter" with "part 63, subpart EEE, of this chapter"	264.340(b)(1)	264.340(b)(1)	X			
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US EPA ARCHIVE DOCUMENT

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
†,Ë add new paragraph; when complying with 270.235(a)(1)(i) to minimize emissions of toxic compounds, the following remain in effect for startup, shutdown and malfunction:	264.340(b)(4)	264.340(b)(4)	X			
†,Ë 264.345(a) requiring incinerators to operate in accordance with permit; and	264.340(b)(4)(i)	264.340(b)(4)(i)	X			
†,Ë 264.345(c) requiring emission standards and operating requirements compliance during startup and shutdown if hazardous waste in combustion chambers, except for particular hazardous waste	264.340(b)(4)(ii)	264.340(b)(4)(ii)	X			

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

SUBPART O – INCINERATORS

APPLICABILITY

†,Ë replace “paragraph (b)(2)” with “paragraphs (b)(2) and (b)(3)”; replace “63.1210(d)” with “63.1210(b)”; replace “subpart EEE of part 63 of this Chapter” with “part 63, subpart EEE, of this chapter”; delete last sentence	265.340(b)(1)	265.340(b)(1)	X			
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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
†,E add new paragraph; when complying with 270.235(a)(1)(i) to minimize emissions of toxic compounds from startup and shutdown, 265.345 remains in effect	265.340(b)(3)	265.340(b)(3)	X			

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

SUBPART H – HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

APPLICABILITY

†,E redesignate 266.100(b)(2)(i)-(iv) as 266.100(b)(2)(ii)-(v) and add new (b)(2)(i): when complying with 270.235(a)(1)(i) to minimize emissions of toxic compounds from startup, shutdown and malfunction, 266.102(e)(1) and (e)(2)(iii) continue to apply; these provisions apply only during startup, shutdown and malfunction	266.100(b)(2)(i)-(v)	266.100(b)(2)(i)-(v)	X			
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**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:
THE HAZARDOUS WASTE PERMIT PROGRAM**

SUBPART B - PERMIT APPLICATION

SPECIFIC PART B INFORMATION REQUIREMENTS FOR INCINERATORS

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
†,È remove “40 CFR”; after “do not apply” insert “, except those provisions the Director determines are necessary to ensure compliance with §§ 264.345(a) and 264.345(c) of this chapter if you elect to comply with § 270.235 (a)(1)(i) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events”	270.19(e)	270.19(e)	X			

SPECIFIC PART B INFORMATION REQUIREMENTS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

†,È remove “40 CFR”; after “subpart EEE” insert “, of this chapter”; after “do not apply” insert “, except those provisions the Director determines are necessary to ensure compliance with §§ 266.102(e)(1) and 266.102(e)(2)(iii) of this chapter if you elect to comply with § 270.235 (a)(1)(i) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events”	270.22 intro	270.22 intro	X			
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SUBPART F - SPECIAL FORMS OF PERMITS

HAZARDOUS WASTE INCINERATOR PERMITS

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
†,É remove “40 CFR”; after “subpart EEE” insert “, of this chapter”; after “do not apply” insert “, except those provisions the Director determines are necessary to ensure compliance with §§ 264.345(a) and 264.345(c) of this chapter if you elect to comply with § 270.235 (a)(1)(i) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events”	270.62 intro	270.22 intro	X			

PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

†,É remove “40 CFR”; after “subpart EEE” insert “, of this chapter”; after “do not apply” insert “, except those provisions the Director determines are necessary to ensure compliance with §§ 266.102(e)(1) and 266.102(e)(2)(iii) of this chapter if you elect to comply with § 270.235 (a)(1)(i) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events”	270.66 intro	270.66 intro	X			
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SUBPART I - INTEGRATION WITH MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT) STANDARDS

†,É OPTIONS FOR INCINERATORS AND CEMENT AND LIGHTWEIGHT AGGREGATE KILNS TO MINIMIZE EMISSIONS FROM STARTUP, SHUTDOWN, AND MALFUNCTION EVENTS						
facilities with existing permits	270.235(a)	270.235(a)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
revisions to permit conditions after documenting compliance with MACT; owner/operator of RCRA-permitted incinerator, cement kiln or lightweight aggregate kiln may request Director address permit conditions that minimize emissions from startup, shutdown & malfunction under following options when requesting removal of permit conditions that are no longer applicable under 264.340(b) and 266.100(b)	270.235(a)(1)	270.235(a)(1)	X			
retain relevant permit conditions. under this option, Director will:	270.235(a)(1)(i)	270.235(a)(1)(i)	X			
address releases during startup, shutdown & malfunction as defined under 63.1206(c)(2); and	270.235(a)(1)(i)(A)	270.235(a)(1)(i)(A)	X			
limit applicability to operation under startup, shutdown & malfunction plan	270.235(a)(1)(i)(B)	270.235(a)(1)(i)(B)	X			
revise relevant permit conditions	270.235(a)(1)(ii)	270.235(a)(1)(ii)	X			
under this option, the Director will:	270.235(a)(1)(ii)(A)	270.235(a)(1)(ii)(A)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
identify subset of relevant existing permit requirements or develop alternative requirements, that ensure emissions from startup, shutdown & malfunction are minimized, based on information review	270.235(a)(1)(ii)(A)(1)	270.235(a)(1)(ii)(A)(1)	X			
retain or add permit requirements to apply only when facility is operating under startup, shutdown & malfunction plan	270.235(a)(1)(ii)(A)(2)	270.235(a)(1)(ii)(A)(2)	X			
changes that may significantly increase emissions	270.235(a)(1)(ii)(B)	270.235(a)(1)(ii)(B)	X			
Director must be notified in writing of startup, shutdown & malfunction plan or design changes that may significantly increase emissions of toxic compounds; notification within five days; notification must recommend permit revisions to ensure emissions of toxic compounds are minimized	270.235(a)(1)(ii)(B)(1)	270.235(a)(1)(ii)(B)(1)	X			
Director may revise permit conditions as a result of changes either:	270.235(a)(1)(ii)(B)(2)	270.235(a)(1)(ii)(B)(2)	X			
upon permit renewal, or:	270.235(a)(1)(ii)(B)(2)(i)	270.235(a)(1)(ii)(B)(2)(i)	X			
by permit modification under 270.41(a) or 270.42	270.235(a)(1)(ii)(B)(2)(ii)	270.235(a)(1)(ii)(B)(2)(ii)	X			
remove permit conditions. under this option:	270.235(a)(1)(iii)	270.235(a)(1)(iii)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator must document that startup, shutdown & malfunction plan has been approved by Administrator; and	270.235(a)(1)(iii) (A)	270.235(a)(1)(iii) (A)	X			
Director will remove permit conditions no longer applicable under 264.340(b) & 266.100(b)	270.235(a)(1)(iii) (B)	270.235(a)(1)(iii) (B)	X			
addressing permit conditions upon permit reissuance. under certain conditions, owner/operator may request in application to reissue permit that Director control emissions from startup, shutdown & malfunction under following options:	270.235(a)(2)	270.235(a)(2)	X			
RCRA option A	270.235(a)(2)(i)	270.235(a)(2)(i)	X			
under this option, the Director will:	270.235(a)(2)(i) (A)	270.235(a)(2)(i) (A)	X			
include conditions that ensure compliance with 264.345(a)&(c) or 266.102(e)(1) & (e)(2) (iii) to minimize emissions of toxic compounds; and	270.235(a)(2)(i) (A)(1)	270.235(a)(2)(i) (A)(1)	X			
specify that permit requirements apply only when operating under startup, shutdown & malfunction plan; or	270.235(a)(2)(i) (A)(2)	270.235(a)(2)(i) (A)(2)	X			
RCRA option B	270.235(a)(2)(ii)	270.235(a)(2)(ii)	X			
under this option, the Director will:	270.235(a)(2)(ii) (A)	270.235(a)(2)(ii) (A)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
include conditions that ensure emissions of toxic compounds are minimized from startup, shutdown & malfunction, based on information review; and	270.235(a)(2)(ii)(A)(1)	270.235(a)(2)(ii)(A)(1)	X			
specify that permit requirements apply only when operating under startup, shutdown & malfunction plan	270.235(a)(2)(ii)(A)(2)	270.235(a)(2)(ii)(A)(2)	X			
changes that may significantly increase emissions	270.235(a)(2)(ii)(B)	270.235(a)(2)(ii)(B)	X			
Director must be notified in writing of startup, shutdown & malfunction plan or design changes that may significantly increase emissions of toxic compounds; notification within five days; notification must recommend permit revisions to ensure emissions of toxic compounds are minimized	270.235(a)(2)(ii)(B)(1)	270.235(a)(2)(ii)(B)(1)	X			
Director may revise permit conditions as a result of changes:	270.235(a)(2)(ii)(B)(2)	270.235(a)(2)(ii)(B)(2)	X			
upon permit renewal, or if warranted:	270.235(a)(2)(ii)(B)(2)(i)	270.235(a)(2)(ii)(B)(2)(i)	X			
by permit modification under 270.41(a) or 270.42; or	270.235(a)(2)(ii)(B)(2)(ii)	270.235(a)(2)(ii)(B)(2)(ii)	X			
CAA option; under this option:	270.235(a)(2)(iii)	270.235(a)(2)(iii)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner/operator must document that startup, shutdown & malfunction plan has been approved by Administrator; and	270.235(a)(2)(iii) (A)	270.235(a)(2)(iii) (A)	X			
Director will omit permit conditions no longer applicable under 264.340(b) & 266.100(b)	270.235(a)(2)(iii) (B)	270.235(a)(2)(iii) (B)	X			
interim status facilities	270.235(b)	270.235(b)	X			
interim status operations; incinerator, cement kiln or lightweight aggregate kiln operating under interim status of 265 or 266 may control emissions during startup, shutdown & malfunction under either option after conducting a comprehensive performance test & submitting Notification of Compliance to Administrator:	270.235(b)(1)	270.235(b)(1)	X			
RCRA option; continued compliance with interim status standards of 265 or 266; those standards apply only during startup, shutdown and malfunction; or	270.235(b)(1)(i)		X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
CAA option; owner/operator is exempt from interim status standards of 265 or 266 relevant to toxic compound emissions control during startup, shutdown & malfunction upon written notification & documentation to Director that startup, shutdown & malfunction plan has been approved by Administrator	270.235(b)(1)(ii)	270.235(b)(1)(ii)	X			
operations under a subsequent RCRA permit; when an owner/operator of a incinerator, cement kiln or lightweight aggregate kiln operating under interim status of 265 or 266, submits RCRA permit application, they may request the Director control emissions from startup, shutdown & malfunction under any of the options of 270.235(a)(2)(i)-(iii)	270.235(b)(2)	270.235(b)(2)	X			

1

Paragraph 264.340(b)(3) was created in the July 3, 2001 FR notice included in Revision Checklist 188 (see 66 FR 35087).

RCRA REVISION CHECKLIST 198

Hazardous Air Pollutant Standards for Combustors: Corrections

67 FR 6968-6996

February 14, 2002

(RCRA Cluster XII, HSWA/Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 *et seq.*)

Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

HSWA provisions are identified by a "E" (diamond symbol) in this checklist. Conditionally optional provisions are identified by a "††" (double dagger symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 266 – STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES SUBPART H – HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES						
APPLICABILITY						
? replace “(b), (c), (d), and (f)” with “(b), (c), (d), (g), and (h)”	266.100(a)	266.100(a)	X			
††,? replace “63.1210(d)” with “63.1210(b)”; replace second occurrence of “subpart EEE” with “part 63, subpart EEE, of this chapter”	266.100(b)(1)	266.100(b)(1)	X			
? replace “paragraph (c)(2)” with “paragraph (d)(2)”	266.100(d)(1)(i) (B)	266.100(d)(1)(i)(B)	X			
? replace “paragraph (c)(1)(iii)” with “paragraph (d)(1)(iii)”	266.100(d)(2)(i)	266.100(d)(2)(i)	X			
? replace “paragraph (c)(1)(iii)” with “paragraph (d)(1)(iii)”	266.100(d)(2)(ii)	266.100(d)(2)(ii)	X			

^{1,?}	replace comma after “recovery furnace” with an open paren; replace comma after “NESHAP” with closed paren and add language regarding written notice and any claimed exemptions; owners/operators must comply with 266.100(d)(1) & (d)(3)(i) for wastes claimed to be exempt	266.100(d)(3) intro	266.100(d)(3) intro	X			
?	replace “paragraph (c)(1)” with “paragraph (d)(1)”	266.100(d)(3)(i) intro	266.100(d) (3)(i) intro	X			
?	replace both occurrences of “paragraph (c)(3)” with “paragraph (d)(3)”; replace “paragraph (c)(1)(ii)” with “paragraph (d)(1)(ii)”	266.100(d)(3)(i) (D)	266.100(d) (3)(i)(D)	X			

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

SUBPART D - CHANGES TO PERMITS

PERMIT MODIFICATIONS AT THE REQUEST OF THE PERMITTEE

^{††}	replace “was in effect prior to May 14, 2001” with “were in effect prior to October 11, 2000”	270.42(j)(1)	270.42(j)(1)	X			
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¹ The September 30, 1999 rule, as amended by the November 19, 1999 rule (Revision Checklist 182; 64 FR 52828, as amended at 64 FR 63209), inadvertently removed a portion of 266.100(d)(3). This rule (Revision Checklist 198) corrects that omission by reinserting the missing language).

RCRA REVISION CHECKLIST 199
Vacatur of Mineral Processing Spent Materials Being Reclaimed as Solid Wastes
and TCLP Use with MGP Waste

67 FR 11251-11254

March 13, 2002

(RCRA Cluster XII, Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 *et seq.*)

Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

Conditionally optional provisions are identified by a “††” (double dagger symbol) in this checklist.

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 WASTE						
SUBPART A – GENERAL						
DEFINITION OF SOLID WASTE						
††, ¹ remove “(except as provided under 40 CFR 261.4(a)(17))” at end of second sentence	261.2(c)(3)	261.2(c)(3)	X			
EXCLUSIONS						
†† replace “Secondary materials (i.e., sludges, by-products, and spent materials as defined in § 261.1)” with “Spent materials (as defined in § 261.1)”	261.4(a)(17)	261.4(a)(17)	X			
†† replace “secondary” with “spent”	261.4(a)(17)(i)	261.4(a)(17)(i)	X			
†† replace “secondary” with “spent”	261.4(a)(17)(ii)	261.4(a)(17)(ii)	X			
††, ² replace “(a)(15)(iv)” with “(a)(17)(iv)”; replace first occurrence of “secondary material” with “spent material”	261.4(a)(17)(iii)	261.4(a)(17)(iii)	X			

¹ States that have adopted the revised version of Revision Checklist 167 D (63 FR 28556; May 26, 1998) (revised January 2002), should make the following changes to 40 CFR 261.2(c)(3) instead:

Insert new second sentence: “Materials noted with a “–” in column 3 of Table 1 are not solid wastes when reclaimed.”

