

US EPA ARCHIVE DOCUMENT

Part 2  
NH VI

RCRA REVISION CHECKLIST 65

Mining Waste Exclusion I  
54 FR 36592-36642  
September 1, 1989  
(Non-HSWA Cluster VI)

This present checklist is titled "Mining Waste Exclusion I" indicating that it is the first of two amendments to this exclusion. The second amendment occurred at 55 FR 2322 on January 23, 1990 and is addressed by Revision Checklist 71 - Mining Waste Exclusion II. This latter checklist will be made available through SPA 9.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV-ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

SUBPART A - GENERAL

add exception for mixture of a 261.4(b)(7) waste and a solid waste exhibiting a Subpart C characteristic unless resultant mixture meets certain characteristic conditions; mixture is hazardous relative to the EP toxicity characteristic

261.3(a)(2)(i)

109.Hazardouz Waste.2.a

EQ



add "of this part" after "Subpart D"; add language excepting mixtures of hazardous waste and solid waste excluded under 261.4(b)(7) and the mixture no longer exhibits hazardous characteristics for which the hazardous waste was listed in

Subpart D	261.3(a)(2)(iii)	109.Hazardous Waste 2.c	EQ
1	define beneficiation; replace the last three words of the para- graph, "does not include", with "includes only"	261.4(b)(7)	105.D.17 ✓ EQ
	solid wastes, from ore and mineral processing, that are re- tained within exclusion	261.4(b)(7)(i)(A)-(E)	105.D.17.a-e ✓ EQ
	solid wastes from ore and mineral process- ing that are condi- tionally retained within the exclusion	261.4(b)(7)(ii)(A)-(T)	105.D.17.f-t ✓ EQ

1

See subsequent technical correction to the definition of "beneficiation" as addressed by Revision Checklist 71 (55 FR 2322, January 23, 1990).