

US EPA ARCHIVE DOCUMENT

**RCRA REVISION CHECKLIST 118**

Liquids in Landfills II  
 57 FR 54452-54461  
 November 18, 1992  
 (RCRA Cluster III, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL</b>						
<b>SUBPART B - DEFINITIONS</b>						
<b>DEFINITIONS</b>						
add "sorberent"	260.10	<sup>1</sup>	EQ			
<b>PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES</b>						
<b>SUBPART B - GENERAL FACILITY STANDARDS</b>						
<b>GENERAL WASTE ANALYSIS</b>						
add new paragraph; procedures owner or operator will use to determine whether biodegradable sorberent has been added to waste in container	264.13(c)(3)	1519.C.3	EQ			✓
<b>SUBPART N - LANDFILLS</b>						
<b>SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS</b>						
change "an absorberent" to "a sorberent"	264.314(a)(2)	2515.A.2	EQ			✓
change "absorbents" to "sorberents"	264.314(b)	2515.B	EQ			✓
change "absorberent" to "sorberent"	264.314(d)(1)(ii)	2515.C.1.b	EQ			✓

<sup>1</sup> The state does not choose to define the word, sorberent, at this time. However, the meaning of the word can be understood in the context in which it is written.

**RCRA REVISION CHECKLIST 118: Liquids in Landfills (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
redesignate old 264.314(e) as 264.314(f); add new paragraph requiring that sorbents, used to treat free liquids disposed in landfills, must be nonbiodegradable; definition of nonbiodegradable sorbents	264.314(e)	2515.F	EQ			
nonbiodegradable sorbents	264.314(e)(1)	2515.F.1	EQ			
	264.314(e)(1)(i)	2515.F.1.a	EQ			
	264.314(e)(1)(ii)	2515.F.1.b	EQ			
	264.314(e)(1)(iii)	2515.F.1.c	EQ			
tests for nonbiodegradable sorbents	264.314(e)(2)	2515.F.2	EQ			
	264.314(e)(2)(i)	2515.F.2.a	EQ			
	264.314(e)(2)(ii)	2515.F.2.b	EQ			
former 264.314(e) becomes 264.314(f)	264.314(f)	2515.E	EQ			
	264.314(f)(1)	2515.E.1	EQ			
	264.314(f)(2)	2515.E.2	EQ			

**RCRA REVISION CHECKLIST 118: Liquids in Landfills (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)</b>						
change "absorbent" to "sorberent" in two places; add ", determined to be nonbiodegradable in accordance with § 264.314(e)," before "to completely"; change "absorb" to "sorb"; change "packing" to "it has been packed"	264.316(b)	2519.B	EQ			
change "absorbent" to "sorberent"; add ",," after "containers"	264.316(c)	2519.C	EQ			
<b>PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES</b>						
<b>SUBPART B - GENERAL FACILITY STANDARDS</b>						
<b>GENERAL WASTE ANALYSIS</b>						
add new paragraph; procedures owner or operator will use to determine whether biodegradable sorberent has been added to waste in container	265.13(c)(3)	4313.F.3	EQ			
<b>SUBPART N - LANDFILLS</b>						
<b>SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS</b>						
change "an absorbent" to "a sorberent"	265.314(a)(2)	4507.A.2	EQ			
change "absorbents" to "sorberents"	265.314(b)	4507.B	EQ			

**RCRA REVISION CHECKLIST 118: Liquids in Landfills (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
change "absorbent" to "sorberent"	265.314(c)(1)(ii)	4507.C.1.b	EQ			
redesignate old 265.314(f) as 265.314(g); add new paragraph requiring that sorbents, used to treat free liquids disposed in landfills, must be nonbiodegradable; definition of nonbiodegradable sorbents	265.314(f)	4507.F	EQ			
1 nonbiodegradable sorbents	265.314(f)(1)	4507.F.1	EQ			
	265.314(f)(1)(i)	4507.F.1.a	EQ			
	265.314(f)(1)(ii)	4507.F.1.b	EQ			
	265.314(f)(1)(iii)	4507.F.1.c	EQ			
tests for nonbiodegradable sorbents	265.314(f)(2)	4507.F.2	EQ			
	265.314(f)(2)(i)	4507.F.2.a	EQ			
	265.314(f)(2)(ii)	4507.F.2.b	EQ			
former 265.314(f) becomes 265.314(g)	265.314(g)	4507.G	EQ			
	265.314(g)(1)	4507.G.2	EQ			
	265.314(g)(2)	4507.G.2	EQ			

**RCRA REVISION CHECKLIST 118: Liquids in Landfills (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>DISPOSAL OF SMALL CONTAINERS OF HAZARDOUS WASTE IN OVERPACKED DRUMS (LAB PACKS)</b>						
change "absorbent" to "sorbent" in both places; add ", determined to be nonbiodegradable in accordance with § 265.314(f)," before "to completely"; change "absorb" to "sorb"; change "packing" to "it has been packed"	265.316(b)	4511.B	EQ			
2 change "absorbent" to "sorbent"; add ", after "containers"	265.316(c)	4511.C	EQ			

- 1 Note that there is a typographical error in the Federal Register article; at 265.314(f)(1)(ii), "polysobutylene" should be "polyisobutylene."
- 2 Note that there is an error in the Federal Register article; "container's" should be "containers,".

