

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 9

Household Waste
 49 FR 44980
 November 13, 1984

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 261 - IDENTIFICATION AND LISTING

SUBPART A - GENERAL

† EXCLUSIONS

household waste	261.4(b)(1)	1.3 d) 10)	105.D.10	✓
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Also note the amendment to §261.4(b)(1) on July 15, 1985 [50 FR 28743].

**1.3d)10) Replace with the following:
(105.D.10)**

(1) Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered (e.g., refuse derived fuel), or reused. "Household waste" means any waste material (including garbage, trash and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). A resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of, or otherwise managing hazardous wastes for the purposes of regulation under 1.3d) is such facility

- Receives and burns only household waste (from single and multiple dwellings, hotels, motels, and other residential sources) and**
- Receives and burns solid waste from commercial or industrial sources that does not contain hazardous waste and**
- Such facility does not accept hazardous wastes and the owner or operator of such facility has established contractual requirements or other appropriate notification or inspection procedures to assure that hazardous wastes are not received at or burned in such facility.**

RCRA REVISION CHECKLIST 10

Interim Status Standards Applicability

49 FR 46095

November 21, 1984

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FED REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 265 - INTERIM STANDARDS FOR OWNERS AND OPERATORS OF TSDF'S

SURPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

purpose	265.1(a)	23.1 a)	4301.A	✓
persons to whom regs apply	265.1(b)	23.1 b)	4301.B	✓

23.1a)
(4301.A)

The purpose of interim status is to allow existing facilities to operate in an appropriate and responsible manner during the period of time required to process and review permit application or until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled. Interim status facilities must, when required by the Administrative Authority, submit a permit application in compliance with the requirements of these regulations. Failure to submit an application is a violation of interim status and will result in revocation of a facility's interim status designation. Once revoked the facility will be treated as an unpermitted facility and appropriate legal action will be taken.

23.1b)
(4301.B)

Interim status is applicable to all facilities that have met the requirements established by Section 3005e of the Resource Conservation and Recovery Act et seq. or until applicable closure and post-closure responsibilities are fulfilled and to those owners and operators of facilities in existence on November 19, 1980 who have failed to provide timely notifications and such has been recognized by the U.S. Environmental Protection Agency (EPA) and approved by the Administrative Authority in accordance with the Louisiana Environmental Affairs Quality Act.

RCRA REVISION CHECKLIST 11

Corrections to Test Methods Manual
 49 FR 47391
 December 4, 1984

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

REFERENCES

SW-846 revised	260.11(a)	1.3 i)1)	105.I.1 ✓
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SUBPART C - RULEMAKING PETITIONS

PETITIONS FOR EQUIVALENT TESTING OR ANALYTICAL METHODS

remove comment at end	260.21	1.3 i)1)	105.I.1 ✓
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PART 270 - PERMITTING REQUIREMENTS

SUBPART A - GENERAL INFORMATION

REFERENCES

SW-846 revised	270.6(a)	1.3 i)1)	105.I.1 ✓
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1.3i)1)
(105.I.1)

Add the following:

"latest edition" after "(SW-846)" - Page 1-8

RCRA REVISION CHECKLIST 12

Satellite Accumulation

49 FR 49571-49572

December 20, 1984

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 262 - GENERATOR STANDARDS

SUBPART C - PRE-TRANSPORT REQUIREMENTS

† ACCUMULATION TIME

point of generation	262.34(c)	7.5 e)4)	1109.E.4	✓
		7.5 e)5)	1109.E.5	✓

7.5e)4)
(1109.E.4)

A generator may accumulate as much as 55 gallons of hazardous waste listed in 24.1a), 24.1b), 24.1c), 24.1e), or 24.2 or one quart of hazardous waste listed in 24.1d) in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with 7.5e)1) of this section provided he complies with 12.2, 12.3 and 12.4a) and marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

7.5e)5)
(1109.E.5)

A generator who accumulates either hazardous waste or acutely hazardous waste listed in 24.1d) in excess of the amounts listed in 7.5e)4) of this section at or near any point of generation must, with respect to that amount of excess waste, comply within three days with 7.5e)1) of this section or other applicable provisions of this chapter.