††, ³	in first sentence, replace “secondary material” with “spent material”; in second sentence, replace “secondary materials” with “spent materials”	261.4(a)(17)(iv)	261.4(a)(17)(iv)	X			
††, ⁴	unchanged even though included in this rule	261.4(a)(17)(iv) (A)	261.4(a)(17)(iv) (A)	X			
††	revise “secondary material” to “spent material”	261.4(a)(17)(iv) (B)	261.4(a)(17)(iv) (B)	X			
	unchanged even though included in this rule	261.4(a)(17)(iv) (C)	261.4(a)(17)(iv) (C)	X			
††	replace “provides a notice” with “provides notice”; replace “, identifying” with “providing”; remove “non” prior to “land-based”	261.4(a)(17)(v)	261.4(a)(17)(v)	X			
††, ⁵	replace “§ 261.4(b)(7)” with “paragraph (a)(7) of this section”; replace “secondary materials” with “spent materials”	261.4(a)(17)(vi)	261.4(a)(17)(vi)	X			

SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

TOXICITY CHARACTERISTIC

² There is an error in the March 13, 2002 rule (67 FR 11251; Revision Checklist 199). The second occurrence of “secondary material” should have also been revised to “spent material”. States should make this revision.

³ There are typographical errors in the March 13, 2002 rule (67 FR 11251; Revision Checklist 199). In the first sentence, the rule incorrectly revises “on pads, rather than in tanks, containers, or buildings.” to “on pads rather than tanks containers, or buildings.” States should not make these changes. Additionally, in the third sentence, the rule should have also revised “secondary material” to “spent material”. States should make this change.

⁴ There is an error in the March 13, 2002 rule (67 FR 11251; Revision Checklist 199). In the second sentence, “secondary material” should have been revised to “spent material”. States should make this revision.

⁵ There is an error in the March 13, 2002 rule (67 FR 11251; Revision Checklist 199). The rule incorrectly revises the internal reference to “paragraph (a)(7) of this section”. The correct revised internal reference should read “paragraph (b)(7) of this section”.

insert "(except manufactured gas plant waste)" after "A solid waste"	261.24(a)	261.24(a)	X			
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RCRA REVISION CHECKLIST 200
Zinc Fertilizer Rule
 67 FR 48393 – 48415
 July 24, 2002
 (RCRA Cluster XIII, HSWA/ Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 *et seq.*)

Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A -- GENERAL						
EXCLUSIONS						
add new paragraphs (a)(20) and (21) to read as follows:	261.4	261.4	X			
Hazardous secondary materials used to make zinc fertilizers, provided these conditions are satisfied:	261.4(a)(20)	261.4(a)(20)	X			
Materials must not be accumulated speculatively, as defined in §261.1 (c)(8).	261.4(a)(20)(i)	261.4(a)(20)(i)	X			
Generators and intermediate handlers must:	261.4(a)(20)(ii)	261.4(a)(20)(ii)	X			
Submit a one-time notice to Regional Administrator or State Director, containing facility name, address and EPA ID number; providing a description of material; and identifying when the manufacturer will manage these wastes under paragraph (a)(20).	261.4(a)(20)(ii)(A)	261.4(a)(20)(ii)(A)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 200: Zinc Fertilizer Rule
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Store material in tanks, containers, or buildings that prevent releases into environment. Buildings must be made of non-earthen materials and have a floor, walls and a roof. Tanks must be structurally sound and, if outdoors, must have roofs or covers. Containers must be kept closed except when adding or removing material, and must be in sound condition. Containers stored outdoors must be managed within storage areas that:	261.4(a)(20)(ii)(B)	261.4(a)(20)(ii)(B)	X			
have containment structures or systems to contain leaks, spills and accumulated precipitation; and	261.4(a)(20)(ii)(B)(1)	261.4(a)(20)(ii)(B)(1)	X			
provide for drainage and removal of leaks, spills and accumulated precipitation; and	261.4(a)(20)(ii)(B)(2)	261.4(a)(20)(ii)(B)(2)	X			
prevent run-on into the containment system.	261.4(a)(20)(ii)(B)(3)	261.4(a)(20)(ii)(B)(3)	X			
With each off-site shipment, provide written notice to the receiving facility that the material is subject to paragraph (a)(20).	261.4(a)(20)(ii)(C)	261.4(a)(20)(ii)(C)	X			
Maintain at generator's or intermediate handler's facility for no less than three years records of all shipments. These records must contain:	261.4(a)(20)(ii)(D)	261.4(a)(20)(ii)(D)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 200: Zinc Fertilizer Rule
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Name of transporter and date of shipment;	261.4(a)(20)(ii)(D)(1)	261.4(a)(20)(ii)(D)(1)	X			
Name and address of receiving facility, and documentation confirming shipment receipt; and	261.4(a)(20)(ii)(D)(2)	261.4(a)(20)(ii)(D)(2)	X			
Type and quantity of material in each shipment.	261.4(a)(20)(ii)(D)(3)	261.4(a)(20)(ii)(D)(3)	X			
Manufacturers of zinc fertilizers or zinc fertilizer ingredients made from excluded hazardous secondary materials must:	261.4(a)(20)(iii)	261.4(a)(20)(iii)	X			
Store materials in accordance with requirements for generators and intermediate handlers, as in paragraph (a)(20)(ii)(B).	261.4(a)(20)(iii)(A)	261.4(a)(20)(iii)(A)	X			
Submit a one-time notification to the Regional Administrator or State Director that, specifies the name, address and EPA ID number of the manufacturer, and identifies when the manufacturer will manage these materials under paragraph (a)(20).	261.4(a)(20)(iii)(B)	261.4(a)(20)(iii)(B)	X			
Maintain records for a minimum of three years of all shipments received; must identify name and address of generating facility, name of transporter and date materials were received, quantity received, and a describe the process that generated the material.	261.4(a)(20)(iii)(C)	261.4(a)(20)(iii)(C)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 200: Zinc Fertilizer Rule
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
Submit to the Regional Administrator or State Director an annual report identifying the total quantities of all materials used to manufacture zinc fertilizers or zinc fertilizer ingredients in the previous year, the name and address of each generating facility, and the process(s) which generated them.	261.4(a)(20)(iii)(D)	261.4(a)(20)(iii)(D)	X			
Nothing in this section preempts, overrides or otherwise negates the provision in §262.11.	261.4(a)(20)(iv)	261.4(a)(20)(iv)	X			
Interim status and permitted storage units that have only stored zinc-bearing hazardous wastes prior to the submission of the one-time notice described in (a)(20)(ii)(A), and that afterward will be used only to store these excluded materials, are not subject to the closure requirements of 40 CFR Parts 264 and 265.	261.4(a)(20)(v)	261.4(a)(20)(v)	X			
Zinc fertilizers made from hazardous wastes, or hazardous secondary materials that are excluded under paragraph (a)(20) of this section, provided that:	261.4(a)(21)	261.4(a)(21)	X			
The fertilizers meet the following contaminant limits:	261.4(a)(21)(i)	261.4(a)(21)(i)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 200: Zinc Fertilizer Rule
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
For metal contaminants: The Maximum Allowable Total Concentration in Fertilizer, per Unit (1%) of Zinc (ppm): Arsenic - .3 Cadmium - 1.4 Chromium - .6 Lead - 2.8 Mercury - .3	261.4(a)(21)(i)(A)	261.4(a)(21)(i)(A)	X			
For dioxin contaminants the fertilizer must contain no more than eight (8) parts per trillion of dioxin, measured as toxic equivalent (TEQ).	261.4(a)(21)(i)(B)	261.4(a)(21)(i)(B)	X			
The manufacturer analyzes fertilizer to determine compliance with the contaminant limits for metals no less than every six months, and for dioxins no less than every twelve months. Testing must be performed whenever there are changes to manufacturing processes or ingredients that could significantly affect amounts of contaminants in product. The manufacturer may use any reliable analytical method. It is manufacturer's responsibility to ensure that sampling and analysis are unbiased, precise, and representative of the product(s) introduced into commerce.	261.4(a)(21)(ii)	261.4(a)(21)(ii)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 200: Zinc Fertilizer Rule
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
The manufacturer maintains for no less than three years records of all sampling and analyses performed to determine compliance with the requirements of (a)(21)(ii). Such records must at a minimum include:	261.4(a)(21)(iii)	261.4(a)(21)(iii)	X			
Dates and times product samples were taken, and dates samples were analyzed;	261.4(a)(21)(iii)(A)	261.4(a)(21)(iii)(A)	X			
Names and qualifications of person(s) taking samples;	261.4(a)(21)(iii)(B)	261.4(a)(21)(iii)(B)	X			
Description of methods and equipment used to take the samples;	261.4(a)(21)(iii)(C)	261.4(a)(21)(iii)(C)	X			
Name and address of the laboratory where analyses were performed;	261.4(a)(21)(iii)(D)	261.4(a)(21)(iii)(D)	X			
Description of analytical methods used, and	261.4(a)(21)(iii)(E)	261.4(a)(21)(iii)(E)	X			
All laboratory analytical results used to determine compliance with the contaminant limits specified in paragraph (a)(21).	261.4(a)(21)(iii)(F)	261.4(a)(21)(iii)(F)	X			
PART 266 – STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES						
SUBPART C -- RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL						
APPLICABILITY						
remove the last two sentences of paragraph (b), and add a new paragraph (d) to read as follows:	266.20	266.20	X			
Fertilizers that contain recyclable materials are not subject to regulation provided that:	266.20(d)	266.20(d)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 200: Zinc Fertilizer Rule
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
They are zinc fertilizers excluded from the definition of solid waste according to §261.4(a)(21); or	266.20(d)(1)	266.20(d)(1)	X			
They meet applicable treatment standards in subpart D of Part 268 of this chapter for each hazardous waste that they contain.	266.20(d)(2)	266.20(d)(2)	X			
PART 268 – LAND DISPOSAL RESTRICTIONS						
SUBPART D – TREATMENT STANDARDS						
APPLICABILITY OF TREATMENT STANDARDS						
Section 268.40 is amended by removing and reserving paragraph (i)	268.40	268.40	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 201

Treatment Variance for Radioactively Contaminated Batteries

67 FR 62618 – 62624

October 7, 2002

(RCRA Cluster XIII, HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 *et seq.*)

Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

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

PART 268 – LAND DISPOSAL RESTRICTIONS

SUBPART D – TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

amend the Table by adding the following entries to the end of entries D006, D009, and D011:	268.40/Table	268.40/Table	X			
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TREATMENT STANDARDS FOR HAZARDOUS WASTES

[NOTE: NA means not applicable]

Waste code	Waste description and treatment/ Regulatory subcategory	Regulated hazardous constituent		Wastewaters: Concentration in mg/L, ³ or technology code ⁴	Nonwastewaters: Concentration in mg/kg ⁵ unless noted as “mg/L TCLP”, or technology code ⁴
		Common name	CAS ² No.		
* D006 ⁹	* * * * * Radioactively contaminated cadmium containing batteries. (Note: This subcategory consists of nonwastewaters only)	* Cadmium.....	* 7740-43-9	* NA	* Macroencapsulation in accordance with 40 CFR 268.45.
* D009 ⁹	* * * * * Radioactively contaminated mercury containing batteries. (Note: This subcategory consists of nonwastewaters only)	* Mercury.....	* 7439-97-6	* NA	* Macroencapsulation in accordance with 40 CFR 268.45.
*	* * * * *	*	*	*	*

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 201: Treatment Variance for Radioactively Contaminated Batteries
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
D011 ⁹ Radioactively contaminated silver containing batteries. (Note: This subcategory consists of nonwastewaters only)	* * * Silver.....	* * * 7440-22-4	NA			Macroencapsulation in accordance with 40 CFR 268.45.
*	*	*	*	*	*	*

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 202

Hazardous Air Pollutant Standards for Combustors - Corrections 2

67 FR 77687 - 77692

December 19, 2002

(RCRA Cluster XIII, HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act (A.C.A. §§ 8-7-202 *et seq.*)

Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 270 – EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM						
SUBPART B – PERMIT APPLICATION						
SPECIFIC PART B INFORMATION REQUIREMENTS FOR INCINERATORS						
Amend by revising paragraph (e) to read as follows: When an owner or operator demonstrates compliance with the air emission standards in part 63, subpart EEE, the requirements of this section do not apply, except those the Director determines necessary to comply with §§ 264.345(a) and 264.345(c) if you elect to comply with § 270.235(a)(1)(i). The Director may apply the provisions on a case-by-case basis for information collection in accordance with §§ 270.10(k) and 270.32(b)(2).	270.19(e)	270.19(e)	X			

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RCRA REVISION CHECKLIST 202: Hazardous Air Pollutant Standards for Combustors- Corrections 2
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SPECIFIC PART B INFORMATION REQUIREMENTS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE						
Amend by revising the introductory text to read as follows: When an owner or operator of a cement or lightweight aggregate kiln demonstrates compliance with the air emission standards and limitations in part 63, subpart EEE, the requirements of this section do not apply, except those the Director determines necessary to comply with §§ 266.102(e)(1) and 266.102(e)(2)(iii) if you elect to comply with § 270.235(a)(1)(i). The Director may apply the provisions on a case-by-case basis for information collection in accordance with §§ 270.10(k) and 270.32(b)(2).	270.22 intro	270.22 intro	X			

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RCRA REVISION CHECKLIST 202: Hazardous Air Pollutant Standards for Combustors- Corrections 2
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
SUBPART F – SPECIAL FORMS OF PERMITS						
HAZARDOUS WASTE INCINERATOR PERMITS						
Section 270.62 is amended by revising the introductory text to read as follows: When an owner or operator demonstrates compliance with the air emission standards and limitations in part 63, subpart EEE, the requirements of this section do not apply, except those provisions the Director determines necessary to comply with §§ 264.345(a) and 264.345(c) of this chapter if you elect to comply with § 270.235(a)(1)(i). The Director may apply the provisions on a case-by-case basis, for information collection in accordance with §§ 270.10(k) and 270.32(b)(2).	270.62 intro	270.62 intro	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 202: Hazardous Air Pollutant Standards for Combustors- Corrections 2
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE.						
Amend by revising the introductory text to read as Follows: When an owner or operator of a cement or lightweight aggregate kiln demonstrates compliance with the air emission standards and limitations in part 63, subpart EEE, the requirements of this section do not apply, except those provisions the Director determines necessary to comply with §§ 266.102(e)(1) and 266.102(e)(2)(iii) of this chapter if you elect to comply with § 270.235(a)(1)(i). The Director may apply the provisions on a case-by-case basis for information collection in accordance with §§ 270.10(k) and 270.32(b)(2).	270.66 intro	270.66 intro	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 203
Recycled Used Oil Management Standards ; Clarification
 68 FR 44659 – 44665
 July 30, 2003
 (RCRA Cluster XIV, Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-202 *et seq.*

