

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 210

Standardized Permit for RCRA Hazardous Waste Management Facilities

70 FR 53420-53478

September 8, 2005

(RCRA Cluster XVI, Non-HSWA)

Name of State: Arkansas
 State Statutory Authority: Arkansas Hazardous Waste Management Act (Act 406 of 1979, as amended, codified at Arkansas Code of 1987, Annotated, §§ 8-7-201 thru 8-7-226). See *Arkansas RCRA Statutory Checklist, dated July 21, 2006.*
 Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) Effective Date: May 26, 2008
 Date Checklist Completed: May 23, 2008

Note: The provisions in new Part 267 are not broken down beyond the sections.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 124 PROCEDURES FOR DECISIONMAKING						
SUBPART A GENERAL PROGRAM REQUIREMENTS						

H PURPOSE AND SCOPE

replace "four" with "five" in the first sentence; add "and Subpart G" after "Subparts B through D" in the third sentence; replace the sixth sentence with the following: "Subpart B contains public participation requirements applicable to all RCRA hazardous waste management facilities." Add "Subpart G contains specific procedural requirements for RCRA standardized permits, which, in some instances, change how the General Program Requirements of subpart A apply in the context of the RCRA standardized permit." to the end of the paragraph	124.1(b)	N/A	ADEQ has not incorporated by reference the public participation provisions at 40 CFR 124.1, 124.2, 124.3(b), 124.3(d), 124.3(e), 124.4, 124.5(b), 124.5(e), 124.5(g), 124.6(b), 124.9, 124.10(a)(1)(i), 124.10(a)(1)(iv), 124.10(a)(1)(v), 124.12(e), 124.14, 124.15, 124.16, 124.18, 124.19, and 124.21. The State has been previously authorized for equivalent provisions pursuant to APC&EC Regulation No. 8 (Administrative Procedures) and corresponding State provisions at Regulation No. 23 § 270.7. These references treat standardized permits in the same manner as any other permit issued by the Department.			
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H DEFINITIONS

RCRA REVISION CHECKLIST 210: Standardized Permit for
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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
insert "of this chapter" at the end of the first sentence; in the second sentence insert "RCRA standardized permit (§ 270.67)," after "(§ 270.60)."	124.2(a) "Permit"	N/A				
add "Standardized permit"	124.2(a) "Standardized permit"	N/A				

H MODIFICATION, REVOCATION AND REISSUANCE OR TERMINATION OF PERMITS

at the end of the sentence, move the closing parenthesis inside the period	124.5(c) introductory paragraph	N/A				
add "(other than § 270.41(b)(3))" after "270.41" in the first sentence; add "other than under 40 CFR 270.41(b)(3)" after "reissued permits," in the third sentence; add "In the case of revoked or reissued permits under 40 CFR 270.41(b)(3), the Director and the permittee shall comply with the appropriate requirements in 40 CFR part 124, subpart G for RCRA standardized permits." to the end of the subparagraph	124.5(c)(1)	N/A				

SUBPART B SPECIFIC PROCEDURES APPLICABLE TO RCRA PERMITS

H PRE-APPLICATION PUBLIC MEETING AND NOTICE

insert after fourth sentence: "The requirements of this section shall also apply to hazardous waste management facilities for which facility owners or operators are seeking coverage under a RCRA standardized permit (see 40 part 270, subpart J), including renewal of a standardized permit for such units, where the renewal is proposing a significant change in facility operations, as defined at § 124.211(c)."	124.31(a)	N/A				
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insert "or to the submission of a written Notice of Intent to be covered by a RCRA standardized permit (see 40 CFR part 270, subpart J)," after "part B RCRA permit application for a facility,".	124.31(b)	N/A				
add ", or with the written Notice of Intent to be covered by a RCRA standardized permit (see 40 CFR part 270, subpart J)." to the end of the paragraph	124.31(c)	N/A				
H PUBLIC NOTICE REQUIREMENTS AT THE APPLICATION STAGE						
1 insert after third sentence: "The requirements of this section do not apply to hazardous waste units for which facility owners or operators are seeking coverage under a RCRA standardized permit (see 40 CFR part 270, subpart J)."	124.32(a)	N/A				
H SUBPART G PROCEDURES FOR RCRA STANDARDIZED PERMIT						
GENERAL INFORMATION ABOUT STANDARDIZED PERMITS						
What is a RCRA standardized permit?	124.200	N/A				
Who is eligible for a standardized permit?	124.201	N/A				
APPLYING FOR A STANDARDIZED PERMIT						
How do I as a facility owner or operator apply for a standardized permit?	124.202	N/A				
How may I switch from my individual RCRA permit to a standardized permit?	124.203	N/A				
ISSUING A STANDARDIZED PERMIT						
What must I do as the Director of the regulatory agency to prepare a draft standardized permit?	124.204	N/A				
What must I do as the Director of the regulatory agency to prepare a final standardized permit?	124.205	N/A				
In what situations may I require a facility owner or operator to apply for an individual permit?	124.206	N/A				
OPPORTUNITIES FOR PUBLIC INVOLVEMENT IN THE STANDARDIZED PERMIT PROCESS						

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What are the requirements for public notices?	124.207	N/A				
What are the opportunities for public comments and hearings on draft permit decisions?	124.208	N/A				
What are the requirements for responding to comments?	124.209	N/A				
May I, as an interested party in the permit process, appeal a final standardized permit?	124.210	N/A				
MAINTAINING A STANDARDIZED PERMIT						
What types of changes may I make to my standardized permit?	124.211	N/A				
What procedures must I follow to make routine changes?	124.212	N/A				
What procedures must I follow to make routine changes with prior approval?	124.213	N/A				
What procedures must I follow to make significant changes?	124.214	N/A				
PART 260 HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B DEFINITIONS						
DEFINITIONS						
H in the definition of "Facility", revise subparagraph (2) by inserting "or 267.101" after "under 40 CFR 264.101"	260.10 "Facility"	260.10 "Facility"	X			
REFERENCES						
H insert "270.310(d)(3)" at the end of the subparagraph	260.11(c)(1)	260.11(c)(1)	X			
insert "267.190(a)" between "265.1081" and "268.32."	260.11(c)(3)(xxvii)	260.11(c)(3)(xxvii)	X			
insert "267.202(b)" at the end of the subparagraph	260.11(d)(1)	260.11(d)(1)	X			
PART 261 IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A GENERAL						
RESIDUES OF HAZARDOUS WASTE IN EMPTY CONTAINERS						
H replace "or part" with "267," between "265," and "268,"	261.7(a)(1)	261.7(a)(1)	X			
PART 267 B STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE FACILITIES OPERATING UNDER A STANDARDIZED PERMIT						
SUBPART A GENERAL						

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What are the purpose, scope and applicability if this part?	267.1	267.1	X			
What is the relationship to interim status standards?	267.2	267.2	X			
How does this part affect an imminent hazard action?	267.3	267.3	X			
SUBPART B GENERAL FACILITY STANDARDS						
Does this subpart apply to me?	267.10	267.10	X			
What must I do to comply with this subpart?	267.11	267.11	X			
How do I obtain an identification number?	267.12	267.12	X			
What are my waste analysis requirements?	267.13	267.13	X			
What are my security requirements?	267.14	267.14	X			
What are my general inspection requirements?	267.15	267.15	X			
What training must my employees have?	267.16	267.16	X			
What are the requirements for managing ignitable, reactive, or incompatible wastes?	267.17	267.17	X			
What are the standards for selecting the location of my facility?	267.18	267.18	X			
SUBPART C PREPAREDNESS AND PREVENTION						
Does this subpart apply to me?	267.30	267.30	X			
What are the general design and operation standards?	267.31	267.31	X			
What equipment am I required to have?	267.32	267.32	X			
What are the testing and maintenance requirements for the equipment?	267.33	267.33	X			
When must personnel have access to communication equipment or an alarm system?	267.34	267.34	X			
How do I ensure access for personnel and equipment during emergencies?	267.35	267.35	X			
What arrangements must I make with local authorities for emergencies?	267.36	267.36	X			