During the three-day period, the generator must continue to comply with 7.5e)4) of this section. The generator must mark the container holding the excess accumulation of hazardous waste with the date the excess amounts began accumulating.

RCRA REVISION CHECKLIST 13

Definition of Solid Waste

50 FR 614-668

January 4, 1985

FEDERAL REQUIREMENT	RCRA-CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

boiler	260.10	La R.S. 30	2.1	109	✓
† designated facility	260.10		2.1	109	✓
incinerator	260.10		2.1	109	✓
industrial furnace	260.10		2.1	109	✓

SUBPART C - RULEMAKING PETITIONS

† VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

(1) speculative accumulation	260.30(a)	1.3d)28)		105.D.28	✓
returned to process	260.30(b)	1.3d)29)		105.D.29	✓
further reclamation	260.30(c)	1.3d)30)		105.D.30	✓

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

speculative accumulation	260.31(a)	1.3d)28)		105.D.28	✓
returned to process	260.31(b)	1.3d)29)		105.D.29	✓
further reclamation	260.31(c)	1.3d)30)		105.D.30	✓

† VARIANCE TO BE CLASSIFIED AS A BOILER

case-by-case determination	260.32	1.3d)31)		105.D.31	✓
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(1) Also see technical correction to the rule at 50 FR 14216 (April 11, 1985).

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

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
* PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER				
application	260.33(a)	1.3(b)		105.B K(1) ✓
notice/public hearing	260.33(b)	1.3(b)		105.B K(2) ✓
* ADDITIONAL REGULATION OF CERTAIN HAZARDOUS WASTE RECYCLING ACTIVITIES ON A CASE-BY-CASE BASIS				
case-by-case determination	260.40	1.3 d) 32)		105.D.32 ✓
* PROCEDURES FOR CASE-BY-CASE REGULATION OF HAZARDOUS WASTE RECYCLING ACTIVITIES				
determining procedures	260.41	1.3		105 ✓

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE AND SCOPE

applicability	261.1(b)		
definitions	261.1(c)	2.1	109 ✓

DEFINITION OF SOLID WASTE

discarded/not excluded	261.2(a)	2.1	109 ✓
abandoned	261.2(b)	2.1	109 ✓
(2) use constitutes disposal	261.2(c)(1)	2.1	109 ✓
(2) energy recovery	261.2(c)(2)	2.1	109 ✓
reclaimed	261.2(c)(3)	2.1	109 ✓
accumulated speculatively	261.2(c)(4)	2.1	109 ✓
inherently waste-like	261.2(d)	2.1	109 ✓

(2) Also see technical correction to the rule at 50 FR 33542 (August 20, 1985).

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

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

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
not solid waste when recycled	261.2(e)	2.1		109
documentation	261.2(f)	2.1		109
† DEFINITION OF HAZARDOUS WASTE				
(1) generated for treatment	261.3(c)(2)	1.3 d)	33)	105.D.33
† EXCLUSIONS				
(1) black liquor	261.4(a)(6)	1.3 d)	34)	105.D.34
spent sulfuric acid	261.4(a)(7)	1.3 d)	35)	105.D.35
† SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY SMALL QUANTITY GENERATORS				
(1) quantity determination	261.5(c)	21.4		3987 3903
REQUIREMENTS FOR RECYCLABLE MATERIALS				
recyclable materials regulated under Part 266	261.6(a)(1)	22.3 a)		4015.A 4105?
	261.6(a)(2)	22.3 b)		4105.B
(2) exemption for rule generators and transporters	261.6(a)(3)	22.3 b)		4105.B
	261.6(b)	22.7		4113
(2) recycling facilities	261.6(c)	22.8		4115
SUBPART D - LISTS OF HAZARDOUS WASTES				
HAZARDOUS WASTE FROM NONSPECIFIC SOURCES				
generic listings	261.31	24.1 a)		4901.A
DISCARDED COMMERCIAL CHEMICAL PRODUCTS, etc.				
introductory text	261.33	24.1 c)		4901.C

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

(2) Also see technical correction to the rule at 50 FR 33542 (August 20, 1985).