Title of Regulations: APC&EC Regulation No. 23, (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: April 20, 2005

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A -- GENERAL						
SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS						
amend paragraph 261.5(j) by removing both phrases, “if it is destined to be burned for energy recovery”	261.5(j)	261.5(j)	X			
PART 279 – STANDARDS FOR THE MANAGEMENT OF USED OIL						
SUBPART B -- APPLICABILITY						
APPLICABILITY						
Revise paragraph (i) to read as follows:	279.10	279.10	X			

RCRA REVISION CHECKLIST 203: Recycled Used Oil Management Standards; Clarification
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Used oil containing PCBs at any concentration less than 50 ppm is subject to requirements of this Part unless it is regulated under 40 CFR 761 as a used oil containing PCBs at 50 ppm or greater. PCB-containing used oil subject to the requirements of this Part may also be subject to prohibitions and requirements at 40 CFR 761, including 20(d) and (e). Used oil containing PCBs at concentrations of 50 ppm or greater is not subject to requirements of this Part, but is subject to regulation under Part 761. No person may avoid these provisions by diluting used oil containing PCBs, unless otherwise specifically provided for in this Part or Part 761 of this chapter.	279.10(i)	279.10(i)	X			
SUBPART H -- STANDARDS FOR USED OIL FUEL MARKETERS						
TRACKING						
279.74 is revised so paragraph (b) reads as follows:	279.74	279.74	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 203: Recycled Used Oil Management Standards; Clarification
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
A generator, transporter, processor/re-refiner, or burner who first claims that used oil that is to be burned for energy recovery meets the fuel specifications under 279.11 must keep a record of each shipment to the facility to which it delivers the used oil. Records for each shipment must include the following information	279.74(b)	279.74(b)	X			
Name and address of facility receiving the shipment;	279.74(b)(1)	279.74(b)(1)	X			
Quantity of used oil fuel delivered;	279.74(b)(2)	279.74(b)(2)	X			
Date of shipment or delivery; and	279.74(b)(3)	279.74(b)(3)	X			
A cross-reference to the record of used oil analysis or other information used to make the determination that the oil meets the specification as required under 279.72(a).	279.74(b)(4)	279.74(b)(4)	X			

RCRA REVISION CHECKLIST 204
Performance Track
69 FR 21737 – 21754
April 22, 2004

As amended on October 25, 2004 at 69 FR 62217

(RCRA Cluster XIV, Non-HSWA)

- 1) A correction was made to this rule at 69 FR 62217 (October 25, 2004). States are encouraged to adopt the correction at the same time that the April 22, 2004 provisions are adopted. Those states that will incorporate the July 1, 2004 Code of Federal Regulations by reference, should include language that references or otherwise includes the correction published in the Federal Register on October 25, 2004 to ensure accuracy of regulations.
- 2) States are encouraged to adopt these provisions and begin implementing them while seeking authorization.

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-202 *et seq.*

Title of Regulations: APC&EC Regulation No. 23, (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: June 28, 2006

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 262 – STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE						
SUBPART C – PRE-TRANSPORT REQUIREMENTS						
ACCUMULATION TIME						
¹ add paragraphs (j) and (k) to read as follows:	262.34	262.34	X			
A member of the Performance Track Program who generates 1000 kg or greater of hazardous waste per month (or one kg or more of acute hazardous waste) may accumulate hazardous waste on-site without a permit or interim status for an extended period of time provided that:	262.34(j)	262.34(j)	X			

RCRA REVISION CHECKLIST 204: Performance Track
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
The generator accumulates the hazardous waste for no more than 180 days, or for no more than 270 days if the generator must transport the waste (or offer waste for transport) more than 200 miles from the generating facility; and	262.34(j)(1)	262.34(j)(1)	X			
The generator first notifies the Regional Administrator and the Director of the authorized State in writing of its intent to begin accumulation of hazardous waste for extended time periods under the provisions of this section. Advance notice must include:	262.34(j)(2)	262.34(j)(2)	X			
Name and EPA ID number of the facility, and specification of when facility will begin accumulation; and	262.34(j)(2)(i)	262.34(j)(2)(i)	X			
A description of the types of hazardous wastes that will be accumulated, and the units that will be used for such extended accumulation; and	262.34(j)(2)(ii)	262.34(j)(2)(ii)	X			
Statement that the facility has made all changes to its operations, procedures, including emergency preparedness procedures, and equipment, including equipment needed for emergency preparedness, that will be necessary to accommodate extended time periods for accumulating hazardous wastes; and	262.34(j)(2)(iii)	262.34(j)(2)(iii)	X			

RCRA REVISION CHECKLIST 204: Performance Track
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
If generator intends to accumulate hazardous wastes on-site for up to 270 days, a certification that a facility that is permitted (or under interim status) under part 270 to receive these wastes is not available w/in 200 miles of the generating facility; and	262.34(j)(2)(iv)	262.34(j)(2)(iv)	X			
The waste is managed in:	262.34(j)(3)	262.34(j)(3)	X			
Containers, in accordance w/ 40 CFR 265 subpart I, AA, BB, and CC and 264.175; or	262.34(j)(3)(i)	262.34(j)(3)(i)	X			
Tanks, in accordance w/ 40 CFR 265 subpart J, AA, BB, and CC, except 265.197(c) and 265.200; or	262.34(j)(3)(ii)	262.34(j)(3)(ii)	X			
Drip pads, in accordance w/ 40 CFR part 265 subpart W; or	262.34(j)(3)(iii)	262.34(j)(3)(iii)	X			
Containment of buildings, in accordance w/ 40 CFR part 265 subpart DD; and	262.34(j)(3)(iv)	262.34(j)(3)(iv)	X			
The quantity of hazardous waste does not exceed 30,000 kg; and	262.34(j)(4)	262.34(j)(4)	X			
The generator maintains the following records at the facility for each unit used for extended accumulation:	262.34(j)(5)	262.34(j)(5)	X			
Written description of procedures to ensure that each waste volume remains in unit no more than 180 days (or 270 days, as applicable), a description of waste generation and management practices at facility showing that they are consistent w/ the extended accumulation time limit, and documentation that the procedures are complied with; or	262.34(j)(5)(i)	262.34(j)(5)(i)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 204: Performance Track
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
Documentation that the unit is emptied at least once every 180 days (or 270 days, if applicable); and	262.34(j)(5)(ii)	262.34(j)(5)(ii)	X			
Each container or tank used for extended accumulation is labeled or marked clearly w/ the words "Hazardous Waste," and for each container the date accumulation begins is marked and visible for inspection; and	262.34(j)(6)	262.34(j)(6)	X			
The generator complies w/ requirements for owners and operators in 40 CFR 265 C and D, w/ 265.16, and w/ 265.7(a)(5). This generator is exempt from all the requirements in 265 subparts G and H, except 265.111 and 265.114; and	262.34(j)(7)	262.34(j)(7)	X			
The generator has implemented pollution prevention practices that reduce amount of hazardous substances, pollutants, or contaminants released prior to recycling, treatment, or disposal; and	262.34(j)(8)	262.34(j)(8)	X			
The generator includes the following with its Performance Track Annual Performance Report, which must be submitted to the Regional Administrator and the State Director:	262.34(j)(9)	262.34(j)(9)	X			
Information on total quantity of each hazardous waste generated at facility that has been managed the previous year; and	262.34(j)(9)(i)	262.34(j)(9)(i)	X			

RCRA REVISION CHECKLIST 204: Performance Track
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Information for previous year on number of off-site shipments of hazardous waste generated at facility, the types and locations of destination facilities, how wastes were managed, and what changes in on-site or off-site waste management practices occurred as a result of extended accumulation times or other pollution prevention provisions; and	262.34(j)(9)(ii)	262.34(j)(9)(ii)	X			
Information for the previous year on any hazardous waste spills or accidents, or during off-site transport; and	262.34(j)(9)(iii)	262.34(j)(9)(iii)	X			
If generator intends to accumulate hazardous waste for up to 270 days, a certification that a facility is permitted (or under interim status) under part 270 to receive these wastes is not w/in 200 miles of generator; and	262.34(j)(9)(iv)	262.34(j)(9)(iv)	X			
If hazardous wastes must remain at Performance Track facility longer than 180 days (or 270 days) due to circumstances, an extension of accumulation period of up to 30 days may be granted at discretion of Regional Administrator.	262.34(k)	262.34(k)	X			

RCRA REVISION CHECKLIST 204: Performance Track
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
If a Performance Track generator w/draws from the program, or if Regional Administrator terminates its membership, the generator must return to compliance w/ all applicable hazardous waste regulations as soon as possible, but no later than 6 months after date of w/drawal or termination.	262.34(k)(1)	262.34(k)(1)	X			

¹ Note that 69 FR 21737 states that 262.34 is amended by adding paragraphs (j), (k) and (l). This is incorrect. Changes should be made to paragraphs (j) and (k) only.

RCRA REVISION CHECKLIST 205
NESHAP: Surface Coating of Automobiles and Light-Duty Trucks
69 FR 22601 – 22661
April 26, 2004
(RCRA Cluster XIV, Non-HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-202 *et seq.*

Title of Regulations: APC&EC Regulation No. 23, (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: June 28, 2006

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 264 – STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART BB – AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS						
APPLICABILITY						
Section 264.1050 is amended by adding paragraph (h) after paragraph (g) and before the note to read as follows:	264.1050	264.1050	X			
Purged coatings and solvents from surface coating operations subject to the national emission standards for hazardous air pollutants (NESHAP) for the surface coating of automobiles and light-duty trucks at 40 CFR part 63, subpart III, are not subject to the requirements of this subpart.	264.1050(h)	264.1050(h)	X			

RCRA REVISION CHECKLIST 205: NESHAP: Surface Coating of Automobiles and Light-Duty Trucks
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 265 – INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART BB -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS						
APPLICABILITY						
Section 265.1050 is amended by adding paragraph (g) after paragraph (f) and before the note to read as follows:	265.1050	265.1050	X			
Purged coatings and solvents from surface coating operations subject to the national emission standards for hazardous air pollutants (NESHAP) for the surface coating of automobiles and light-duty trucks at 40 CFR part 63, subpart III, are not subject to the requirements of this subpart.	265.1050(g)	265.1050(g)	X			

RCRA REVISION CHECKLIST 206
Nonwastewaters from Dyes and Pigments
70 FR 9138 – 9180
February 24, 2005
(RCRA Cluster XV, HSWA)

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-202 *et seq.*

Title of Regulations: APC&EC Regulation No. 23, (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: June 28, 2006

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 WASTE						
SUBPART A -- GENERAL						
EXCLUSIONS						
revise paragraph (b)(15) to read as follows:	261.4	261.4	X			
Leachate or gas condensate from landfills where certain solid wastes are disposed provided that:	261.4(b)(15)	261.4(b)(15)	X			
Solid wastes would meet one or more of the listing descriptions for Hazardous Waste Codes K169, K170, K171, K172, K174, K175, K176, K177, K178, and K181 if these wastes had been generated after the effective date of the listing;	261.4(b)(15)(i)	261.4(b)(15)(i)	X			
Solid wastes in (b)(15)(i) were disposed prior to the effective date of listing;	261.4(b)(15)(ii)	261.4(b)(15)(ii)	X			
The leachate or gas condensate do not exhibit any characteristic of hazardous waste nor are derived from any listed hazardous waste;	261.4(b)(15)(iii)	261.4(b)(15)(iii)	X			

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Discharge of the leachate or gas condensate, including that transferred from the landfill to a POTW, is subject to regulation under section 307(b) or 402 of the Clean Water Act.	261.4(b)(15)(iv)	261.4(b)(15)(iv)	X			
As of February 13, 2001, leachate or gas condensate derived from K169 – K172 is no longer exempt if managed in surface impoundment prior to discharge. As of November 21, 2003, leachate or gas condensate from K176, K177, and K178 is no longer exempt if managed in surface impoundment prior to discharge. After February 26, 2007, leachate or gas condensate from K181 will no longer be exempt if managed in surface impoundment prior to discharge. One exception: if surface impoundment is used temporarily in an emergency, provided impoundment has a double liner, and the leachate or gas condensate is managed in compliance w/ b(15)(v) after emergency ends.	261.4(b)(15)(v)	261.4(b)(15)(v)	X			

SUBPART D – LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM SPECIFIC SOURCES

amended by designating the existing text and table as (a); adding a new entry under the heading “Organic Chemicals” in the table; and adding paragraphs (b), (c), and (d) to read as follows:	261.32	261.32	X			
261.32(a) reads as follows: Industry and EPA hazardous waste No.	261.32(a)	261.32(a)	X			Hazardous waste code