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SUBPART D CONTINGENCY PLAN AND EMERGENCY PROCEDURES						
Does this subpart apply to me?	267.50	267.50	X			
What is the purpose of the contingency plan and how do I use it?	267.51	267.51	X			
What must be in the contingency plan?	267.52	267.52	X			
Who must have copies of the contingency plan?	267.53	267.53	X			
When must I amend the contingency plan?	267.54	267.54	X			
What is the role of the emergency coordinator?	267.55	267.55	X			
What are the required emergency procedures for the emergency coordinator?	267.56	267.56	X			
What must the emergency coordinator do after an emergency?	267.57	267.57	X			
What notification and recordkeeping must I do after an emergency?	267.58	267.58	X			
2 SUBPART E MANIFEST SYSTEM, RECORDKEEPING, REPORTING, AND NOTIFYING						
Does this subpart apply to me?	267.70	267.70	X			
Use of the manifest system.	267.71	267.71	X			
Manifest discrepancies.	267.72	267.72	X			
What information must I keep?	267.73	267.73	X			
Who sees the records?	267.74	267.74	X			
What reports must I prepare and to whom do I send them?	267.75	267.75	X			
What notifications must I make?	267.76	267.76	X			
SUBPART F RELEASES FROM SOLID WASTE MANAGEMENT UNITS						
Who must comply with this section?	267.90	267.90	X			
[Reserved]	267.91—267.100	267.91—267.100	X			
What must I do to address corrective action for solid waste management units?	267.101	267.101	X			
SUBPART G CLOSURE						
Does this subpart apply to me?	267.110	267.110	X			
What general standards must I meet when I stop operating the unit?	267.111	267.111	X			
What procedures must I follow?	267.112	267.112	X			

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Will the public have the opportunity to comment on the plan?	267.113	267.113	X			
[Reserved]	267.114	267.114	X			
After I stop operating, how long until I must close?	267.115	267.115	X			
What must I do with contaminated equipment, structure, and soils?	267.116	267.116	X			
How do I certify closure?	267.117	267.117	X			
SUBPART H FINANCIAL REQUIREMENTS						
Who must comply with this subpart, and briefly, what do they have to do?	267.140	267.140	X			
Definitions of terms as used in this subpart.	267.141	267.141	X			
Cost estimate for closure.	267.142	267.142	X			
Financial assurance for closure.	267.143	267.143	X			
[Reserved]	267.144—267.146	267.144—267.146	X			
Liability requirements.	267.147	267.147	X			
Incapacity of owners or operators, guarantors, or financial institutions.	267.148	267.148	X			
[Reserved]	267.149	267.149	X			
State assumption of liability.	267.150	267.150	X			
Wording of the instruments.	267.151	267.151	X			
SUBPART I USE AND MANAGEMENT OF CONTAINERS						
Does this subpart apply to me?	267.170	267.170	X			
What standards apply to the containers?	267.171	267.171	X			
What are the inspection requirements?	267.172	267.172	X			
What standards apply to the container storage areas?	267.173	267.173	X			
What special requirements must I meet for ignitable or reactive waste?	267.174	267.174	X			
What special requirements must I meet for incompatible wastes?	267.175	267.175	X			
What must I do when I want to stop using the containers?	267.176	267.176	X			
What air emission standards apply?	267.177	267.177	X			
SUBPART J TANK SYSTEMS						
Does this subpart apply to me?	267.190	267.190	X			

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What are the required design and construction standards for new tank systems or components?	267.191	267.191	X			
What handling and inspection procedures must I follow during installation of new tank systems?	267.192	267.192	X			
What testing must I do?	267.193	267.193	X			
What installation requirements must I follow?	267.194	267.194	X			
What are the secondary containment requirements?	267.195	267.195	X			
What are the required devices for secondary containment and what are their design, operating and installation requirements?	267.196	267.196	X			
What are the requirements for ancillary equipment?	267.197	267.197	X			
What are the general operating requirements for my tank systems?	267.198	267.198	X			
What inspection requirements must I meet?	267.199	267.199	X			
What must I do in case of a leak or a spill?	267.200	267.200	X			
What must I do when I stop operating the tank system?	267.201	267.201	X			
What special requirements must I meet for ignitable or reactive wastes?	267.202	267.202	X			
What special requirements must I meet for incompatible wastes?	267.203	267.203	X			
What air emission standards apply?	267.204	267.204	X			
SUBPARTS K THROUGH CC [RESERVED]						
SUBPART DD CONTAINMENT BUILDINGS						
Does this subpart apply to me?	267.1100	267.1100	X			
What design and operating standards must my containment building meet?	267.1101	267.1101	X			
What other requirements must I meet to prevent releases?	267.1102	267.1102	X			
What additional design and operating standards apply if liquids will be in my containment building?	267.1103	267.1103	X			

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How may I obtain a waiver from secondary containment requirements?	267.1104	267.1104	X			
What do I do if my containment building contains areas both with and without secondary containment?	267.1105	267.1105	X			
What do I do if I detect a release?	267.1106	267.1106	X			
Can a containment building itself be considered secondary containment?	267.1107	267.1107	X			
What must I do when I stop operating the containment building?	267.1108	267.1108	X			

PART 270 B EPA ADMINISTERED PERMIT PROGRAMS; THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

H add "Treatment, storage, and disposal facilities (TSDs) that are otherwise subject to permitting under RCRA and that meet the criteria in paragraph (b)(1), or paragraph (b)(2) of this section, may be eligible for a standardized permit under subpart J of this part." after the second sentence	270.1(b) introductory paragraph	270.1(b) introductory paragraph	X			
add new subparagraph (b)(1): Facility generates hazardous waste and then non-thermally treats or stores hazardous waste on-site	270.1(b)(1)	270.1(b)(1)	X			
add new subparagraph (b)(2): Facility receives hazardous waste generated off-site by a generator under the same ownership as the receiving facility	270.1(b)(2)	270.1(b)(2)	X			

H DEFINITIONS

insert "and standardized permit (subpart J of this part)" after "(§ 270.61)" in the second sentence.	270.2 "Permit"	270.2 "Permit"	X			
add "Standardized permit"	270.2 "Standardized Permit"	270.2 "Standardized Permit"	X			

SUBPART B PERMIT APPLICATION

H GENERAL APPLICATION REQUIREMENTS

] Checklist 210
[Printed: 12/11/09]

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3 completely revise and subdivide existing paragraph (a) into an introductory paragraph followed by subparagraphs (a)(1 – (a)(5): <u>Applying for a permit.</u>	270.10(a) introductory paragraph	270.10(a) introductory paragraph	X			
RCRA permits by rule	270.10(a)(1)	270.10(a)(1)	X			
Interim status	270.10(a)(2)	270.10(a)(2)	X			
Required to have a permit—submit an application	270.10(a)(3)	270.10(a)(3)	X			
Emergency permits	270.10(a)(4)	270.10(a)(4)	X			
Research, development, and demonstration permits	270.10(a)(5)	270.10(a)(5)	X			
Add new subparagraph (a)(6): Standardized permits	270.10(a)(6)	270.10(a)(6)	X			
4 Revise existing paragraph (h) by subdividing it into an introductory paragraph and subparagraph (h)(1): <u>Reapplying for a permit</u>	270.10(h) introductory paragraph	270.10(h) introductory paragraph	X			
Submit a new application at least 180 days before the expiration date of the effective permit, unless the Director allows a later date; or	270.10(h)(1)	270.10(h)(1)	X			
add new subparagraph (h)(2): If you intend to be covered by a standardized permit; submit a notice of intent at least 180 days before effective permit's expiration date; Director may not allow application or notice of intent submittal later than the effective permit's expiration date	270.10(h)(2)	270.10(h)(2)	X			
SUBPART D CHANGES TO PERMITS						
H TRANSFER OF PERMITS						
insert “or as a routine change with prior approval under 40 CFR 124.213” after “§ 270.42” in the first sentence.	270.40(b)	270.40(b)	X			
H MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS						
insert “, or § 270.320 and 40 CFR part 124, subpart G” after “§ 270.42” in the next to last sentence.	270.41 introductory paragraph	270.41 introductory paragraph	X			