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

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 264 - FACILITY REQUIREMENTS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

exemption from rule	264.1(g)(2)	1.3d)4)	105.D.34	✓
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SUBPART O - INCINERATORS

APPLICABILITY

owners and operators with exception	264.340(a)	17.3	3105	✓
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PART 265 - FACILITY INTERIM STANDARDS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

exemption from rule	265.1(e)(6)			
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SUBPART O - INCINERATORS

APPLICABILITY

owners and operators with exception	265.340(a)	23.107	4513	✓
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SUBPART P - THERMAL TREATMENT

OTHER THERMAL TREATMENT

thermal treatment	265.370	23.112	4523	✓
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RCRA REVISION CHECKLIST: Definition of Solid Waste (cont'd)

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	

PART 266 - SPECIFIC MANAGEMENT STANDARDS

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

applied to or placed on land	266.20(a)	22.3 c)	4105	✓
† products for general use	266.20(b)	22.20 a) 2)	4139.A.2	✓
STANDARDS APPLICABLE TO GENERATORS AND TRANSPORTERS OF MATERIALS USED IN A MANNER THAT CONSTITUTES DISPOSAL				
generators and transporters	266.21	22.20 b) (2)	4139	✓
STANDARDS APPLICABLE TO STORERS OF MATERIALS THAT ARE TO BE USED IN A MANNER THAT CONSTITUTES DISPOSAL WHO ARE NOT THE ULTIMATE USERS				
storers of material	266.22	22.20 b) 2)	4139.B.2	✓
STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT CONSTITUTES DISPOSAL				
users of material	266.23	22.20 b) 3)	4139.B.3	✓

SUBPART D - HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY ††

APPLICABILITY

(1) recovery in boilers and industrial furnaces	266.30(a)	22.21 a) 1)	4141.A.1	✓
(2) exemption from rule	266.30(b)	22.21 a) 2)	4141.A.2	✓
STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE FUEL				
generate, market, or burn fuel	266.32	22.21 b)	4141.B	✓
STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE FUEL				
from generators to marketer or burner	266.33(a)	22.21 c) 1)	4141.C.1	✓
(1) from marketer to burner	266.33(b)	22.21 c) 2)	4141.C.2	✓

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

(2) Also see technical correction to the rule at 50 FR 33542 (August 20, 1985).

†† Also see checklist for the November 29, 1985 (50 FR 49164-49212), for further amendments regarding used oil.

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

FEDERAL REQUIREMENT	RCRA CITE	STATE AUTHORITY		IF DIFFERENT FROM FEDERAL REQUIREMENT, EXPLAIN
		STATUTE	REGULATION	
STANDARDS APPLICABLE TO MARKETERS OF HAZARDOUS WASTE FUELS				
requirements/prohibition	266.34	22.21 d)		4141.D ✓
STANDARDS APPLICABLE TO BURNERS OF HAZARDOUS WASTE FUELS				
burners that store	266.35(c)	22.21 e)		4141.E ✓
CONDITIONAL EXEMPTION FOR SPENT MATERIALS AND BY-PRODUCTS EXHIBITING A CHARACTERISTIC OF HAZARDOUS WASTE				
exemption	266.36	22.21 f)		4141.F ✓

SUBPART F - RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL RECOVERY

APPLICABILITY AND REQUIREMENTS

precious metal reclaimers	266.70(a)	22.22 a)		4143.A ✓
subject to requirements	266.70(b)	22.22 b)		4143.B ✓
storage of recycled materials	266.70(c)	22.22 c)		4143.C ✓
accumulated speculatively	266.70(d)	22.22 d)		4143.D ✓

SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED

APPLICABILITY AND REQUIREMENTS

(2) persons who reclaim	*	266.80(a)	22.3 a)	4105.A ✓
(1) batteries				
(1) storage	*	266.80(b)	22.3 b)	4105.B ✓
(2) before reclamation				

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

(2) Also see technical correction to the rule at 50 FR 33542 (August 20, 1985).

* 266.30 in 1/4/85 Fed. Reg.