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
* * *	*	*	*	*	*	*
Organic Chemicals						
*	*	*	*	*	*	*
K181.....	Nonwastewaters from the production of dyes and/or pigments (including nonwastewaters commingled at the point of generation with nonwastewaters from other processes) that, at the point of generation, contain mass loadings of any of the constituents identified in paragraph (c) of this section that are equal to or greater than the corresponding paragraph (c) levels, as determined on a calendar year basis. These wastes will not be hazardous if the nonwastewaters are: (i) disposed in a Subtitle D landfill unit subject to the design criteria in 258.40, (ii) disposed in a Subtitle C landfill unit subject to either 264.301 or 265.301, (iii) disposed in other Subtitle D landfill units that meet the design criteria in 258.40, 264.301, or 265.301, or (iv) treated in a combustion unit that is permitted under Subtitle C, or an onsite combustion unit that is permitted under the Clean Air Act. For the purposes of this listing, dyes and/or pigments production is defined in paragraph (b)(1) of this section. Paragraph (d) of this section describes the process for demonstrating that a facility's nonwastewaters are not K181. This listing does not apply to wastes that are otherwise identified as hazardous under 216.21-261.24 and 261.31-261.33. at the point of generation. Also, the listing does not apply to wastes generated before any annual mass loading limit is met.					(T)
*	*	*	*	*	*	*
Listing of Specific Definitions: (1) For the purposes of the K181 listing, dyes and/or pigments production is defined to include manufacture of the following classes: dyes, pigments, FDA certified colors classified as azo, triarylmethane, perylene or anthraquinone classes. Azo products include azo, monoazo, diazo, triazo, polyazo, azoic, bensidine and pyrazolone. Triarylmethane products include triphenylmethane products too. Wastes not generated at dyes and/or pigments manufacturing site are not included in the listing.	261.32(b)	261.32(b)	X			
K181 Listing Levels. Nonwastewaters containing constituents in amounts equal to or exceeding the following levels in a calendar year are subject to K181 listing, unless certain conditions are met.	261.32(c)	261.32(c)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Constituent	Chemical abstracts No.		Mass levels (kg/yr)			
Aniline.....	62-53-3		9,300			
o-Anisidine.....	90-04-0		110			
4-Chloroaniline.....	106-47-8		4,800			
p-Cresidine.....	120-71-8		660			
2,4-Dimethylaniline.....	95-68-1		100			
1,2-Phenylenediamine	95-54-5		710			
1,3-Phenylenediamine	108-45-2		1,200			
Procedures for demonstrating that dyes and/or pigment nonwastewaters are not K181. The procedures described in (d)(1)-(d)(3) and (d)(5) establish when nonwastewaters are not hazardous. If the nonwastewaters are disposed in landfill units or treated in combustion units, then they are not hazardous. Generator must maintain documentation described in (d)(4).	261.32(d)	261.32(d)	X			
Determination based on no K181 constituents. Generators that have knowledge that their wastes contain no K181 constituents can use this to make determination. Generator must document annually and keep these for three years.	261.32(d)(1)	261.32(d)(1)	X			
Determination for generated quantities of 1,000 MT/yr or less of wastes that contain K181 constituents. If the total annual quantity of dyes/pigments is 1,000 MT or less, the generator can use knowledge of the wastes to conclude that annual mass loadings are below paragraph (c) listing levels. The generator must:	261.32(d)(2)	261.32(d)(2)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Each year document the basis for determining the annual quantity will be less than 1,000 MT	261.32(d)(2)(i)	261.32(d)(2)(i)	X			
Track the actual quantity of nonwastewaters from Jan. 1 – Dec. 31 of each year. If the actual quantity exceeds 1,000 MT, the generator must comply w/ paragraph (d)(3) for remainder of year.	261.32(d)(2)(ii)	261.32(d)(2)(ii)	X			
Keep a running total of K181 constituent mass loadings over the calendar year.	261.32(d)(2)(iii)	261.32(d)(2)(iii)	X			
Keep the following records on site for the three most recent years:	261.32(d)(2)(iv)	261.32(d)(2)(iv)	X			
Quantity of dyes/pigment nonwastewaters generated.	261.32(d)(2)(iv)(A)	261.32(d)(2)(iv)(A)	X			
Process information used	261.32(d)(2)(iv)(B)	261.32(d)(2)(iv)(B)	X			
Calculations used to determine annual total mass loadings for each K181 constituent.	261.32(d)(2)(iv)(C)	261.32(d)(2)(iv)(C)	X			
Determination for generated quantities greater than 1,000 MT/yr for wastes that contain K181 constituents. If the total annual quantity of dyes/pigments nonwastewaters is greater than 1,000 MT the generator must comply w/ (d)(3)(i) – (d)(3)(xi) in order to make determination that waste is not K181.	261.32(d)(3)	261.32(d)(3)	X			
Determine which K181 constituents are expected to be present.	261.32(d)(3)(i)	261.32(d)(3)(i)	X			

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
If 1,2-phenylenediamine is present, generator can use knowledge or sampling to determine level of constituent in wastes. For determinations based on knowledge, generator must comply w/ (d)(2) and keep records described in (d)(2)(iv). For sampling based determinations, generator must comply w/ requirements described below.	261.32(d)(3)(ii)	261.32(d)(3)(ii)	X			
Develop a sampling plan. At a minimum, the plan must include:	261.32(d)(3)(iii)	261.32(d)(3)(iii)	X			
Discussion of number of samples needed;	261.32(d)(3)(iii)(A)	261.32(d)(3)(iii)(A)	X			
Sample collection method;	261.32(d)(3)(iii)(B)	261.32(d)(3)(iii)(B)	X			
Discussion of how sampling accounts for temporal and spatial variability.	261.32(d)(3)(iii)(C)	261.32(d)(3)(iii)(C)	X			
Description of the test methods.	261.32(d)(3)(iii)(D)	261.32(d)(3)(iii)(D)	X			
Collect and analyze samples.	261.32(d)(3)(iv)	261.32(d)(3)(iv)	X			
Sampling and analysis must be precise, unbiased and representative of wastes.	261.32(d)(3)(iv)(A)	261.32(d)(3)(iv)(A)	X			
Measurements must be sensitive, accurate, and precise.	261.32(d)(3)(iv)(B)	261.32(d)(3)(iv)(B)	X			
Record analytical results.	261.32(d)(3)(v)	261.32(d)(3)(v)	X			
Record the waste quantity.	261.32(d)(3)(vi)	261.32(d)(3)(vi)	X			
Calculate constituent-specific mass loadings.	261.32(d)(3)(vii)	261.32(d)(3)(vii)	X			
Keep total of K181 mass loadings over calendar year.	261.32(d)(3)(viii)	261.32(d)(3)(viii)	X			
Determine whether the mass of any K181 constituent generated over the year is below the listing levels.	261.32(d)(3)(ix)	261.32(d)(3)(ix)	X			
Keep the following records on site for the three most recent years:	261.32(d)(3)(x)	261.32(d)(3)(x)	X			
Sampling and analysis plan.	261.32(d)(3)(x)(A)	261.32(d)(3)(x)(A)	X			

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Sampling and analysis results.	261.32(d)(3)(x)(B)	261.32(d)(3)(x)(B)	X			
Quantity of dyes/pigment nonwastewaters generated.	261.32(d)(3)(x)(C)	261.32(d)(3)(x)(C)	X			
Calculations performed to determine annual mass loadings.	261.32(d)(3)(x)(D)	261.32(d)(3)(x)(D)	X			
Nonhazardous waste determinations must be conducted annually to verify they remain nonhazardous.	261.32(d)(3)(xi)	261.32(d)(3)(xi)	X			
Annual testing is suspended after three consecutive annual demonstrations wastes are nonhazardous.	261.32(d)(3)(xi)(A)	261.32(d)(3)(xi)(A)	X			
Annual testing requirements are reinstated if the manufacturing or waste treatment processes are altered.	261.32(d)(3)(xi)(B)	261.32(d)(3)(xi)(B)	X			
If testing requirements are suspended, the generator must keep records of the process knowledge used to support nonhazardous determination. If testing is reinstated, a description of process change must be reinstated.	261.32(d)(3)(xi)(C)	261.32(d)(3)(xi)(C)	X			
Recordkeeping for the landfill disposal and combustion exemptions. The generator must maintain on site for three years documentation demonstrating that each shipment of waste was received by a landfill unit that is subject to or meets design standards in the listing description, or was treated in combustion units in listing description.	261.32(d)(4)	261.32(d)(4)	X			

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Waste holding and handling. The generator is responsible for storing wastes appropriately. If wastes are hazardous and generator has not complied w/ Subtitle C requirements, the generator could be subject to an enforcement action.	261.32(d)(5)	261.32(d)(5)	X			
add the following entries in alphanumeric order to read as follows:	261 Appendix VII	261 Appendix VII	X			
EPA hazardous waste No.	Hazardous constituents for which listed					
* K181.....	* Aniline, o-anisidine, 4-chloroaniline, p-cresidine, 2,4-dimethylaniline, 1,2-phenylenediamine, 1,3-phenylenediamine.	* * * * *				
add the following entries in alphabetical order to read as follows:	261 Appendix VIII	261 Appendix VIII	X			
Common name	Chemical abstracts name			Chemical abstracts No.	Hazardous waste No.	
* o-Anisidine (2-methoxyaniline).....	* Benzenamine, 2-Methoxy-.....	* * * * *	* 90-04-0	*	*	*
* p-Cresidine.....	* 2-Methoxy-5-methylbenzenamine.....	* * * * *	* 120-71-8	*	*	*
* 2,4-Dimethylaniline (2,4-xylylidine).....	* Benzenamine, 2,4-dimethyl-.....	* * * * *	* 95-68-1	*	*	*
* 1,2-Phenylenediamine.....	* 1,2-Benzenediamine.....	* * * * *	* 95-54-5	*	*	*
* 1,3-Phenylenediamine.....	* 1,3-Benzenediamine.....	* * * * *	* 108-45-2	*	*	*
PART 268 – LAND DISPOSAL RESTRICTIONS						
SUBPART C – PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS- DYES AND/OR PIGMENTS PRODUCTION WASTES						
amended by adding 268.20 and adding and reserving 268.21 through 268.29 to read as follows:	268.20	268.20	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Effective August 23, 2005, K181 waste and soil, debris, or radioactive waste mixed with this waste are prohibited from land disposal.	268.20(a)	268.20(a)	X			
The requirements of paragraph (a) of this section do not apply if:	268.20(b)	268.20(b)	X			
The wastes meet the applicable treatment standards specified in subpart D.;	268.20(b)(1)	268.20(b)(1)	X			
Persons have been granted an exemption pursuant to a petition under 268.6;	268.20(b)(2)	268.20(b)(2)	X			
Wastes meet treatment standards pursuant to a petition under 268.44;	268.20(b)(3)	268.20(b)(3)	X			
Hazardous debris has met the treatment standards in 268.40 or in 268.45; or	268.20(b)(4)	268.20(b)(4)	X			
Persons have been granted an extension to the effective date of a prohibition pursuant to 268.5.	268.20(b)(5)	268.20(b)(5)	X			
To determine whether a hazardous exceeds the treatment standards in 268.40, the initial generator must test a sample of the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of subpart D levels, it is prohibited from land disposal and all requirement of part 268 apply.	268.20(c)	268.20(c)	X			

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

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

SUBPART D – TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

the Table of Treatment Standards is amended by revising the entry for F039 to add constituents in alphabetical sequence and by adding in alphanumeric order the entry for K181 to read as follows:	268.40/ Treatment Standard Table	268.40/ Treatment Standard Table	X			
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TREATMENT STANDARDS FOR HAZARDOUS WASTES

[Note: NA means not applicable]

Waste code	Waste description and treatment/regulatory subcategory ¹	Regulated hazardous constituent		Wastewaters Concentration in mg/ L ³ or technology code ⁴	Nonwastewater Concentration in mg/kg ⁵ unless noted as “mg/L TCLP”, or technology code
		Common name	CAS ²		
* * *	* * *	* * * * *	* * * * *	* * * * *	* * * * *
F039	Leachate (liquids that have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under Subpart D of this part. (Leachate resulting from the disposal of one or more of the following EPA hazardous Wastes and no other Hazardous Waste retains its EPA Hazardous Waste Number(s); F020, F021, F022, F026, F027, and/or F028).	o-Anisidine (2-methoxyaniline) * * * * *	90-04-0	0.010	0.66
		p-Cresidine..... * * * * *	120-71-8	0.010	0.66
		2,4-Dimethylaniline (2,4-xylylidine) * * * * *	95-68-1	0.010	0.66
		1,3-Phenylenediamine..... * * * * *	108-45-2	0.010	0.66
* * *	* * *	* * * * *	* * * * *	* * * * *	* * * * *
K181	Nonwastewaters from the production of dyes and/or pigments (including nonwastewaters commingled at the point of generation with nonwastewaters from other processes) that, at the point of generation, contain mass loadings of any of the constituents identified in paragraph (c) of section 261.32 that are equal to or greater than the corresponding paragraph (c) levels, as determined on a calendar year basis.	Aniline.....	62-53-3	0.81	14
		o-Anisidine (2-methoxyaniline)	90-04-0	0.010	0.66
		4-Chloroaniline.....	106-47-8	0.46	16
		p-Cresidine.....	120-71-8	0.010	0.66
		2,4-Dimethylaniline (2,4-xylylidine)	95-68-1	0.010	0.66
		1,2-Phenylenediamine	95-54-5	CMBST; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	CMBST; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN
		1,3-Phenylenediamine	108-45-2	0.010	0.66
* * *	* * *	* * * * *	* * * * *	* * * * *	* * * * *

Footnotes to Treatment Standard Table 268.40

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 206: Nonwastewaters from Dyes and Pigments
(Cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
1 The waste descriptions provided in this table do not replace waste descriptions in 40 CFR Part 261. Descriptions of Treatment/ Regulatory Subcategories are provided, as needed, to distinguish between applicability of different standards 2 CAS means Chemical Abstract Services. When the waste code and/ or regulated constituents are described as a combination of a chemical with its salts and/ or esters, the CAS number is given for the parent compound only. 3 Concentration standards for wastewaters are expressed in mg/ L and are based on analysis of composite samples. 4 All treatment standards expressed as a Technology Code or combination of Technology Codes are explained in detail in 40 CFR 268.42 Table 1- Technology Codes and Descriptions of Technology-Based Standards. 5 Except for Metals (EP or TCLP) and Cyanides (Total and Amenable) the nonwastewater treatment standards expressed as a concentration were established, in part, based upon incineration units operated in accordance with the technical requirements of 40 CFR part 264, Subpart O or 40 CFR part 265, Subpart O, or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 40 CFR 268.40(d). All concentration standards for nonwastewaters are based on analysis of grab samples.						

UNIVERSAL TREATMENT STANDARDS

amended by adding in alphabetical sequence the following entries under organic constituents:	268.48/ Universal Treatment Standards Table			X		
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Note: ADEQ inadvertently left the entries in 262.32(b), out of the regulations. They will be added in fall 2006 regulation update.

Universal Treatment Standards
[Note: NA means not applicable]

Regulated constituent common name	CAS ¹ number	Wastewater standard Concentration in mg/L ²	Nonwastewater standard Concentration in mg/kg ³ unless noted as "mg/L TCLP"
* * * * *	*	*	*
o-Anisidine (2-methoxyaniline).....	90-04-0	0.010	0.66
* * * * *	*	*	*
p-Cresidine.....	120-71-8	0.010	0.66
* * * * *	*	*	*
2,4-Dimethylaniline (2,4-xylydine).....	95-68-1	0.010	0.66
* * * * *	*	*	*
1,3-Phenylenediamine.....	*	*	*
* * * * *	*	*	*

Footnotes to Table UTS

- CAS means Chemical Abstract Services. When the waste code and/ or regulated constituents are described as a combination of a chemical with its salts and/ or esters, the CAS number is given for the parent compound only.
- Concentration standards for wastewaters are expressed in mg/L and are based on analysis of composite samples.
- Except for Metals (EP or TCLP) and Cyanides (Total and Amenable) the nonwastewater treatment standards expressed as a concentration were established, in part, based upon incineration in units operated in accordance with the technical requirements of 40 CFR Part 264, Subpart O, or Part 265, Subpart O, or substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 40 CFR 268.40(d). All concentration standards for nonwastewaters are based on analysis of grab samples.