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add a new subparagraph (b)(3): “The Director has received notification under 40 CFR 124.202(b) of a facility owner or operator’s intent to be covered by a standardized permit.”	270.41(b)(3)	270.41(b)(3)	X			

SUBPART E EXPIRATION AND CONTINUATION OF PERMITS

H CONTINUATION OF EXPIRING PERMITS

add a new paragraph (e): Standardized permits; conditions continue until effective date of new permit if all of the following apply:	270.51(e)(1)	270.51(e)(1)	X			
EPA is permit-issuing authority,	270.51(e)(1)(i)	270.51(e)(1)(i)	X			
submit a timely complete notice of intent,	270.51(e)(1)(ii)	270.51(e)(1)(ii)	X			
and Director does not issue permit until previous permit expires	270.51(e)(1)(iii)	270.51(e)(1)(iii)	X			
notification by Director of ineligibility for standardized permit	270.51(e)(2)	270.51(e)(2)	X			

SUBPART F SPECIAL FORMS OF PERMITS

H RCRA STANDARDIZED PERMITS FOR STORAGE AND TREATMENT UNITS

RCRA standardized permits for storage treatment units;	270.67 introductory paragraph	270.67 introductory paragraph	X			
Generate and non-thermally treat or store on-site,	270.67(a)	270.67(a)	X			
Receive hazardous waste generated off-site by a generator under the same ownership of receiving facility	270.67(b)	270.67(b)	X			

H SUBPART J RCRA STANDARDIZED PERMITS FOR STORAGE AND TREATMENT UNITS

GENERAL INFORMATION ABOUT STANDARDIZED PERMITS						
What is a RCRA standardized permit?	270.250	270.250	X			
Who is eligible for a standardized permit?	270.255	270.255	X			
What requirements of Part 270 apply to a standardized permit?	270.260	270.260	X			
APPLYING FOR A STANDARDIZED PERMIT						
How do I apply for a standardized permit?	270.270	270.270	X			
What information must I submit to the permitting agency to support my standardized permit application?	270.275	270.275	X			

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Checklist 210
[Printed: 12/11/09]

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What are the certification requirements?	270.280	270.280	X			
INFORMATION THAT MUST BE KEPT AT YOUR FACILITY						
What general types of information must I keep at my facility?	270.290	270.290	X			
What container information must I keep at my facility?	270.300	270.300	X			
What tank information must I keep at my facility?	270.305	270.305	X			
What equipment information must I keep at my facility?	270.310	270.310	X			
What air emissions control information must I keep at my facility?	270.315	270.315	X			
MODIFYING A STANDARDIZED PERMIT						
How do I modify my RCRA standardized permit?	270.320	270.320	X			

H Optional Provisions

- 1 There is a typographical error in the Federal Register for Revision Checklist 210 (70 FR 53420; September 8, 2005); in the amended language for § 124.32 in the third column of page 53449 “(see 40 CFR part 270, subpart J)” should be “(see 40 CFR part 270, subpart J), there should not be two close parentheses.
- 2 There is an error in the September 8, 2005 Federal Register notice associated with the heading for part 267, subpart E. The text “– Manifest,” is missing after “Subpart E”. The error is present in the 2006 CFR.
- 3 Note that § 270.10(a) has been completely revised by Revision Checklist 210 by subdividing the previously existing paragraph into multiple subparagraphs (a)(1) through (5). Although the information contained in these subparagraphs is substantially similar to the language as it existed previously, the format is newly revised. The language addressing standardized permits at § 270.10(a)(6) is completely new.
- 4 Note that § 270.10(h) has been completely revised by Revision Checklist 210 by subdividing the previously existing paragraph into subparagraphs (h) introductory paragraph and (1). Although the information contained in these subparagraphs is substantially similar to the language as it existed previously, the format is newly revised. The language addressing standardized permits at § 270.10(h)(2) is completely new.

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RCRA REVISION CHECKLIST 217

NESHAP: Final Standards for Hazardous Waste Combustors (Phase I Final Replacement Standards and Phase II) Amendments

73 FR 18970-18984

April 8, 2008

(RCRA Cluster XVIII, HSWA/Non-HSWA)

Name of State: Arkansas
State Statutory Authority: Arkansas Hazardous Waste Management Act (Act 406 of 1979, as amended, codified at Arkansas Code of 1987, Annotated, §§ 8-7-201 thru 8-7-226). See *Arkansas RCRA Statutory Checklist, dated July 21, 2006.*
Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** January 22, 2010
Date Checklist Completed: Dec 11, 2009

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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PART 264—STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART O -- Incinerators						
APPLICABILITY						
Amended paragraphs (b)(1) and (b)(3); Remove paragraph (b)(5)	264.340	264.340	X			
Except as provided by paragraphs (b)(2) through (b)(4) of this section, the standards of this part do not apply to a new hazardous waste incineration unit that becomes subject to RCRA permit requirements after October 12, 2005; or no longer apply when an owner or operator of an existing hazardous waste incineration unit demonstrates compliance with the maximum achievable control technology (MACT) requirements of part 63, subpart EEE, of this chapter by conducting a comprehensive performance test and submitting to the Administrator a Notification of Compliance under 40 CFR 63.1207(j) and 63.1210(d) of this chapter documenting compliance with the requirements of part 63, subpart EEE of this chapter.	264.340(b)(1)	264.340(b)(1)	X			

RCRA REVISION CHECKLIST 217: NESHAP: Final Standards for Hazardous Waste Combustors
(Phase I Final Replacement Standards and Phase II) Amendments
(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 particulate matter standard of 40 CFR 264.343(c) remain s in effect for incinerators that elect to comply with the alternative to the particulate matter standard under 40 CFR 63.1206(b)(14) and 63.1219(e) of this chapter.	264.340(b)(3)	264.340(b)(3)	X			
Remove paragraph (b)(5)	264.340(b)(5)	264.340(b)(5)	X			
PART 266—STANDARDS FOR THE SPECIFIC MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANGEMENT FACILITIES						
SUBPART H -- HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES						
APPLICABILITY						
Redesignate the second paragraph (b)(3)(ii) as (b)(3)(iii)	266.100(b)(3)(ii)	266.100(b)(3)(ii)	X			

RCRA REVISION CHECKLIST 218

F019 Exemption for Wastewater Treatment Sludges from Auto Manufacturing Zinc Phosphating Processes

73 FR 31756-31769

June 4, 2008

(RCRA Cluster XVIII, Non-HSWA)

Name of State: Arkansas
State Statutory Authority: Arkansas Hazardous Waste Management Act (Act 406 of 1979, as amended, codified at Arkansas Code of 1987, Annotated, §§ 8-7-201 thru 8-7-226). See Arkansas RCRA Statutory Checklist, dated July 21, 2006.
Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** January 22, 2010
Date Checklist Completed: Dec 11, 2009