RCRA REVISION CHECKLIST 207
Uniform Hazardous Waste Manifest Rule
70 FR 10776 – 10825
March 4, 2005
(RCRA Cluster XV, HSWA/Non-HSWA)

Note that revisions to 262.27 were promulgated pursuant to HSWA.

Name of State: Arkansas

State Statutory Authority: Arkansas Hazardous Waste Management Act, A.C.A. §§ 8-7-202 *et seq.*

Title of Regulations: APC&EC Regulation No. 23, (Hazardous Waste Management) **Effective Date:** 3/21/2005

Date Checklist Completed: June 29, 2006

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 260 – HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B -- DEFINITIONS						
DEFINITIONS						
amended by removing “Manifest document number,” revising “Designated facility” and “Manifest,” and adding “Manifest tracking number” to read as follows:	260.10	260.10	X			
<i>Designated facility</i> means: (1) A hazardous waste TSDF which: (i) Has received a permit (or interim status) in accordance with parts 270 and 124; (ii) Has received a permit (or interim status) from an authorized state; (iii) Is regulated under 261.6(c)(2) or 266 subpart F; and (iv) That has been designated on the manifest by the generator pursuant to 262.20. (2) A generator site designated on the manifest to receive its waste as a return shipment (3) If a waste is destined to a facility in an authorized State which has not obtained authorization to regulate that waste, then designated facility	260.10	260.10	X			

**RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)**

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
must be a facility allowed to accept the waste by the receiving State.						
<i>Manifest</i> means: Shipping document EPA Form 8700-22 (including 8700-22A), originated and signed by generator or offeror	260.10	260.10	X			
<i>Manifest tracking number</i> means: The alphanumeric identification number which is pre-printed in Item 4 of the Manifest.	260.10	260.10	X			
PART 261 – IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A -- GENERAL						
RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS						
amended by revising (b)(1)(iii) to read as follows:	261.7	261.7	X			
No more than 3% by weight of the total capacity remains in the container or inner liner if the container is less than or equal to 119 gallons; or	261.7(b)(1)(iii)(A)	261.7(b)(1)(iii)(A)	X			
No more than 0.3% by weight of the total capacity remains in the container or inner liner if the container is greater than 119 gallons.	261.7(b)(1)(iii)(B)	261.7(b)(1)(iii)(B)	X			
PART 262 – STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE						
SUBPART B – THE MANIFEST						
GENERAL REQUIREMENTS						
(a) is revised to read as follows:	262.20	262.20	X			
A generator who transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a TSDF who offers for transport a rejected hazardous waste load, must prepare a Manifest on EPA Form 8700-22, and if necessary, EPA Form 8700-22A	262.20(a)(1)	262.20(a)(1)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
The revised Manifest form and procedures, and the appendix to part 262 shall not apply until September 5, 2006. The Manifest form and procedures, and the appendix to part 262 contained in 40 CFR 260 – 265 edition revised as of July 1, 2004, shall be applicable until September 5, 2006.	262.20(a)(2)	262.20(a)(2)	X			
MANIFEST TRACKING NUMBERS, MANIFEST PRINTING, AND OBTAINING MANIFESTS						
revised to read as follows (including Section heading):	262.21	262.21	X			
Manifest tracking numbers, manifest printing, and obtaining manifests.	262.21/ Section heading	262.21/ Section heading	X			
A registrant may not print, or have printed, the manifest for use or distribution unless it has received approval from the EPA Director of the Office of Solid Waste to do so under paragraphs (c) and (e) of this section.	262.21(a)(1)	262.21(a)(1)	X			
The approved registrant is responsible for ensuring that the organizations identified in its application are in compliance with the procedures of its approved application and the requirements of this section. The registrant is responsible for assigning manifest tracking numbers to its manifests.	262.21(a)(2)	262.21(a)(2)	X			
A registrant must submit an initial application to the EPA Director of the Office of Solid Waste that contains the following information:	262.21(b)	262.21(b)	X			
Name and mailing address of registrant;	262.21(b)(1)	262.21(b)(1)	X			
Name, telephone number and email address of contact person;	262.21(b)(2)	262.21(b)(2)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Brief description of registrant's government or business activity;	262.21(b)(3)	262.21(b)(3)	X			
EPA identification number of the registrant if applicable;	262.21(b)(4)	262.21(b)(4)	X			
Description of the scope of the operations that the registrant plans to undertake in printing, distributing, and using its manifests including:	262.21(b)(5)	262.21(b)(5)	X			
A description of the printing operation. The description should include an explanation of whether the registrant intends to print its manifests in-house or through a separate printing company. If the registrant intends to use a separate printing company to print the manifest on its behalf, the application must identify this printing company and discuss how the registrant will oversee the company. If this includes the use of intermediaries, the role of each must be discussed. The application must provide the name and mailing address of each company, and the name and telephone number of the contact person	262.21(b)(5)(i)	262.21(b)(5)(i)	X			
A description of how the registrant will ensure that its organization and unaffiliated companies comply with the requirements. The application must discuss how the registrant will ensure a unique manifest tracking number will be pre-printed on each manifest. The application must describe the internal control procedures to be followed by the registrant and unaffiliated companies. It must	262.21(b)(5)(ii)	262.21(b)(5)(ii)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
describe how the registrant will pass manifest tracking numbers to manifests. If computer or other infrastructure will be used to maintain numbers, these should be indicated. The application must indicate how the printer will pre-print a unique number on each form. The application also must explain the other quality procedures to be followed.						
An indication of whether the registrant intends to use the manifests for its own business operations or to distribute the manifests to a separate company or the general public.	262.21(b)(5)(iii)	262.21(b)(5)(iii)	X			
A brief description of the qualifications of the company that will print the manifest. The registrant may use readily available information.	262.21(b)(6)	262.21(b)(6)	X			
Proposed unique three-letter manifest tracking number suffix. If the registrant is approved to print the manifest, the registrant must use this suffix to pre-print a unique manifest tracking number on each manifest.	262.21(b)(7)	262.21(b)(7)	X			
A signed certification by a duly authorized employee of the registrant that the organizations and companies in its application will comply with the procedures of its approved application and the requirements of this section and that it will notify the EPA Director of OSW of any duplicated manifest tracking numbers as soon as it becomes known.	262.21(b)(8)	262.21(b)(8)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
EPA will review the application submitted under paragraph (b) of this section.	262.21(c)	262.21(c)	X			
Upon EPA approval of application, EPA will provide registrant an electronic file of manifest, continuation sheet, and manifest instructions and ask registrant to submit three manifests and continuation sheet samples, except as noted in paragraph (d)(3) of this section. The registrant's samples must meet all of the specifications in paragraph (f) of this section and be printed by the company that will print the manifest as identified in the application approved under paragraph (c).	262.21(d)(1)	262.21(d)(1)	X			
Registrant must submit a description of the manifest samples as follows:	262.21(d)(2)	262.21(d)(2)	X			
Paper type;	262.21(d)(2)(i)	262.21(d)(2)(i)	X			
Paper weight of each copy;	262.21(d)(2)(ii)	262.21(d)(2)(ii)	X			
Ink color of the manifest's instructions. If screening of the ink was used, the registrant must indicate the extent of the screening; and	262.21(d)(2)(iii)	262.21(d)(2)(iii)	X			
Method of binding copies.	262.21(d)(2)(iv)	262.21(d)(2)(iv)	X			
The registrant need not submit samples of the continuation sheet if it is printed on same paper and uses same ink and binding as manifest samples.	262.21(d)(3)	262.21(d)(3)	X			
EPA will evaluate the forms and either approve the registrant to print as proposed or request information or modification. EPA will notify the registrant of decision by mail. The registrant	262.21(e)	262.21(e)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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cannot use or distribute forms until EPA approves them. An approved registrant must print the manifest and continuation sheet according to its application approved under paragraph (c) and the manifest specifications in paragraph (f). It also must print using the approved paper type, ink color, and binding method.						
Paper manifests and continuation sheets must be printed according to the following specifications:	262.21(f)	262.21(f)	X			
The manifest and continuation sheet must be printed with the exact format and appearance as EPA Forms format. However, information required to complete manifest may be pre-printed.	262.21(f)(1)	262.21(f)(1)	X			
A unique tracking number assigned w/ EPA approved numbering system must be pre-printed in Item 4. It must have a unique three-letter suffix following nine digits.	262.21(f)(2)	262.21(f)(2)	X			
The manifest and continuation sheet must be printed on durable 8.5x11 in. white paper.	262.21(f)(3)	262.21(f)(3)	X			
The manifest and continuation sheet must be printed in black ink except marginal words indicating copy distribution in red ink.	262.21(f)(4)	262.21(f)(4)	X			
The manifest and continuation sheet must be printed as six copy forms. Copy-to-copy registration must be w/in 1/32 nd of an in. Handwritten and typed impressions must be legible on all copies. Copies must be bound together by one or more common stubs.	262.21(f)(5)	262.21(f)(5)	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Each copy of the manifest and continuation sheet must indicate how the copy must be distributed as follows:	262.21(f)(6)	262.21(f)(6)	X			
Page 1: "Designated facility to destination State (if required)".	262.21(f)(6)(i)	262.21(f)(6)(i)	X			
Page 2: "Designated facility to generator state (if required)".	262.21(f)(6)(ii)	262.21(f)(6)(ii)	X			
Page 3: "Designated facility to generator".	262.21(f)(6)(iii)	262.21(f)(6)(iii)	X			
Page 4: "Designated facility's copy".	262.21(f)(6)(iv)	262.21(f)(6)(iv)	X			
Page 5: "Transporter's copy".	262.21(f)(6)(v)	262.21(f)(6)(v)	X			
Page 6: "Generator's initial copy"	262.21(f)(6)(vi)	262.21(f)(6)(vi)	X			
The instructions in the appendix to part 262 must appear legibly on the back of the copies of the manifest and continuation sheet as provided in this paragraph (f). The instructions must not be visible through the front of the copies when photocopied or faxed.	262.21(f)(7)	262.21(f)(7)	X			
Manifest Form 8700-22	262.21(f)(7)(i)	262.21(f)(7)(i)	X			
The "Instructions for Generators" on Copy 6;	262.21(f)(7)(i)(A)	262.21(f)(7)(i)(A)	X			
The "Instructions for International Shipment Block" and "Instructions for Transporters" on Copy 5; and	262.21(f)(7)(i)(B)	262.21(f)(7)(i)(B)	X			
The "Instructions for Treatment, Storage, and Disposal Facilities" on Copy 4.	262.21(f)(7)(i)(C)	262.21(f)(7)(i)(C)	X			
Manifest Form 8700-22A	262.21(f)(7)(ii)	262.21(f)(7)(ii)	X			
The "Instructions for Generators" on Copy 6;	262.21(f)(7)(ii)(A)	262.21(f)(7)(ii)(A)	X			
The "Instructions for Transporters" on Copy 5; and	262.21(f)(7)(ii)(B)	262.21(f)(7)(ii)(B)	X			
The "Instructions for Treatment, Storage, and Disposal Facilities" on Copy 4.	262.21(f)(7)(ii)(C)	262.21(f)(7)(ii)(C)	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
A generator may use manifests printed by any source so long as the source of the printed form has received approval from EPA to print the manifest. A registered source may be a:	262.21(g)(1)	262.21(g)(1)	X			
State agency;	262.21(g)(1)(i)	262.21(g)(1)(i)	X			
Commercial printer;	262.21(g)(1)(ii)	262.21(g)(1)(ii)	X			
Hazardous waste generator, transporter or TSDf; or	262.21(g)(1)(iii)	262.21(g)(1)(iii)	X			
Hazardous waste broker or other preparer.	262.21(g)(1)(iv)	262.21(g)(1)(iv)	X			
A generator must determine whether the generator state or consignment state regulates any additional wastes. They must also determine whether the consignment or generator state requires the generator to submit any copies of the manifest to these states. In these cases the generator is responsible for supplying photocopies.	262.21(g)(2)	262.21(g)(2)	X			
If an approved registrant would like to update information provided in application, the registrant must revise the application and submit to the EPA Director of OSW along with an indication or explanation of update ASAP. If the Agency denies revision, it will explain the reasons and contact registrant for modification.	262.21(h)(1)	262.21(h)(1)	X			
If registrant would like a new tracking number suffix, he must submit a proposed suffix to the EPA Director of OSW and a reason for requesting it. The Agency will approve or deny and provide an explanation.	262.21(h)(2)	262.21(h)(2)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
If a registrant would like to change paper type or weight, or ink color, or binding method of manifest or continuation sheet, then he must submit three samples of the revised form for EPA review. If the approved registrant would like to use a new printer, he must submit three manifest samples printed by the new printer and a brief description of the printer's qualifications. EPA will either approve or request additional information or modification. EPA will notify the registrant of decisions by mail. The registrant can not distribute revised forms until EPA approves.	262.21(h)(3)	262.21(h)(3)	X			
If, subsequent to approval, a registrant typesets its manifest or continuation sheet instead of using the electronic file of the forms provided by EPA, it must submit three samples of the manifest or continuation sheet to the registry for approval. EPA will either approve or request additional information or modification. EPA will notify the registrant of its decision by mail. The registrant can not distribute forms until EPA approves them.	262.21(i)	262.21(i)	X			
EPA may exempt a registrant from the requirement to submit form samples if the Agency is persuaded that a separate review of the registrant's forms would serve little purpose in informing an approval decision. A registrant may request an exemption from EPA by indicating why it is warranted.	262.21(j)	262.21(j)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
An approved registrant must notify EPA by phone or email as soon as it becomes aware that it has duplicated tracking numbers on any manifests that have been used or distributed.	262.21(k)	262.21(k)	X			
If, subsequent to approval of a registrant, EPA becomes aware that the approved paper type, weight, ink color or binding method of registrant's forms is unsatisfactory, EPA will contact the registrant and require modifications.	262.21(l)	262.21(l)	X			
EPA may suspend and revoke printing privileges if we find that the registrant:	262.21(m)(1)	262.21(m)(1)	X			
Has used or distributed forms that deviate from approved form samples; or	262.21(m)(1)(i)	262.21(m)(1)(i)	X			
Exhibits a continuing pattern of behavior in using or distributing manifests that contain duplicate tracking numbers.	262.21(m)(1)(ii)	262.21(m)(1)(ii)	X			
EPA will send a warning letter to the registrant that specifies the date by which it must come into compliance with the requirements. If the registrant does not come into compliance by the specified date, EPA will send a second letter notifying the registrant that EPA has suspended or revoked its printing privileges. An approved registrant must provide information on its printing activities to EPA if requested.	262.21(m)(2)	262.21(m)(2)	X			
◆ WASTE MINIMIZATION CERTIFICATION						
add a new 262.27 to read as follows:	262.27	262.27	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Waste minimization certification.	262.27/ Section heading	262.27/ Section heading	X			
A generator who initiates a shipment of hazardous waste must certify to one of the following statements in Item 15 of the uniform hazardous waste manifest:	262.27	262.27	X			
“I am a large quantity generator. I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment;” or	262.27(a)	262.27(a)	X			
“I am a small quantity generator. I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.”	262.27(b)	262.27(b)	X			

SUBPART C – PRE-TRANSPORT REQUIREMENTS

MARKING

revise paragraph (b) to read as follows:	262.32			X		
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<p>Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must mark each container of 119 gallons or less used in such transportation with the following words and information in accordance with the requirements of 49 CFR 172.304.:</p> <p>HAZARDOUS WASTE – Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the US EPA.</p> <p>Generator’s Name and Address. Generator’s EPA ID Number. Manifest Tracking Number.</p>	262.32(b)			X		
<p>Note: The statement “Generator’s EPA ID Number” was left off of Reg. 23 and will be added in the fall revision.</p>						
<p>PLACARDING</p>						
revised to read as follows:	262.33	262.33	X			
<p>Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must placard or offer the initial transporter the appropriate placards according to the DOT regulations for hazardous materials under 49 CFR 172, subpart F. If placards are not required, a generator must mark each motor vehicle according to 49 CFR 171.3(b)(1).</p>	262.33	262.33	X			
<p>ACCUMULATION TIME</p>						
add new paragraph (m) to read as follows:	262.34	262.34	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
A generator who sends a shipment of hazardous waste to a designated facility with the understanding that the designated facility can accept and manage the waste and later receives that shipment back as a rejected load or residue may accumulate the returned waste on-site depending on the amount of hazardous waste on-site in that calendar month. Upon receipt of the returned shipment, the generator must:	262.34(m)	262.34(m)	X			
Sign Item 18c of the manifest, if the transporter returned the shipment using the original manifest; or	262.34(m)(1)	262.34(m)(1)	X			
Sign Item 20 of the manifest if the transporter returned the shipment using a new manifest.	262.34(m)(2)	262.34(m)(2)	X			

SUBPART E – EXPORTS OF HAZARDOUS WASTE

SPECIAL MANIFEST REQUIREMENTS

revise paragraphs (c) and (e) to read as follows:	262.54	262.54	X			
In the International Shipments block, the primary exporter must check the export box and enter the point of exit (city and State) from the U.S.	262.54(c)	262.54(c)	X			
Note: Regulation 23 currently reads “Special Handling Instructions” will be changed to read “International Shipments block” in the fall revisions.						
The primary exporter may obtain the manifest from any source that is registered with the US EPA as a supplier of manifests.	262.54(e)	262.54(e)	X			

SUBPART F – IMPORTS OF HAZARDOUS WASTE

IMPORTS OF HAZARDOUS WASTE

revise paragraph (c) and add paragraphs (d) and (e) to read as follows:	262.60	262.60	X			
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RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
A person who imports hazardous waste may obtain the manifest form from any source that is registered with the US EPA as a supplier of manifests.	262.60(c)	262.60(c)	X			
In the International Shipments block, the importer must check the import box and enter the point of entry into the U.S.	262.60(d)	262.60(d)	X			
The importer must provide the transporter with an additional copy of the manifest to be submitted by the receiving facility to US EPA.	262.60(e)	262.60(e)	X			
revised to read as follows:	262/ Appendix	262/ Appendix	X			
Appendix to Part 262 – Uniform Hazardous Waste Manifest and Instructions (EPA Form 8700-22 and 8700-22A and Their Instructions)						
Read all instructions before completing this form.	262/ Appendix	262/ Appendix	X			
1. This form has been designed for use on a 12-pitch typewriter which is also compatible with standard computer printers; a firm point pen may also be used – press down hard.	262/ Appendix	262/ Appendix	X			
2. Federal regulations require generators and transporters of hazardous waste and owners and operators of hazardous waste TSDFs to complete this form and, if necessary, continuation sheet for both inter- and intrastate transportation of hazardous waste.	262/ Appendix	262/ Appendix	X			
Manifest 8700-22	262/ Appendix/ 8700-22	262/ Appendix/ 8700-22	X			
The following statement must be included with each Uniform Hazardous Waste Manifest, either on the form, in the instructions, or accompanying the form:	262/ Appendix/ 8700-22	262/ Appendix/ 8700-22	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Public reporting burden for this collection of information is estimated to average: 30 minutes for generators, 10 minutes for transporters, and 25 minutes for owners or operators of TSDFs. This includes time for reviewing instructions, gathering data, completing, reviewing and transmitting the form. Send comments regarding burden estimate to: Chief Information Policy Branch (2136), [insert EPA Address]	262/ Appendix/ 8700-22	262/ Appendix/ 8700-22	X			
I. Instructions for Generators	262/ Appendix/ 8700-22/ I. Instructions for Generators	262/ Appendix/ 8700-22/ I. Instructions for Generators	X			
Enter the generator's U.S. EPA twelve digit identification number, or the State generator identification number if the generator site does not have an EPA ID.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 1. Generator's U.S. EPA Identification Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 1. Generator's U.S. EPA Identification Number</i>	X			
Enter the total number of pages used to complete this Manifest plus the number of Continuation Sheets.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 2. Page 1 of ____</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 2. Page 1 of ____</i>	X			
Enter a phone number for which emergency response information can be obtained in the event of an incident. The emergency phone number must:	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
1. Be the number of the generator or number of an agency or organization who is capable of and accepts responsibility providing detailed information about shipment;	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	X			
2. Reach a phone that is monitored 24 hours a day at all times waste is in transportation; and	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	X			
3. Reach someone who is either knowledgeable of the hazardous waste being shipped and has emergency response and spill cleanup/ incident mitigation information or has immediate access to a person who has that knowledge.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	X			
Note: Emergency Response phone number information should only be entered in Item 3 when there is one phone number that applies to all the waste materials in Item 9b. If more than one Emergency Response phone number applies, the phone numbers associated with each material should be entered after the description in 9b.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 3. Emergency Response Phone Number</i>	X			
This unique tracking number must be pre-printed on the manifest by forms printer.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 4. Manifest Tracking Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 4. Manifest Tracking Number</i>	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Enter the name of the generator, the mailing address and the phone number. Note, the phone number should be the number where the generator or his authorized agent may be reached to provide instructions in event of an emergency or if the designated facility rejects some of the shipment. Also enter the physical site address from which the shipment originates if different from mailing address.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 5. Generator's Mailing Address, Phone Number and Site Address</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 5. Generator's Mailing Address, Phone Number and Site Address</i>	X			
Enter the company name and EPA ID number of the first transporter who will transport waste. Vehicle or driver information may not be entered here.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 6. Transporter 1 Company Name, and U.S. EPA ID Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 6. Transporter 1 Company Name, and U.S. EPA ID Number</i>	X			
If applicable, enter the company name and EPA ID number of the second transporter who will transport the waste. Vehicle or driver information may not be entered here. If more than two transporters are needed, use a Continuation Sheet.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 7. Transporter 2 Company Name, and U.S. EPA ID Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 7. Transporter 2 Company Name, and U.S. EPA ID Number</i>	X			
Enter company name and site address of facility that will receive the waste. Enter the facility's phone number and EPA ID.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 8. Designated Facility Name, Site Address, and U.S. EPA ID Number</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 8. Designated Facility Name, Site Address, and U.S. EPA ID Number</i>	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<i>Item 9a.</i> If the waste identified in 9b consists of hazardous and nonhazardous materials, then identify the hazardous materials by entering an "x" in this Item.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 9. U.S.DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number, and Packing Group)</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 9. U.S.DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number, and Packing Group)</i>	X			
<i>Item 9b.</i> Enter the DOT Proper Shipping Name, Hazard Class or Division, Identification Number and Packing Group for each waste as identified in 49 CFR 172. Include reportable quantity references if applicable.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 9. U.S.DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number, and Packing Group)</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 9. U.S.DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number, and Packing Group)</i>	X			
Note: If additional space is needed, enter descriptions on Item 27 on Continuation Sheet. If more than one Emergency Response phone number applies, enter them immediately following shipping descriptions.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 9. U.S.DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number, and Packing Group)</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 9. U.S.DOT Description (Including Proper Shipping Name, Hazard Class or Division, Identification Number, and Packing Group)</i>	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Enter number of containers for each waste and abbreviation for container type from Table I.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 10. Containers (Number and Type)</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 10. Containers (Number and Type)</i>	X			

Table I. – Types of Containers

- BA = Burlap, cloth, paper, or plastic bags.
- CF = Fiber or plastic boxes, cartons, cases.
- CM = Metal boxes, cartons, cases (including roll-offs).
- CW = Wooden boxes, cartons, cases.
- CY = Cylinders.
- DF = Fiberboard or plastic drums, barrels, kegs.
- DM = Metal drums, barrels, kegs.
- DT = Dump truck.
- DW = Wooden drums, barrels, kegs.
- HG = Hopper or gondola cars.
- TC = Tank cars.
- TP = Portable tanks.
- TT = Cargo tanks (tank trucks).

Enter total quantity of waste. Round to nearest whole unit. Report quantities using appropriate units of measure. Quantities should be based on actual measurements or reasonable estimates. Container capacities are not acceptable estimates.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 11. Total Quantity</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 11. Total Quantity</i>	X			
Enter abbreviation from Table II for unit of measure.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 12. Units of Measure (Weight/ Volume)</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 12. Units of Measure (Weight/ Volume)</i>	X			

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RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

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

Table II. – Units of Measure

G = Gallons (liquids only).
 K = Kilograms.
 L = Liters (liquids only).
 M = Metric Tons (1000 kilograms).
 N = Cubic Meters.
 P = Pounds.
 T = Tons (2000 pounds).
 Y = Cubic Yards.

Note: Tons, Metric Tons, Cubic Meters, and Cubic Yards should only be reported in connection with very large bulk shipments, such as rail cars, tank trucks, or barges.

Enter up to six federal and state waste codes to describe each waste stream. State waste codes that are not redundant must be entered here in addition to the federal codes.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 13. Waste Codes</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 13. Waste Codes</i>	X			
1. Generators may enter any special handling information necessary. Generators may also enter descriptive information about shipped materials.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 14. Special Handling Instructions and Additional Information.</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 14. Special Handling Instructions and Additional Information.</i>	X			
2. This space may be used to record federally required information for which there is no specific space. Generators cannot be required to enter information in this space to meet state requirements.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 14. Special Handling Instructions and Additional Information.</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 14. Special Handling Instructions and Additional Information.</i>	X			
1. The generator must read, sign, and date the waste minimization certification statement. Shipper's Certification.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 15. Generator's/ Offeror's</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 15. Generator's/ Offeror's</i>	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
	<i>Certifications</i>	<i>Certifications</i>				
2. Generator or Offeror personnel may preprint the words, "On behalf of" in the signature block to indicate that the individual signs as the employee or agent of the named principal.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 15. Generator's/ Offeror's Certifications</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 15. Generator's/ Offeror's Certifications</i>	X			
Note: All of the above information except the handwritten signature may be pre-printed.	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 15. Generator's/ Offeror's Certifications</i>	262/ Appendix/ 8700-22/ I. Instructions for Generators/ <i>Item 15. Generator's/ Offeror's Certifications</i>	X			
Instructions for International Shipment Block	262/ Appendix/ 8700-22/ II. Instructions for International Shipment Block	262/ Appendix/ 8700-22/ II. Instructions for International Shipment Block	X			
For export shipments, the primary exporter must check the export box, and enter the point of exit from US. For import shipments, the importer must check the import box and enter point of entry into US. For exports, transporter must sign and date manifest to indicate the day the shipment left the US. Transporters of hazardous waste shipments must deliver a copy of manifest to US Customs when exporting waste across US border.	262/ Appendix/ 8700-22/ II. Instructions for International Shipment Block/ <i>Item 16. International Shipments</i>	262/ Appendix/ 8700-22/ II. Instructions for International Shipment Block/ <i>Item 16. International Shipments</i>	X			
Instructions for Transporters	262/ Appendix/ 8700-22/ III. Instructions for Transporters	262/ Appendix/ 8700-22/ III. Instructions for Transporters	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Enter the name of the person accepting waste on behalf of first transporter. Acknowledge acceptance of waste by signing manifest and entering date of receipt. Only one signature required. Signatures are not required to track waste in and out of transfer facilities unless there is a change of custody. If applicable, enter name of person accepting waste on behalf of the second transporter. Acknowledge acceptance of waste by signing manifest and entering date of receipt.	262/ Appendix/ 8700-22/ III. Instructions for Transporters/ <i>Item 17. Transporters' Acknowledgements of Receipt</i>	262/ Appendix/ 8700-22/ III. Instructions for Transporters/ <i>Item 17. Transporters' Acknowledgements of Receipt</i>	X			
Note: Transporters carrying imports, who are acting as importers, may have responsibilities to enter information in the International Shipments Block. Transporters carrying exports may have these responsibilities.	262/ Appendix/ 8700-22/ III. Instructions for Transporters/ <i>Item 17. Transporters' Acknowledgements of Receipt</i>	262/ Appendix/ 8700-22/ III. Instructions for Transporters/ <i>Item 17. Transporters' Acknowledgements of Receipt</i>	X			
IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities	262/ Appendix/ 8700-22/ III. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities	X			

Note: *Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities was added as Roman Numeral "III", this will be changed to Roman Numeral "IV" in the fall revisions.*

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
1. The authorized representative of the facility's owner or operator must note any discrepancy between the waste described and the waste received. Manifest discrepancies are: significant differences between the quantity or type of hazardous waste designated on manifest and that actually received.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	X			
2. For rejected loads and residues, check appropriate box if shipment is a rejected load or a regulated residue that cannot be removed from container. Enter reason for rejection or inability to remove residue and description of waste. Reference the manifest tracking number for any additional manifests being used to track the rejected waste or residue shipment on original manifest. Indicate original manifest number in Item 14 of the additional manifests.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	X			
3. Owners or operators of facilities located in unauthorized States who cannot resolve significant differences in quantity or type within 15 days of receiving waste must submit to the Regional Administrator a letter w/ a copy of the Manifest describing the discrepancy and attempts to reconcile it.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	X			