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 D -- Lists of Hazardous Wastes						
HAZARDOUS WASTE FROM NON-SPECIFIC SOURCES						
Amend paragraph (a) by revising table entry for F019 as follows:	261.31(a)/Table	261.31(a)/Table	X			
Industry and EPA hazardous waste No.	Hazardous waste					Hazard code
*	*	*	*	*	*	*
F019.....	Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process. Wastewater treatment sludges from the manufacturing of motor vehicles using a zinc phosphating process will not be subject to this listing at the point of generation if the wastes are not placed outside on the land prior to shipment to a landfill for disposal and are either: disposed in a Subtitle D municipal or industrial landfill unit that is equipped with a single clay liner and is permitted, licensed or otherwise authorized by the state; or disposed in a landfill unit subject to, or otherwise meeting, the landfill requirements in 258.40, 264.301 or 265.301. For the purposes of this listing, motor vehicle manufacturing is defined in paragraph (b)(4)(i) of this section and (b)(4)(ii) of this section describes the recordkeeping requirements for motor vehicle manufacturing facilities.					(T)
Add paragraph (b)(4) to read as follows:	261.31	261.31	X			
For the purposes of F019 listing, the following apply to wastewater treatment sludges from the manufacturing of motor vehicles using a zinc phosphating process.	261.31(b)(4)	261.31(b)(4)	X			

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RCRA REVISION CHECKLIST 218: F019 Exemption for Wastewater Treatment Sludges from Auto Manufacturing Zinc Phosphating Processes
(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Motor vehicle manufacturing is defined to include the manufacture of automobiles and light trucks/utility vehicles. Facilities must be engaged in manufacturing complete vehicles or chassis only.	261.31(b)(4)(i)	261.31(b)(4)(i)	X			
Generators must maintain records, to prove that the exempted sludges meet the conditions of the listing. Records must include: volume of waste generated and disposed off site; when the wastes were generated and sent off site; name and address of receiving facility; documentation confirming receipt. Generators must maintain these documents no less than three years. Retention period for documentation is automatically extended during an enforcement action or as requested by the Regional Administrator or state regulatory authority	261.31(b)(4)(ii)	261.31(b)(4)(ii)	X			

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RCRA REVISION CHECKLIST 220

Academic Laboratories Generator Standards

73 FR 72912-72960

December 1, 2008

(RCRA Cluster XIX, Non-HSWA)

Name of State: Arkansas
State Statutory Authority: Arkansas Hazardous Waste Management Act (Act 406 of 1979, as amended, codified at Arkansas Code of 1987, Annotated, §§ 8-7-201 thru 8-7-226). See *Arkansas RCRA Statutory Checklist, dated July 21, 2006.*
Title of Regulations: APC&EC Regulation No. 23 (Hazardous Waste Management) **Effective Date:** January 22, 2010
Date Checklist Completed: Dec 11, 2009

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						
remove period at the end of paragraph and add a semicolon	261.5(c)(6)	261.5(c)(6)	X			
add new paragraph; "Is a hazardous waste that is an unused commercial chemical product (listed in 40 CFR part 261, subpart D or exhibiting one or more characteristics in 40 CFR part 261, subpart C) that is generated solely as a result of a laboratory clean-out conducted at an eligible academic entity pursuant to §262.213. For purposes of this provision, the term eligible academic entity shall have the meaning as defined in §262.200 of Part 262.	261.5(c)(7)	261.5(c)(7)	X			
PART 262 STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE						
SUBPART A-GENERAL						
X add new paragraph (l); The laboratories owned by an eligible academic entity that chooses to be subject to the requirements of Subpart K of this part are not subject to (for purposes of this paragraph, the terms "laboratory" and "eligible academic entity" shall have the meaning as defined in § 262.200 of Subpart K of this part.):	262.10(l)	262.10(l)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
the requirements of § 262.11 or § 262.34(c), for large quantity generators and small quantity generators, except as provided in Subpart K, and	262.10(l)(1)	262.10(l)(1)	X			
the conditions of § 261.5(b), for conditionally exempt small quantity generators, except as provided in Subpart K.	262.10(l)(2)	262.10(l)(2)	X			

SUBPART K ALTERNATIVE REQUIREMENTS FOR HAZARDOUS WASTE DETERMINATION AND ACCUMULATION OF UNWANTED MATERIAL FOR LABORATORIES OWNED BY ELIGIBLE ACADEMIC ENTITIES

Add new Subpart K to Part 262 as follows: Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities	262 Subpart K	262 Subpart K	X			
Definitions for this subpart. The following definitions apply to this subpart:	262.200	262.200	X			
Central accumulation area means an on-site hazardous waste accumulation area subject to either § 262.34(a) (or 262.34(j) and (k) for Performance Track members) of this part (large quantity generators); or § 262.34(d)-(f) of this part (small quantity generators). A central accumulation area at an eligible academic entity that chooses to be subject to this subpart must also comply with § 262.211 when accumulating unwanted material and/or hazardous waste.	262.200 "Central accumulation area"	262.200 "Central accumulation area"	X			
College/University means a private or public, post-secondary, degree-granting, academic institution, that is accredited by an accrediting agency listed annually by the U.S. Department of Education	262.200 "College/University"	262.200 "College/University"	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Eligible academic entity means a college or university, or a non-profit research institute that is owned by or has a formal written affiliation agreement with a college or university, or a teaching hospital that is owned by or has a formal written affiliation agreement with a college or university.	262.200 "Eligible academic entity"	262.200 "Eligible academic entity"	X			
Formal written affiliation agreement for a non-profit research institute means a written document that establishes a relationship between institutions for the purposes of research and/or education and is signed by authorized representatives, as defined by § 260.10, from each institution. A relationship on a project-by-project or grant-by-grant basis is not considered a formal written affiliation agreement. A formal written affiliation agreement for a teaching hospital means a master affiliation agreement and program letter of agreement, as defined by the Accreditation Council for Graduate Medical Education, with an accredited medical program or medical school.	262.200 "Formal written affiliation agreement"	262.200 "Formal written affiliation agreement"	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Laboratory means an area owned by an eligible academic entity where relatively small quantities of chemicals and other substances are used on a non-production basis for teaching or research (or diagnostic purposes at a teaching hospital) and are stored and used in containers that are easily manipulated by one person. Photo laboratories, art studios, and field laboratories are considered laboratories. Areas such as chemical stockrooms and preparatory laboratories that provide a support function to teaching or research laboratories (or diagnostic laboratories at teaching hospitals) are also considered laboratories.	262.200 “Laboratory”	262.200 “Laboratory”	X			
Laboratory clean-out means an evaluation of the inventory of chemicals and other materials in a laboratory that are no longer needed or that have expired and the subsequent removal of those chemicals or other unwanted materials from the laboratory. A clean-out may occur for several reasons. It may be on a routine basis (e.g., at the end of a semester or academic year) or as a result of a renovation, relocation, or change in laboratory supervisor/occupant. A regularly scheduled removal of unwanted material as required by § 262.208 does not qualify as a laboratory clean-out.	262.200 “Laboratory clean-out”	262.200 “Laboratory clean-out”	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Laboratory worker means a person who handles chemicals and/or unwanted material in a laboratory and may include, but is not limited to, faculty, staff, post-doctoral fellows, interns, researchers, technicians, supervisors/managers, and principal investigators. A person does not need to be paid or otherwise compensated for his/her work in the laboratory to be considered a laboratory worker. Undergraduate and graduate students in a supervised classroom setting are not laboratory workers.	262.200 "Laboratory worker"	262.200 "Laboratory worker"	X			
Non-profit research institute means an organization that conducts research as its primary function and files as a non-profit organization under the tax code of 26 U.S.C. 501(c)(3).	262.200 "Non-profit research institute"	262.200 "Non-profit research institute"	X			
Reactive acutely hazardous unwanted material means an unwanted material that is one of the acutely hazardous commercial chemical products listed in § 261.33(e) for reactivity. Teaching hospital means a hospital that trains students to become physicians, nurses or other health or laboratory personnel.	262.200 "Reactive acutely hazardous unwanted material"	262.200 "Reactive acutely hazardous unwanted material"	X			
Trained professional means a person who has completed the applicable RCRA training requirements of § 265.16 for large quantity generators, or is knowledgeable about normal operations and emergencies in accordance with § 262.34(d)(5)(iii) for small quantity generators and conditionally exempt small quantity generators. A trained professional may be an employee of the eligible academic entity or may be a contractor or vendor who meets the requisite training requirements.	262.200 "Trained professional"	262.200 "Trained professional"	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Unwanted material means any chemical, mixtures of chemicals, products of experiments or other material from a laboratory that is no longer needed, wanted or usable in the laboratory and that is destined for hazardous waste determination by a trained professional. Unwanted materials include reactive acutely hazardous unwanted materials and materials that may eventually be determined not to be solid waste pursuant to § 261.2, or a hazardous waste pursuant to § 261.3. If an eligible academic entity elects to use another equally effective term in lieu of “unwanted material,” as allowed by § 262.206(a)(1)(i), the equally effective term has the same meaning and is subject to the same requirements as “unwanted material” under this subpart.	262.200 “Unwanted material”	262.200 “Unwanted material”	X			
Working container means a small container (i.e., two gallons or less) that is in use at a laboratory bench, hood, or other work station, to collect unwanted material from a laboratory experiment or procedure	262.200 “Working container”	262.200 “Working container”	X			
Applicability of this subpart.	262.201 heading	262.201 heading	X			
Large quantity generators and small quantity generators This subpart provides alternative requirements to the requirements in §§ 262.11 and 262.34(c) for the hazardous waste determination and accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided that they complete the notification requirements of § 262.203.	262.201(a)	262.201(a)	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Conditionally exempt small quantity generators. This subpart provides alternative requirements to the conditional exemption in § 261.5(b) for the accumulation of hazardous waste in laboratories owned by eligible academic entities that choose to be subject to this subpart, provided that they complete the notification requirements of § 262.203.	262.201(b)	262.201(b)	X			
This subpart is optional.	262.201 heading	262.201 heading	X			
Large quantity generators and small quantity generators: Eligible academic entities have the option of complying with this subpart with respect to its laboratories, as an alternative to complying with the requirements of §§ 262.11 and 262.34(c).	262.202(a)	262.202(a)	X			
Conditionally exempt small quantity generators. Eligible academic entities have the option of complying with this subpart with respect to its laboratories, as an alternative to complying with the conditional exemption of §261.5(b).	262.202(b)	262.202(b)	X			
How an eligible academic entity indicates it will be subject to the requirements of this subpart.	262.203 heading	262.203 heading	X			
An eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using the RCRA Subtitle C Site Identification Form (EPA Form 8700-12); notification for CESQGs.	262.203(a)	262.203(a)	X			
When submitting the Site Identification Form, the eligible academic entity must, at a minimum, fill out the following fields on the form:	262.203(b) introductory paragraph	262.203(b) introductory paragraph	X			
Reason for Submittal.	262.203(b)(1)	262.203(b)(1)	X			
Site EPA Identification Number (except for conditionally exempt small quantity generators).	262.203(b)(2)	262.203(b)(2)	X			
Site Name.	262.203(b)(3)	262.203(b)(3)	X			
Site Location Information.	262.203(b)(4)	262.203(b)(4)	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Site Land Type.	262.203(b)(5)	262.203(b)(5)	X			
North American Industry Classification System (NAICS) Code(s) for the Site.	262.203(b)(6)	262.203(b)(6)	X			
Site Mailing Address.	262.203(b)(7)	262.203(b)(7)	X			
Site Contact Person.	262.203(b)(8)	262.203(b)(8)	X			
Operator and Legal Owner of the Site.	262.203(b)(9)	262.203(b)(9)	X			
Type of Regulated Waste Activity.	262.203(b)(10)	262.203(b)(10)	X			
Certification.	262.203(b)(11)	262.203(b)(11)	X			
An eligible academic entity must keep a copy of the notification on file at the eligible academic entity for as long as its laboratories are subject to this subpart.	262.203(c)	262.203(c)	X			
A teaching hospital that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the teaching hospital for as long as its laboratories are subject to this subpart.	262.203(d)	262.203(d)	X			
A non-profit research institute that is not owned by a college or university must keep a copy of its formal written affiliation agreement with a college or university on file at the non-profit research institute for as long as its laboratories are subject to this subpart.	262.203(e)	262.203(e)	X			
An eligible academic entity must notify the appropriate EPA Regional Administrator in writing, using the RCRA Subtitle C Site Identification Form (EPA Form 8700-12), that it is electing to no longer be subject to the requirements of this subpart that it will comply with the requirements of §§ 262.11 and 262.34(c) for small quantity generators and large quantity generators; requirements for CESQGs.	262.204(a)	262.204(a)	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
When submitting the Site Identification Form, the eligible academic entity must, at a minimum, fill out the following fields on the form:	262.204(b) introductory paragraph	262.204(b) introductory paragraph	X			
Reason for Submittal.	262.204(b)(1)	262.204(b)(1)	X			
Site EPA Identification Number (except for conditionally exempt small quantity generators).	262.204(b)(2)	262.204(b)(2)	X			
Site Name.	262.204(b)(3)	262.204(b)(3)	X			
Site Location Information.	262.204(b)(4)	262.204(b)(4)	X			
Site Land Type.	262.204(b)(5)	262.204(b)(5)	X			
North American Industry Classification System (NAICS) Code(s) for the Site.	262.204(b)(6)	262.204(b)(6)	X			
Site Mailing Address.	262.204(b)(7)	262.204(b)(7)	X			
Site Contact Person.	262.204(b)(8)	262.204(b)(8)	X			
Operator and Legal Owner of the Site.	262.204(b)(9)	262.204(b)(9)	X			
Type of Regulated Waste Activity.	262.204(b)(10)	262.204(b)(10)	X			
Certification.	262.204(b)(11)	262.204(b)(11)	X			
An eligible academic entity must keep a copy of the withdrawal notice on file at the eligible academic entity for three years from the date of the notification.	262.204(c)	262.204(c)	X			
Summary of the requirements of this subpart.	262.205 heading	262.205 heading	X			
An eligible academic entity that chooses to be subject to this subpart is not required to have interim status or a RCRA Part B permit for the accumulation of unwanted material and hazardous waste in its laboratories, provided the laboratories comply with the provisions of this subpart and the eligible academic entity has a Laboratory Management Plan (LMP) in accordance with § 262.214 that describes how the laboratories owned by the eligible academic entity will comply with the requirements of this subpart.	262.205	262.205	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Labeling and management standards for containers of unwanted material in the laboratory.	262.206 heading	262.206 heading	X			
An eligible academic entity must manage containers of unwanted material while in the laboratory in accordance with the requirements in this section.	262.206 introductory paragraph	262.206 introductory paragraph	X			
Labeling: Label unwanted material as follows	262.206(a)	262.206(a)	X			
The following information must be affixed or attached to the container:	262.206(a)(1)	262.206(a)(1)	X			
The words "unwanted material" or another equally effective term that is to be used consistently by the eligible academic entity and that is identified in Part I of the Laboratory Management Plan, and	262.206(a)(1)(i)	262.206(a)(1)(i)	X			
Sufficient information to alert emergency responders to the contents of the container. Examples of information that would be sufficient to alert emergency responders to the contents of the container include, but are not limited to:	262.206(a)(1)(ii)	262.206(a)(1)(ii)	X			
The name of the chemical(s)	262.206(a)(1)(ii)(A)	262.206(a)(1)(ii)(A)	X			
The type or class of chemical, such as organic solvents or halogenated organic solvents	262.206(a)(1)(ii)(B)	262.206(a)(1)(ii)(B)	X			
The following information may be affixed or attached to the container, but must at a minimum be associated with the container:	262.206(a)(2)	262.206(a)(2)	X			
The date that the unwanted material first began accumulating in the container, and	262.206(a)(2)(i)	262.206(a)(2)(i)	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Information sufficient to allow a trained professional to properly identify whether an unwanted material is a solid and hazardous waste and to assign the proper hazardous waste code(s), pursuant to § 262.11. Examples of information that would allow a trained professional to properly identify whether an unwanted material is a solid or hazardous waste include, but are not limited to:	262.206(a)(2)(ii)	262.206(a)(2)(ii)	X			
The name and/or description of the chemical contents or composition of the unwanted material, or, if known, the product of the chemical reaction,	262.206(a)(2)(ii)(A)	262.206(a)(2)(ii)(A)	X			
Whether the unwanted material has been used or is unused,	262.206(a)(2)(ii)(B)	262.206(a)(2)(ii)(B)	X			
A description of the manner in which the chemical was produced or processed, if applicable.	262.206(a)(2)(ii)(C)	262.206(a)(2)(ii)(C)	X			
Management of Containers in the Laboratory: An eligible academic entity must properly manage containers of unwanted material in the laboratory to assure safe storage of the unwanted material, to prevent leaks, spills, emissions to the air, adverse chemical reactions, and dangerous situations that may result in harm to human health or the environment. Proper container management must include the following:	262.206(b) introductory paragraph	262.206(b) introductory paragraph	X			
Containers are maintained and kept in good condition and damaged containers are replaced, overpacked, or repaired, and	262.206(b)(1)	262.206(b)(1)	X			
Containers are compatible with their contents to avoid reactions between the contents and the container; and are made of, or lined with, material that is compatible with the unwanted material so that the container's integrity is not impaired, and	262.206(b)(2)	262.206(b)(2)	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Containers must be kept closed at all times, except:	262.206(b)(3)	262.206(b)(3)	X			
When adding, removing or consolidating unwanted material, or	262.206(b)(3)(i)	262.206(b)(3)(i)	X			
A working container may be open until the end of the procedure or work shift, or until it is full, whichever comes first, at which time the working container must either be closed or the contents emptied into a separate container that is then closed, or	262.206(b)(3)(ii)	262.206(b)(3)(ii)	X			
When venting of a container is necessary	262.206(b)(3)(iii)	262.206(b)(3)(iii)	X			
For the proper operation of laboratory equipment, such as with in-line collection of unwanted materials from high performance liquid chromatographs, or	262.206(b)(3)(iii)(A)	262.206(b)(3)(iii)(A)	X			
To prevent dangerous situations, such as build-up of extreme pressure.	262.206(b)(3)(iii)(B)	262.206(b)(3)(iii)(B)	X			
Training.	262.207 heading	262.207 heading	X			
An eligible academic entity must provide training to all individuals working in a laboratory at the eligible academic entity, as follows:	262.207 introductory paragraph	262.207 introductory paragraph	X			
Training for laboratory workers and students must be commensurate with their duties so they understand the requirements in this subpart and can implement them.	262.207(a)	262.207(a)	X			
An eligible academic entity can provide training for laboratory workers and students in a variety of ways, including, but not limited to:	262.207(b) introductory paragraph	262.207(b) introductory paragraph	X			
Instruction by the professor or laboratory manager before or during an experiment; or	262.207(b)(1)	262.207(b)(1)	X			
Formal classroom training; or	262.207(b)(2)	262.207(b)(2)	X			
Electronic/written training; or	262.207(b)(3)	262.207(b)(3)	X			
On-the-job training; or	262.207(b)(4)	262.207(b)(4)	X			
Written or oral exams.	262.207(b)(5)	262.207(b)(5)	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
An eligible academic entity that is a large quantity generator must maintain documentation for the durations specified in § 265.16(e) demonstrating training for all laboratory workers that is sufficient to determine whether laboratory workers have been trained. Examples of documentation demonstrating training can include, but are not limited to, the following:	262.207(c) introductory paragraph	262.207(c) introductory paragraph	X			
Sign-in/attendance sheet(s) for training session(s); or	262.207(c)(1)	262.207(c)(1)	X			
Syllabus for training session; or	262.207(c)(2)	262.207(c)(2)	X			
Certificate of training completion; or	262.207(c)(3)	262.207(c)(3)	X			
Test results.	262.207(c)(4)	262.207(c)(4)	X			
A trained professional must:	262.207(d)	262.207(d)	X			
accompany the transfer of unwanted material and hazardous waste when the unwanted material and hazardous waste is removed from the laboratory, and	262.207(d)(1)	262.207(d)(1)	X			
make the hazardous waste determination, pursuant to § 262.11, for unwanted material.	262.207(d)(2)	262.207(d)(2)	X			
Removing containers of unwanted material from the laboratory.	262.208 heading	262.208 heading	X			
Removing containers of unwanted material on a regular schedule. An eligible academic entity must either:	262.208(a)	262.208(a)	X			
Remove all containers of unwanted material from each laboratory on a regular interval, not to exceed 6 months; or	262.208(a)(1)	262.208(a)(1)	X			
Remove containers of unwanted material from each laboratory within 6 months of each container's accumulation start date.	262.208(a)(2)	262.208(a)(2)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
The eligible academic entity must specify in Part I of its Laboratory Management Plan whether it will comply with paragraph (a)(1) or (a)(2) of this section for the regular removal of unwanted material from its laboratories.	262.208(b)	262.208(b)	X			
The eligible academic entity must specify in Part II of its Laboratory Management Plan how it will comply with paragraph (a)(1) or (a)(2) of this section and develop a schedule for regular removals of unwanted material from its laboratories.	262.208(c)	262.208(c)	X			
Removing containers of unwanted material when volumes are exceeded.	262.208(d)	262.208(d)	X			
If a laboratory accumulates a total volume of unwanted material (including reactive acutely hazardous unwanted material) in excess of 55 gallons before the regularly scheduled removal, the eligible academic entity must ensure that all containers of unwanted material in the laboratory (including reactive acutely hazardous unwanted material):	262.208(d)(1)	262.208(d)(1)	X			
Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 55 gallons is exceeded; and	262.208(d)(1)(i)	262.208(d)(1)(i)	X			
Are removed from the laboratory within 10 calendar days of the date that 55 gallons was exceeded, or at the next regularly scheduled removal, whichever comes first.	262.208(d)(1)(ii)	262.208(d)(1)(ii)	X			
If a laboratory accumulates more than 1 quart of reactive acutely hazardous unwanted material before the regularly scheduled removal, then the eligible academic entity must ensure that all containers of reactive acutely hazardous unwanted material:	262.208(d)(2)	262.208(d)(2)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Are marked on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) with the date that 1 quart is exceeded; and	262.208(d)(2)(i)	262.208(d)(2)(i)	X			
Are removed from the laboratory within 10 calendar days of the date that 1 quart was exceeded, or at the next regularly scheduled removal, whichever comes first.	262.208(d)(2)(ii)	262.208(d)(2)(ii)	X			
Where and when to make the hazardous waste determination and where to send containers of unwanted material upon removal from the laboratory.	262.209 heading	262.209 heading	X			
Large quantity generators and small quantity generators - an eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to § 262.11, for unwanted material in any of the following areas:	262.209(a) introductory paragraph	262.209(a) introductory paragraph	X			
In the laboratory before the unwanted material is removed from the laboratory, in accordance with § 262.210;	262.209(a)(1)	262.209(a)(1)	X			
Within 4 calendar days of arriving at an on-site central accumulation area, in accordance with § 262.211; and Within 4 calendar days of arriving at an on-site interim status or permitted treatment, storage or disposal facility, in accordance with § 262.212.	262.209(a)(2)	262.209(a)(2)	X			
Within 4 calendar days of arriving at an on-site interim status or permitted treatment, storage or disposal facility, in accordance with § 262.212	262.209(a)(3)	262.209(a)(3)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Conditionally exempt small quantity generators – an eligible academic entity must ensure that a trained professional makes a hazardous waste determination, pursuant to § 262.11, for unwanted material in the laboratory before the unwanted material is removed from the laboratory, in accordance with § 262.210.	262.209(b)	262.209(b)	X			
Making the hazardous waste determination in the laboratory before the unwanted material is removed from the laboratory.	262.210 heading	262.210 heading	X			
If an eligible academic entity makes the hazardous waste determination, pursuant to § 262.11, for unwanted material in the laboratory, it must comply with the following:	262.210 introductory paragraph	262.210 introductory paragraph	X			
A trained professional must make the hazardous waste determination, pursuant to § 262.11, before the unwanted material is removed from the laboratory.	262.210(a)	262.210(a)	X			
If an unwanted material is a hazardous waste, the eligible academic entity must:	262.210(b) introductory paragraph	262.210(b) introductory paragraph	X			
Write the words “hazardous waste” on the container label that is affixed or attached to the container, before the hazardous waste may be removed from the laboratory; and	262.210(b)(1)	262.210(b)(1)	X			
Write the appropriate hazardous waste codes(s) on the label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste is transported off-site.	262.210(b)(2)	262.210(b)(2)	X			
Count the hazardous waste toward the eligible academic entity's generator status, pursuant to § 261.5(c) and (d), in the calendar month that the hazardous waste determination was made.	262.210(b)(3)	262.210(b)(3)	X			