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RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
4. Owners and operators of facilities in authorized States should contact their state agency for information on where to report discrepancies to state officials.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18a. Discrepancy Indication Space</i>	X			
Enter name, address, phone number and EPA ID of Alternate Facility which the rejecting TSDF has designated to receive a fully rejected waste shipment. In the event that a fully rejected shipment is being returned to the generator, the rejecting TSDF may enter the generator's site information in this space. This field is not to be used to forward partially rejected loads or residue shipments.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18b. Alternate Facility (or Generator) for Receipt of Full Load Rejections</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18b. Alternate Facility (or Generator) for Receipt of Full Load Rejections</i>	X			
The authorized representative of the alternate facility must sign and date this field to acknowledge receipt of the fully rejected waste or residue.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18c. Alternate Facility (or Generator) Signature</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 18. Discrepancy/ Item 18c. Alternate Facility (or Generator) Signature</i>	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Enter appropriate Hazardous Waste Report Management Method code for each waste listed in Item 9. The code is to be entered by first TSDf that receives waste and is the code that describes way in which waste is to be managed when received by TSDf.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 19. Hazardous Waste Report Management Method Codes</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 19. Hazardous Waste Report Management Method Codes</i>	X			
Enter name of the person receiving waste on behalf of owner or operator. That person must acknowledge receipt or rejection by signing and entering the date of receipt or rejection. The rejection should be noted and described in 18a. Fully rejected wastes may be forwarded or returned using Item 18b. Enter the name of the person accepting the waste on behalf of the owner/operator of alternate facility or original generator. That person must acknowledge receipt or rejection by signing and entering date in Item 18c. Partially rejected wastes and residues must be re-shipped under a new manifest, to be initiated and signed by the rejecting TSDf.	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 20. Designated Facility Owner or Operator Certification of Receipt (Except As Noted in Item 18a)</i>	262/ Appendix/ 8700-22/ IV. Instructions for Owners and Operators of Treatment, Storage, and Disposal Facilities/ <i>Item 20. Designated Facility Owner or Operator Certification of Receipt (Except As Noted in Item 18a)</i>	X			
Manifest Continuation Sheet	262/ Appendix/ 8700-22A		X			
Instructions – Continuation Sheet, U.S. EPA Form 8700-22A	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Read all instructions before completing this form. This form has been designed for use on a 12-pitch typewriter; a firm point pen may also be used.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet	X			
This form must be used as a continuation sheet to form 8700-22 if: More than two transporters are to be used; or More space is required for the U.S. DOT descriptions and related information in Item 9. Federal regulations require generators and transporters and owner/ operators of TSDFs to use the uniform hazardous waste manifest and this continuation sheet for inter-and intrastate transportation.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet	X			
Enter the generator's EPA ID or State generator ID if the generator does not have an EPA ID.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 21. Generator's ID Number</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 21. Generator's ID Number</i>	X			
Enter the page number of this Continuation Sheet.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 22. Page ___</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 22. Page ___</i>	X			
Enter the Manifest Tracking number from Item 4 of the Manifest to which this continuation sheet is attached.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 23. Manifest Tracking Number</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 23. Manifest Tracking Number</i>	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Enter the generator's name as it appears in Item 5 in the Manifest	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 24. Generator's Name</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 24. Generator's Name</i>	X			
If additional transporters are used, enter the company name of each additional transporter in the order in which they will transport the waste. Enter after the word "Transporter" the order of the transporter. Also enter in the EPA ID of the transporter named in Item 25.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 25. Transporter-Company Name</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 25. Transporter-Company Name</i>	X			
If additional transporters are used, enter the company name of each additional transporter in the order in which they will transport the waste. Enter after the word "Transporter" the order of the transporter. Each Continuation Sheet can record the names of two additional transporters. Also enter the EPA ID number of the transporter named in Item 26.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 26. Transporter-Company Name</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 26. Transporter-Company Name</i>	X			
For each row enter a sequential number under Item 27b that corresponds to the order of waste codes from one continuation sheet to the next, to reflect total number of wastes being shipped. Refer to instructions for Item 9 of the manifest for information to be entered.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 27. U.S. DOT Description Including Proper Shipping Name, Hazardous Class, and ID Number (UN/NA)</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 27. U.S. DOT Description Including Proper Shipping Name, Hazardous Class, and ID Number (UN/NA)</i>	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Refer to instructions for Item 10	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 28. Containers (No. And Type)</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 28. Containers (No. And Type)</i>	X			
Refer to instructions for Item 11.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 29. Total Quantity</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 29. Total Quantity</i>	X			
Refer to the instructions for Item 12.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 30. Units of Measure (Weight/ Volume)</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 30. Units of Measure (Weight/ Volume)</i>	X			
Refer to the instructions for Item 13.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 31. Waste Codes</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 31. Waste Codes</i>	X			
Refer to the instructions for Item 14.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 32. Special Handling Instructions and Additional Information</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ <i>Item 32. Special Handling Instructions and Additional Information</i>	X			
Transporters	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Transporter	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Transporter	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Enter the same number of the Transporter as identified in Item 25. Enter also the name of the person accepting the waste on behalf of the Transporter identified in Item 25. That person must acknowledge acceptance of the waste by signing and entering date of receipt.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Transporter/ <i>Item 33. Transporter – Acknowledgement of Receipt of Materials</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Transporter/ <i>Item 33. Transporter – Acknowledgement of Receipt of Materials</i>	X			
Enter the same number of the Transporter as identified in Item 26. Enter also the name of the person accepting the waste on behalf of the Transporter identified in Item 26. That person must acknowledge receipt of the waste by signing and entering date of receipt.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/Transporter/ <i>Item 34. Transporter – Acknowledgement of Receipt of Materials</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/Transporter/ <i>Item 34. Transporter – Acknowledgement of Receipt of Materials</i>	X			
Owner and Operators of Treatment, Storage, or Disposal Facilities	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Owner and Operators of Treatment, Storage, or Disposal Facilities	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Owner and Operators of Treatment, Storage, or Disposal Facilities	X			
Refer to Item 18. This space may be used to more fully describe information on discrepancies identified in Item 18a.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Owner and Operators of Treatment, Storage, or Disposal Facilities/ <i>Item 35. Discrepancy Indication Space</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Owner and Operators of Treatment, Storage, or Disposal Facilities/ <i>Item 35. Discrepancy Indication Space</i>	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
For each field, enter the sequential number that corresponds to the waste materials described under Item 27, and enter the appropriate process code. If additional continuation sheets are attached, continue numbering the waste materials and process code fields sequentially, and enter on each sheet the process codes corresponding to the wastes identified.	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Owner and Operators of Treatment, Storage, or Disposal Facilities/ <i>Item 36. Hazardous Waste Report Management Method Codes</i>	262/ Appendix/ 8700-22A/ Instructions – Continuation Sheet/ Owner and Operators of Treatment, Storage, or Disposal Facilities/ <i>Item 36. Hazardous Waste Report Management Method Codes</i>	X			

PART 263 – STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE
SUBPART B -- COMPLIANCE WITH THE MANIFEST SYSTEM AND RECORDKEEPING

THE MANIFEST SYSTEM

amended by revising paragraphs (a) and (g) to read as follows:	263.20	263.20(a)(2)	X			
<i>Manifest requirement.</i> A transporter may not accept hazardous waste from a generator unless the transporter is also provided with a manifest signed in accordance with requirements of 262.23.	263.20(a)(1)	263.20(a)(2)	X			
<i>Exports.</i> In the case of exports other than those subject to subpart H of part 262, a transporter may not accept such waste from a primary exporter or other person if he knows the shipment does not conform to EPA Acknowledgement of Consent; and unless, in addition to a manifest signed by the generator, the transporter shall also be provided with an EPA Acknowledgement of Consent which, is attached to the manifest. For exports of hazardous waste	263.20(a)(2)	263.20(a)(2)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
subject to the requirements of subpart H of part 262, a transporter may not accept hazardous waste w/o a tracking document that includes information required in 262.84.						
<i>Compliance Date for Form Revisions.</i> The revised Manifest form and procedures in 260.10, 261.7, 263.20, and 263.21 shall not apply until September 5, 2006. The Manifest form and procedures contained in the 40 CFR edition revised as of July 1, 2004 shall be applicable until September 5, 2006.	263.20(a)(3)	263.20(a)(3)	X			
Transporters who transport hazardous waste out of the United States must:	263.20(g)	263.20(g)	X			
Sign and date the manifest in the International Shipments block to indicate the date that the shipment left the United States;	263.20(g)(1)	263.20(g)(1)	X			
Retain one copy;	263.20(g)(2)	263.20(g)(2)	X			
Return a signed copy of the manifest to generator; and	263.20(g)(3)	263.20(g)(3)	X			
Give a copy of manifest to a US Customs official at the point of departure from US.	263.20(g)(4)	263.20(g)(4)	X			
COMPLIANCE WITH THE MANIFEST						
revise paragraph (b) to read as follows:	263.21	263.21	X			
If the hazardous waste cannot be delivered in accordance w/ paragraph (a) because of an emergency condition, then the transporter must contact the generator for further directions and revise the manifest according to generator instructions.	263.21(b)(1)	263.21(b)(1)	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
If hazardous waste is rejected by the designated facility while the transporter is on the facility's premises, then the transporter must obtain the following:	263.21(b)(2)	263.21(b)(2)	X			
For a partial load rejection or for regulated quantities of container residues, a copy of the original manifest that includes the facility's date and signature, and the Manifest Tracking Number of the new manifest that will accompany shipment and a description of the partial rejection or container residue in the discrepancy block of the original manifest. The transporter must retain a copy of this manifest and give remaining copies of original to the rejecting facility. If the transporter is forwarding the rejected part of the shipment or a regulated container residue to an alternate facility or returning it to generator, the transporter must obtain a new manifest to accompany the shipment, and the new manifest must include all of the required information.	263.21(b)(2)(i)	263.21(b)(2)(i)	X			
For a full load rejection that will be taken back by transporter, a copy of the original manifest that includes the rejecting facility's signature and date attesting to rejection, the description of rejection in the discrepancy block, and the name, address, phone number, and ID number for alternate facility to whom the shipment must be delivered. The transporter must retain a copy of the manifest and give a copy to	263.21(b)(2)(ii)	263.21(b)(2)(ii)	X			

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	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the rejecting facility. If original manifest is not used, then transporter must obtain a new manifest for shipment.						

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

SUBPART E – MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

section revised to read as follows:	264.70	264.70			X	
The regulations in this subpart apply to owners/ operators of both on-site and off-site facilities except as 264.1 provides. Sections 264.71, 264.72, and 264.76, do not apply to owners/ operators that do not receive hazardous waste from off-site, or to off-site facilities w/ respect to military munitions exempt from requirements. 264.73(b) only applies to permittees who treat, store, or dispose of hazardous waste on-site where wastes are generated.	264.70(a)	264.70(a)			X	

Note: “264.73(b) only applies to permittees who treat, store, or dispose of hazardous waste on-site where wastes are generated” was purposely left out to require recordkeeping by operators not receive hazardous waste from off-site.

The revised Manifest form and procedures in 40 CFR 260.10, 261.7, 264.70, 264.71, 264.72, and 264.76 shall not apply until September 5, 2006. The Manifest form and procedures in 40 CFR revised as of July 1, 2004 shall be applicable until September 5, 2006.	264.70(b)	264.70(b)	X			
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USE OF MANIFEST SYSTEM