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			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
A trained professional must accompany all hazardous waste that is transferred from the laboratory(ies) to an on-site central accumulation area or on-site interim status or permitted treatment, storage or disposal facility.	262.210(c)	262.210(c)	X			
When hazardous waste is removed from the laboratory.	262.210(d)	262.210(d)	X			
Large quantity generators and small quantity generators must ensure it is taken directly from the laboratory(ies) to an on-site central accumulation area, or on-site interim status or permitted treatment, storage or disposal facility, or transported off-site.	262.210(d)(1)	262.210(d)(1)	X			
Conditionally exempt small quantity generators must ensure it is taken directly from the laboratory(ies) to any of the types of facilities listed in § 261.5(f)(3) for acute hazardous waste, or § 261.5(g)(3) for hazardous waste	262.210(d)(2)	262.210(d)(2)	X			
An unwanted material that is a hazardous waste is subject to all applicable hazardous waste regulations when it is removed from the laboratory.	262.210(e)	262.210(e)	X			
Making the hazardous waste determination at an on-site central accumulation area.	262.211 heading	262.211 heading	X			
If an eligible academic entity makes the hazardous waste determination, pursuant to § 262.11, for unwanted material at an on-site central accumulation area, it must comply with the following:	262.211 introductory paragraph	262.211 introductory paragraph	X			
A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site central accumulation area.	262.211(a)	262.211(a)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site central accumulation area	262.211(b)	262.211(b)	X			
The unwanted material becomes subject to the generator accumulation regulations of § 262.34(a) (or § 262.34(j) and (k) for Performance Track members) for large quantity generators or § 262.34(d)-(f) for small quantity generators as soon as it arrives in the central accumulation area, except for the "hazardous waste" labeling requirements of § 262.34(a)(3) (or § 262.34(j)(6) for Performance Track members).	262.211(c)	262.211(c)	X			
A trained professional must determine, pursuant to § 262.11, if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at the on-site central accumulation area.	262.211(d)	262.211(d)	X			
If the unwanted material is a hazardous waste, the eligible academic entity must:	262.211(e)	262.211(e)	X			
Write the words "hazardous waste" on the container label that is affixed or attached to the container, within 4 calendar days of arriving at the on-site central accumulation area and before the hazardous waste may be removed from the on-site central accumulation area, and	262.211(e)(1)	262.211(e)(1)	X			
Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste may be treated or disposed of on-site or transported off-site, and	262.211(e)(2)	262.211(e)(2)	X			

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Count the hazardous waste toward the eligible academic entity's generator status, pursuant to § 261.5(c) and (d) in the calendar month that the hazardous waste determination was made, and	262.211(e)(3)	262.211(e)(3)	X			
Manage the hazardous waste according to all applicable hazardous waste regulations.	262.211(e)(4)	262.211(e)(4)	X			
Making the hazardous waste determination at an on-site interim status or permitted treatment, storage or disposal facility.	262.212 heading	262.212 heading	X			
If an eligible academic entity makes the hazardous waste determination, pursuant to § 262.11, for unwanted material at an on-site interim status or permitted treatment, storage or disposal facility, it must comply with the following:	262.212 introductory paragraph	262.212 introductory paragraph	X			
A trained professional must accompany all unwanted material that is transferred from the laboratory(ies) to an on-site interim status or permitted treatment, storage or disposal facility.	262.212(a)	262.212(a)	X			
All unwanted material removed from the laboratory(ies) must be taken directly from the laboratory(ies) to the on-site interim status or permitted treatment, storage or disposal facility.	262.212(b)	262.212(b)	X			
The unwanted material becomes subject to the terms of the eligible academic entity's hazardous waste permit or interim status as soon as it arrives in the on-site treatment, storage or disposal facility.	262.212(c)	262.212(c)	X			
A trained professional must determine, pursuant to § 262.11, if the unwanted material is a hazardous waste within 4 calendar days of the unwanted materials' arrival at an on-site interim status or permitted treatment, storage or disposal facility.	262.212(d)	262.212(d)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
If the unwanted material is a hazardous waste, the eligible academic entity must:	262.212(e)	262.212(e)	X			
Write the words "hazardous waste" on the container label that is affixed or attached to the container (or on the label that is affixed or attached to the container, if that is preferred) within 4 calendar days of arriving at the on-site interim status or permitted treatment, storage or disposal facility and before the hazardous waste may be removed from the on-site interim status or permitted treatment, storage or disposal facility, and	262.212(e)(1)	262.212(e)(1)	X			
Write the appropriate hazardous waste code(s) on the container label that is associated with the container (or on the label that is affixed or attached to the container, if that is preferred) before the hazardous waste may be treated or disposed on-site or transported off-site, and	262.212(e)(2)	262.212(e)(2)	X			
Count the hazardous waste toward the eligible academic entity's generator status, pursuant to § 261.5(c) and (d) in the calendar month that the hazardous waste determination was made, and	262.212(e)(3)	262.212(e)(3)	X			
Manage the hazardous waste according to all applicable hazardous waste regulations.	262.212(e)(4)	262.212(e)(4)	X			
Laboratory Clean-outs.	262.213 heading	262.213 heading	X			
One time per 12 month period for each laboratory, a eligible academic entity may opt to conduct a laboratory clean-out that is subject to all the applicable requirements of this subpart, except that:	262.213(a)	262.213(a)	X			

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
If the volume of unwanted material in the laboratory exceeds 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), the eligible academic entity is not required to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), as required by § 262.208. Instead, the eligible academic entity must remove all unwanted materials from the laboratory within 30 calendar days from the start of the laboratory clean-out; and	262.213(a)(1)	262.213(a)(1)	X			
For the purposes of on-site accumulation, an eligible academic entity is not required to count a hazardous waste that is an unused commercial chemical product (listed in 40 CFR part 261, subpart D or exhibiting one or more characteristics in 40 CFR part 261, subpart C) generated solely during the laboratory clean-out toward its hazardous waste generator status, pursuant to § 261.5(c) and (d). An unwanted material that is generated prior to the beginning of the laboratory clean-out and is still in the laboratory at the time the laboratory clean-out commences must be counted toward hazardous waste generator status, pursuant to § 261.5(c) and (d), if it is determined to be hazardous waste; and	262.213(a)(2)	262.213(a)(2)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
For the purposes of off-site management, an eligible academic entity must count all its hazardous waste, regardless of whether the hazardous waste was counted toward generator status under paragraph (a)(2) of this section, and if it generates more than 1 kg/month of acute hazardous waste or more than 100 kg/month of hazardous waste (i.e., the conditionally exempt small quantity generator limits of § 261.5), the hazardous waste is subject to all applicable hazardous waste regulations when it is transported off-site; and	262.213(a)(3)	262.213(a)(3)	X			
An eligible academic entity must document the activities of the laboratory clean-out. The documentation must, at a minimum, identify the laboratory being cleaned out, the date the laboratory clean-out begins and ends, and the volume of hazardous waste generated during the laboratory clean-out. The eligible academic entity must maintain the records for a period of three years from the date the clean-out ends; and	262.213(a)(4)	262.213(a)(4)	X			
For all other laboratory clean-outs conducted during the same 12-month period, an eligible academic entity is subject to all the applicable requirements of this subpart, including, but not limited to:	262.213(b)	262.213(b)	X			
The requirement to remove all unwanted materials from the laboratory within 10 calendar days of exceeding 55 gallons (or 1 quart of reactive acutely hazardous unwanted material), as required by § 262.208; and	262.213(b)(1)	262.213(b)(1)	X			