revise paragraphs (a) and (b)(4) and add paragraph (e) to read as follows:	264.71	264.71	X			
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RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
If a facility receives hazardous waste w/ a manifest, the owner/operator must sign and date manifest to certify waste was received, waste was received except as noted in discrepancy, or waste was rejected.	264.71(a)(1)	264.71(a)(1)	X			
If a facility receives a hazardous waste shipment w/ a manifest, the owner/ operator must:	264.71(a)(2)	264.71(a)(2)	X			
Sign and date each copy	264.71(a)(2)(i)	264.71(a)(2)(i)	X			
Note any discrepancies	264.71(a)(2)(ii)	264.71(a)(2)(ii)	X			
Give transporter one copy	264.71(a)(2)(iii)	264.71(a)(2)(iii)	X			
W/ in 30 days send copy to generator; and	264.71(a)(2)(iv)	264.71(a)(2)(iv)	X			
Retain at facility a copy for at least three years.	264.71(a)(2)(v)	264.71(a)(2)(v)	X			
If a facility receives hazardous waste from a foreign source, the facility must mail a copy of the manifest to the following address w/in 30 days of delivery: International Compliance Assurance Division [insert EPA address]	264.71(a)(3)	264.71(a)(3)	X			
W/in 30 days send a copy of signed and dated manifest or shipping paper to generator; and	264.71(b)(4)	264.71(b)(4)	X			
Facility must determine whether consignment state regulates any additional wastes. Facilities must determine whether consignment state or generator state requires submission of any copies of manifest to these states.	264.71(e)	264.71(f)	X			
MANIFEST DISCREPANCIES						
amended as follows:	264.72	264.72	X			
Manifest discrepancies are:	264.72(a)	264.72(a)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Significant differences between quantity or type of waste on manifest and waste a facility receives;	264.72(a)(1)	264.72(a)(1)	X			
Rejected wastes, full or partial shipment, the TSDF cannot accept; or	264.72(a)(2)	264.72(a)(2)	X			
Container residues exceeding quantity for "empty containers"	264.72(a)(3)	264.72(a)(3)	X			
Significant differences in quantity are: For bulk waste, >10% weight; for batch waste, variation in piece count. Differences in type are those discovered through inspection/ waste analysis, or toxic constituents not reported on manifest.	264.72(b)	264.72(b)	X			
Upon discovering a significant difference, the owner/ operator must attempt to reconcile discrepancy w/ generator or transporter. If discrepancy is not resolved w/in 15 days, the owner/operator must submit to Regional Administrator letter describing discrepancy and attempts to reconcile it, and copy of manifest.	264.72(c)	264.72(c)	X			
Upon rejecting waste or identifying container residue exceeding "empty" limits, the facility must consult w/ generator prior to forwarding waste to a facility that can manage it. If it is impossible to locate alternate facility, the facility may return rejected waste to generator. Waste must be sent to alternate facility or generator w/in 60 days of rejection.	264.72(d)(1)	264.72(d)(1)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
While facility is making arrangements for forwarding rejected wastes or residues, it must ensure that either the delivering transporter retains custody of waste, or, the facility must provide custody of waste, pending delivery of waste to first transporter designated on manifest prepared under paragraph (e) or (f).	264.72(d)(2)	264.72(d)(2)	X			
Except as provided in paragraph (e)(7), for rejections/ residues to be sent to an alternate facility, the facility is required to prepare a new manifest in accordance w/ 262.20(a) and the following instructions:	264.72(e)	264.72(e)	X			
Write generator's EPA ID number in Item 1 of new manifest. Write generator's name and mailing address in Item 5. If generator's site address is different, write site address in Item 5.	264.72(e)(1)	264.72(e)(1)	X			
Write name of alternate facility and EPA ID number in Item 8 of new manifest.	264.72(e)(2)	264.72(e)(2)	X			
Copy manifest tracking number in Item 4 of old manifest to Special Handling and Additional Information block, and indicate shipment is residue/ rejection from previous shipment.	264.72(e)(3)	264.72(e)(3)	X			
Copy manifest tracking number in Item 4 of new manifest to manifest reference number line in Discrepancy Block of old manifest.	264.72(e)(4)	264.72(e)(4)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Write the DOT description for rejected load or residue in Item 9 of new manifest and write container types, quantity, and waste volume.	264.72(e)(5)	264.72(e)(5)	X			
Sign the Generator's/ Offeror's Certification to certify that waste has been properly packaged, marked and labeled and is in condition for transportation.	264.72(e)(6)	264.72(e)(6)	X			
For full load rejections made while transporter remains at facility, the facility may forward rejected shipment to alternate facility by completing Item 18b of the original manifest and supplying information in the Alternate Facility space. The facility must retain copy of this manifest for records, and give remaining copies to transporter. If original manifest is not used, then the facility must use a new manifest and comply w/ (e)(1) – (6).	264.72(e)(7)	264.72(e)(7)	X			
Except as provided in paragraph (f)(7), for rejected/ residue wastes that must be sent back to generator, the facility is required to prepare a new manifest in accordance w/ 262.20(a) and the following instructions:	264.72(f)	264.72(f)	X			
Write facility's EPA ID number in Item 1 of new manifest. Write generator's name and mailing address in Item 5. If generator's site address is different, then write site address in space in Item 5.	264.72(f)(1)	264.72(f)(1)	X			
Write name of initial generator and EPA ID in block 8 of new manifest.	264.72(f)(2)	264.72(f)(2)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Copy manifest tracking number from Item 4 in old manifest to Special Handling and Additional Information block of new manifest, and indicate shipment is residue/ rejection from previous shipment.	264.72(f)(3)	264.72(f)(3)	X			
Copy manifest tracking number in Item 4 of new manifest to manifest reference number line in Discrepancy Block of old manifest.	264.72(f)(4)	264.72(f)(4)	X			
Write DOT description for rejection/ residue in Item 9 of new manifest and write container types, quantity, and volumes of waste.	264.72(f)(5)	264.72(f)(5)	X			
Sign the Generator's/ Offeror's Certification to certify that waste has been properly packaged, marked and labeled and is in condition for transportation.	264.72(f)(6)	264.72(f)(6)	X			
For full load rejection made while transporter remains at facility, the facility may return shipment to generator w/ the original manifest by completing Item 18a and 18b of manifest and supplying generator's information in Alternate Facility space. The facility must retain copy for its records and give remaining copies of manifest to transporter. If original manifest is not used, then facility must use a new manifest and comply w/ paragraphs f(1) - (6).	264.72(f)(7)	264.72(f)(7)	X			

**RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)**

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
If a facility rejects a waste or identifies residue that exceeds limits for "empty" containers after it has signed, dated, and returned a copy of manifest to the delivering transporter or generator, the facility must amend its copy of the manifest to indicate the rejected waste/ residue in the discrepancy space of amended manifest. The facility must also copy the manifest tracking number from Item 4 of the new manifest to Discrepancy space of amended manifest, and must re-sign and date manifest to certify to the information as amended. The facility must retain the amended manifest for at least three years and must w/in 30 days send a copy of amended manifest to the transporter and generator that received copies prior to amendment.	264.72(g)	264.72(g)	X			
UNMANIFESTED WASTE REPORT						
revised to read as follows:	264.76	264.76	X			
If a facility accepts hazardous waste from an off-site source w/o a manifest or shipping papers, and the waste is not excluded by a requirement of this chapter, then the owner/ operator must submit a letter to Regional Administrator w/in 15 days after receiving waste. The unmanifested waste report must contain the following:	264.76(a)	264.76(a)	X			
EPA ID number, name and address of facility;	264.76(a)(1)	264.76(a)(1)	X			
Date facility received waste;	264.76(a)(2)	264.76(a)(2)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
EPA ID number, name, and address of generator and transporter;	264.76(a)(3)	264.76(a)(3)	X			
Description of quantity of each unmanifested hazardous waste facility received;	264.76(a)(4)	264.76(a)(4)	X			
Method of treatment, storage or disposal for each hazardous waste;	264.76(a)(5)	264.76(a)(5)	X			
The certification signed by the owner/ operator of facility or his authorized representative; and	264.76(a)(6)	264.76(a)(6)	X			
A brief explanation of why the waste was unmanifested, if known.	264.76(a)(7)	264.76(a)(7)	X			
[Reserved]	264.76(b)	264.76(b)	X			

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

SUBPART E – MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

revised to read as follows:	265.70	265.70	X			
The regulations in this subpart apply to owners/ operators of both on- and off-site facilities except as 265.1 provides. Sections 265.71, 265.72, and 265.76 do not apply to owners/ operators of on-site facilities that do not receive hazardous waste from off-site sources, nor to owners/ operators of off-site facilities w/ respect to military munitions waste.	265.70(a)	265.70(a)	X			
The revised Manifest form and procedures in 40 CFR 260.10, 261.7, 265.70, 265.71, 265.72, and 265.76 shall not apply until September 5, 2006. The Manifest form and procedures in the July 1, 2004 CFR shall be applicable until September 5, 2006.	265.70(b)	265.70(b)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
USE OF MANIFEST SYSTEM						
amended by revising paragraph (a) and (b)(4) and adding paragraph (e) to read as follows:	265.71	265.71	X			
If a facility receives hazardous waste and a manifest, the owner/ operator must sign and date manifest to certify that the hazardous waste covered by manifest was received, received w/ discrepancies, or rejected.	265.71(a)(1)	265.71(a)(1)	X			
If a facility receives a hazardous waste shipment w/ a manifest, the owner/ operator must:	265.71(a)(2)	265.71(a)(2)	X			
Sign and date each copy;	265.71(a)(2)(i)	265.71(a)(2)(i)	X			
Note any discrepancies;	265.71(a)(2)(ii)	265.71(a)(2)(ii)	X			
Give transporter at least one copy;	265.71(a)(2)(iii)	265.71(a)(2)(iii)	X			
W/in 30 days of delivery, send copy of manifest to generator;	265.71(a)(2)(iv)	265.71(a)(2)(iv)	X			
Retain at facility a copy of each manifest for at least three years.	265.71(a)(2)(v)	265.71(a)(2)(v)	X			
If a facility receives hazardous waste imported from a foreign source, the facility must mail a copy of the manifest to the following address w/in 30 days: International Compliance Assurance Division [insert EPA Address].	265.71(a)(3)	265.71(a)(3)	X			
W/in 30 days, send a copy of signed and dated manifest to generator; and	265.71(b)(4)	265.71(b)(4)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
A facility must determine whether the consignment state for a shipment regulates any additional wastes under its state hazardous waste program. Facilities must also determine whether the consignment state or generator state requires the facility to submit any copies of the manifest to these states.	265.71(e)	265.71(f)	X			
MANIFEST DISCREPANCIES						
revised as follows:	265.72	265.72	X			
Manifest discrepancies are:	265.72(a)	265.72(a)	X			
Significant differences b/t the quantity or type of hazardous waste on the manifest, and hazardous waste actually received.	265.72(a)(1)	265.72(a)(1)	X			
Rejected wastes, which may be a full or partial shipment of hazardous waste the TSDf cannot accept; or	265.72(a)(2)	265.72(a)(2)	X			
Container residues, which are residues that exceed the quantity limits for "empty" in 261.7(b).	265.72(a)(3)	265.72(a)(3)	X			
Significant differences in quantity are: For bulk waste, >10% weight; for batch waste, variation in piece count. Differences in type are those discovered through inspection/ waste analysis, or toxic constituents not reported on manifest.	265.72(b)	265.72(b)	X			
Upon discovering a significant difference, the owner/ operator must attempt to reconcile discrepancy w/ generator or transporter. If discrepancy is not resolved w/in 15 days, the owner/operator must submit to Regional Administrator a letter describing discrepancy and	265.72(c)	265.72(c)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
attempts to reconcile it, and copy of manifest.						
Upon rejecting waste or identifying container residue exceeding "empty" limits, the facility must consult w/ generator prior to forwarding waste to a facility that can manage it. If it is impossible to locate alternate facility, the facility may return rejected waste to generator. Waste must be sent to alternate facility or generator w/in 60 days of rejection.	265.72(d)(1)	265.72(d)(1)	X			
While facility is making arrangements for forwarding rejected wastes or residues, it must ensure that either the delivering transporter retains custody of waste, or, the facility must provide custody of waste, pending delivery of waste to first transporter designated on manifest prepared under paragraph (e) or (f).	265.72(d)(2)	265.72(d)(2)	X			
Except as provided in paragraph (e)(7), for rejections/ residues to be sent to an alternate facility, the facility is required to prepare a new manifest in accordance w/ 262.20(a) and the following instructions:	265.72(e)	265.72(e)	X			
Write generator's EPA ID number in Item 1 of new manifest. Write generator's name and mailing address in Item 5. If generator's site address is different, write site address in Item 5.	265.72(e)(1)	265.72(e)(1)	X			
Write name of alternate facility and EPA ID number in Item 8 of new manifest.	265.72(e)(2)	265.72(e)(2)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Copy manifest tracking number in Item 4 of old manifest to Special Handling and Additional Information block of new manifest, and indicate shipment is residue/ rejection from previous shipment.	265.72(e)(3)	265.72(e)(3)	X			
Copy manifest tracking number in Item 4 of new manifest to manifest reference number line in Discrepancy Block of old manifest.	265.72(e)(4)	265.72(e)(4)	X			
Write the DOT description for rejected load or residue in Item 9 of new manifest and write container types, quantity, and waste volume.	265.72(e)(5)	265.72(e)(5)	X			
Sign the Generator's/ Offeror's Certification to certify that waste has been properly packaged, marked and labeled and is in condition for transportation.	265.72(e)(6)	265.72(e)(6)	X			
For full load rejections made while transporter remains at facility, the facility may forward rejected shipment to alternate facility by completing Item 18b of the original manifest and supplying information in the Alternate Facility space. The facility must retain copy of this manifest for records, and give remaining copies to transporter. If original manifest is not used, then the facility must use a new manifest and comply w/ (e)(1) – (6).	265.72(e)(7)	265.72(e)(7)	X			

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Except as provided in paragraph (f)(7), for rejections/ residues that must be sent back to generator, the facility must prepare a new manifest in accordance w/ 262.20(a) and the following instructions:	265.72(f)	265.72(f)	X			
Write facility's EPA ID number in Item 1 of new manifest. Write generator's name and mailing address in Item 5. If generator's site address is different, write site address in Item 5.	265.72(f)(1)	265.72(f)(1)	X			
Write name of initial generator and generator's EPA ID number in Item 8.	265.72(f)(2)	265.72(f)(2)	X			
Copy manifest tracking number found in Item 4 of old manifest to Special Handling and Additional Information block of new manifest, and indicate that shipment is residue/ rejection from previous shipment,	265.72(f)(3)	265.72(f)(3)	X			
Copy manifest tracking number found in Item 4 of new manifest to manifest reference number line in Item 18a of old manifest.	265.72(f)(4)	265.72(f)(4)	X			
Write DOT description for rejected load or residue in Item 9 of new manifest and write container types, quantity, and waste volumes.	265.72(f)(5)	265.72(f)(5)	X			
Sign the Generator's/ Offeror's Certification to certify, that waste has been properly packaged, marked and labeled and is in condition for transportation	265.72(f)(6)	265.72(f)(6)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
For full load rejections that are made while transporter remains at facility, the facility may return shipment to generator w/ original manifest by completing Item 18b of manifest and supplying generator's information in Alternate Facility space. The facility must retain a copy for its records and then give the remaining copies to transporter. If original manifest is not used, then facility must use a new manifest and comply w/ f(1) – (6).	265.72(f)(7)	265.72(f)(7)	X			
If a facility rejects a waste or identifies a container residue that exceeds the quantity limits for "empty" containers after it has signed, dated, and returned a copy of the manifest to the delivering transporter or to the generator, the facility must amend its copy of manifest to indicate the rejection/residue in discrepancy space of amended manifest. The facility must also copy the manifest tracking number from Item 4 of new manifest to discrepancy space of amended manifest, and must re-sign and date the manifest to certify to the information amended. The facility must retain amended manifest for at least three years, and must w/in 30 days send a copy of amended manifest to transporter and generator that received copies prior to being amended.	265.72(g)	265.72(g)	X			

RCRA REVISION CHECKLIST 207: Uniform Hazardous Waste Manifest Rule
(Cont'd)

	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
UNMANIFESTED WASTE REPORT						
revised to read as follows:	265.76	265.76	X			
If a facility accepts any hazardous waste from an off-site source w/o a manifest, and if the waste is not excluded from the manifest requirement, then owner/ operator must submit a letter to the Regional Administrator w/in 15 days. The unmanifested waste report must contain the following information:	265.76(a)	265.76	X			
EPA ID number, name and address of facility;	265.76(a)(1)	265.76(a)	X			
Date facility received waste;	265.76(a)(2)	265.76(b)	X			
EPA ID number, name and address of generator and transporter;	265.76(a)(3)	265.76(c)	X			
Description and quantity of each unmanifested hazardous waste received;	265.76(a)(4)	265.76(d)	X			
Method of treatment, storage, or disposal for each hazardous waste;	265.76(a)(5)	265.76(e)	X			
Certification signed by owner/ operator of facility or his authorized representative; and	265.76(a)(6)	265.76(f)	X			
Brief explanation of why waste was unmanifested, if known.	265.76(a)(7)	265.76(g)	X			
[Reserved]	265.76(b)		X			