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The requirement to count all hazardous waste, including unused hazardous waste, generated during the laboratory clean-out toward its hazardous waste generator status, pursuant to § 261.5(c) and (d).	262.213(b)(2)	262.213(b)(2)	X			
Laboratory management plans.	262.214 heading	262.214 heading	X			
An eligible academic entity must develop and retain a written Laboratory Management Plan, or revise an existing written plan. The Laboratory Management Plan must contain two parts with a total of nine elements identified in paragraphs (a) and (b) of this section. In Part I of its Laboratory Management Plan, an eligible academic entity must describe its procedures for each of the elements listed in paragraph (a) of this section. An eligible academic entity must implement and comply with the specific provisions that it develops to address the elements in Part I of the Laboratory Management Plan. In Part II of its Laboratory Management Plan, an eligible academic entity must describe its best management practices for each of the elements listed in paragraph (b) of this section.	262.214 introductory paragraph	262.214 introductory paragraph	X			
The eligible academic entity must implement and comply with the specific provisions of Part I of its Laboratory Management Plan. In Part I of its Laboratory Management Plan, an eligible academic entity must:	262.214(a)	262.214(a)	X			
Describe procedures for container labeling in accordance with § 262.206(a), including:	262.214(a)(1)	262.214(a)(1)	X			

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
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Identifying whether the eligible academic entity will use the term “unwanted material” on the containers in the laboratory. If not, identify an equally effective term that will be used in lieu of “unwanted material” and consistently by the eligible academic entity. The equally effective term, if used, has the same meaning and is subject to the same requirements as “unwanted material.”	262.214(a)(1)(i)	262.214(a)(1)(i)	X			
Identifying the manner in which information that is “associated with the container” will be imparted.	262.214(a)(1)(ii)	262.214(a)(1)(ii)	X			
Identify whether the eligible academic entity will comply with § 262.208(a)(1) or (a)(2) for regularly scheduled removals of unwanted material from the laboratory.	262.214(a)(2)	262.214(a)(2)	X			
In Part II of its Laboratory Management Plan, an eligible academic entity must:	262.214(b) introductory paragraph	262.214(b) introductory paragraph	X			
Describe its intended best practices for container labeling and management, including how the eligible academic entity will manage containers used for in-line collection of unwanted materials, such as with high performance liquid chromatographs and other laboratory equipment (see the required standards at § 262.206).	262.214(b)(1)	262.214(b)(1)	X			
Describe its intended best practices for providing training for laboratory workers and students commensurate with their duties (see the required standards at § 262.207(a)).	262.214(b)(2)	262.214(b)(2)	X			
Describe its intended best practices for providing training to ensure safe on-site transfers of unwanted material and hazardous waste by trained professionals (see the required standards at § 262.207(d)(1)).	262.214(b)(3)	262.214(b)(3)	X			

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Describe its intended best practices for removing unwanted material from the laboratory, including:	262.214(b)(4)	262.214(b)(4)	X			
For regularly scheduled removals - Develop a regular schedule for identifying and removing unwanted materials from its laboratories (see the required standards at § 262.208(a)(1) and (a)(2)).	262.214(b)(4)(i)	262.214(b)(4)(i)	X			
For removals when maximum volumes are exceeded:	262.214(b)(4)(ii)	262.214(b)(4)(ii)	X			
Describe its intended best practices for removing unwanted materials from the laboratory within 10 calendar days when unwanted materials have exceeded their maximum volumes (see the required standards at § 262.208(d)).	262.214(b)(4)(ii)(A)	262.214(b)(4)(ii)(A)	X			
Describe its intended best practices for communicating that unwanted materials have exceeded their maximum volumes.	262.214(b)(4)(ii)(B)	262.214(b)(4)(ii)(B)	X			
Describe its intended best practices for making hazardous waste determinations, including specifying the duties of the individuals involved in the process (see the required standards at § 262.11 and §§ 262.209 through 262.212).	262.214(b)(5)	262.214(b)(5)	X			
Describe its intended best practices for laboratory clean-outs, if the eligible academic entity plans to use the incentives for laboratory clean-outs provided in § 262.213, including:	262.214(b)(6)	262.214(b)(6)	X			
Procedures for conducting laboratory clean-outs (see the required standards at § 262.213(a)(1) through (3)); and	262.214(b)(6)(i)	262.214(b)(6)(i)	X			
Procedures for documenting laboratory clean-outs (see the required standards at § 262.213(a)(4)).	262.214(b)(6)(ii)	262.214(b)(6)(ii)	X			
Describe its intended best practices for emergency prevention, including:	262.214(b)(7)	262.214(b)(7)	X			

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Procedures for emergency prevention, notification, and response, appropriate to the hazards in the laboratory; and	262.214(b)(7)(i)	262.214(b)(7)(i)	X			
A list of chemicals that the eligible academic entity has, or is likely to have, that become more dangerous when they exceed their expiration date and/or as they degrade; and	262.214(b)(7)(ii)	262.214(b)(7)(ii)	X			
Procedures to safely dispose of chemicals that become more dangerous when they exceed their expiration date and/or as they degrade; and	262.214(b)(7)(iii)	262.214(b)(7)(iii)	X			
Procedures for the timely characterization of unknown chemicals.	262.214(b)(7)(iv)	262.214(b)(7)(iv)	X			
An eligible academic entity must make its Laboratory Management Plan available to laboratory workers, students, or any others at the eligible academic entity who request it.	262.214(c)	262.214(c)	X			
An eligible academic entity must review and revise its Laboratory Management Plan, as needed.	262.214(d)	262.214(d)	X			
Unwanted material that is not solid or hazardous waste.	262.215 heading	262.215 heading	X			
If an unwanted material does not meet the definition of solid waste in § 261.2, it is no longer subject to this subpart or to the RCRA hazardous waste regulations.	262.215(a)	262.215(a)	X			
If an unwanted material does not meet the definition of hazardous waste in § 261.3, it is no longer subject to this subpart or to the RCRA hazardous waste regulations, but must be managed in compliance with any other applicable regulations and/or conditions.	262.215(b)	262.215(b)	X			
Non-laboratory hazardous waste generated at an eligible academic entity.	262.216 heading	262.216 heading	X			

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An eligible academic entity that generates hazardous waste outside of a laboratory is not eligible to manage that hazardous waste under this subpart; and	262.216 introductory paragraph	262.216 introductory paragraph	X			
Remains subject to the generator requirements of §§ 262.11 and 262.34(c) for large quantity generators and small quantity generators (if the hazardous waste is managed in a satellite accumulation area), and all other applicable generator requirements of 40 CFR part 262, with respect to that hazardous waste; or	262.216 (a)	262.216 (a)	X			
Remains subject to the conditional exemption of § 261.5(b) for conditionally exempt small quantity generators, with respect to that hazardous waste.	262.216(b)	262.216(b)	X			

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