**RCRA REVISION CHECKLIST 119**

**Toxicity Characteristic Revision;  
TCLP Correction**

**57 FR 55114-55117**

**November 24, 1992**

**as amended on February 2, 1993 at 58 FR 6854  
(RCRA Cluster III, HSWA provisions)**

**Note: The November 24, 1992 rule amends the version of the TCLP that was added to Appendix II to Part 261 by the March 29, 1990 final rule (55 FR 11798; Revision Checklist 74), concurrent with the removal of the old version of the TCLP from Appendix I to Part 268.**

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**

**APPENDIX II TO PART 261**

**† METHOD 1311 TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)**

change "data is" to "data are"; delete sentence regarding bias determined from matrix spike determination and parenthetical reference phrase following it	Appendix II, 8.2	Chapter 49, Appendix B, 8.2	x			
change "may not be not less" to "may not be less"	Appendix II, 8.2.2	Chapter 49, Appendix B, 8.2.2	x			
remove subparagraph	Appendix II, 8.2.5	no state analog	x			
1 redesignate former 8.4 as 8.5; add new 8.4 and subparagraphs addressing use of internal calibration quantitation methods	Appendix II, 8.4	2 Chapter 49, Appendix B, 8.2.5	x			
	Appendix II, 8.4.1	3 Chapter 49, Appendix B, 8.2.5.1	x			

**RCRA REVISION CHECKLIST 119: Toxicity Characteristic Revision;  
TCLP Correction (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
	Appendix II, 8.4.2	Chapter 49, Appendix B, 8.2.5.2	x			
	Appendix II, 8.4.3	Chapter 49, Appendix B, 8.2.5.3	x			
	Appendix II, 8.4.4	Chapter 49, Appendix B, 8.2.5.4	x			
<sup>2</sup> former 8.4 becomes 8.5	Appendix II, 8.5	Chapter 49, Appendix B, 8.4	x			

- <sup>1</sup> There is a typographical error in the November 24, 1992 Federal Register; "84.4.4" should be "8.4.4." The February 2, 1993 rule made this correction.
- <sup>2</sup> There is a typographical error in the November 24, 1992 Federal Register; "84.4.4" should be "8.4.4." The February 2, 1993 rule made this correction.
- <sup>3</sup> There is a typographical error in the November 24, 1992 Federal Register; "84.4.4" should be "8.4.4." The February 2, 1993 rule made this correction.

RCRA REVISION CHECKLIST 120

Wood Preserving; Revisions to Listings and Technical Requirements  
 57 FR 61492-61505  
 December 24, 1992

(RCRA Cluster III, Both HSWA and Non-HSWA provisions)

Note: 1) This revision checklist terminates the June 13, 1991 (56 FR 27332, Revision Checklist 91) administrative stay by amending the F032, F034, and F035 listings and by revising technical requirements for new drip pads. This checklist amends the impermeability requirement for existing drip pads, replacing it with a specific hydraulic conductivity standard. The stay promulgated February 18, 1992 (57 FR 5859, Revision Checklist 101) no longer applies. (Note, the preamble to this rule refers to this stay as the February 6, 1992 administrative stay.) Facilities with existing drip pads must meet this new hydraulic standard before the compliance date set in this rule rather than the October 20, 1992 deadline set in that administrative stay. States that have adopted Revision Checklists 91 and 101 are encouraged to adopt Revision Checklist 120 as soon as possible. States that have not yet adopted previous Wood Preserving checklists are strongly encouraged to use the Consolidated Wood Preserving Checklist updated through December 31, 1992.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE</b>						
<b>SUBPART D--LISTS OF HAZARDOUS WASTES</b>						
<b>HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES</b>						
t,1 revise F032, F034, and F035 listings to read as follows:	261.31(a)/table	4901.B.Table 1	x			

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Industry and EPA hazardous waste No.	Hazardous waste					Hazard code
F032	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with § 261.35 of this chapter or potentially cross-contaminated wastes that are otherwise currently regulated as hazardous wastes (i.e., F034 or F035), and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.					(T)
F034	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.					(T)
F035	Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.					(T)
2 remove the administrative stay addressed in Footnote 1 of the 261.31 table	261.31(a)/table	4901.B.Table 1	x			

RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES</b>						
<b>SUBPART W--DRIP PADS</b>						
<b>APPLICABILITY</b>						
change "run-on" to "run-off"; at end of paragraph, add sentence regarding applicability of 264.573(b)(3) leak collection system requirement	264.570(a)	2801.A			x	✓
add new paragraph; Subpart W requirements not applicable to management of infrequent, incidental drippage in storage yards provided:	264.570(c)	<sup>1</sup> no state analog			x	
owner or operator maintains and complies with a written contingency plan describing how owner or operator will respond immediately to discharge of infrequent and incidental drippage; at a minimum, what the contingency plan must describe	264.570(c)(1)	<sup>1</sup> no state analog			x	
	264.570(c)(1)(i)	<sup>1</sup> no state analog			x	
	264.570(c)(1)(ii)	<sup>1</sup> no state analog			x	
	264.570(c)(1)(iii)	<sup>1</sup> no state analog			x	
	264.570(c)(1)(iv)	<sup>1</sup> no state analog			x	

<sup>1</sup> The state regulations are more stringent because they do not exempt infrequent or incidental drippage.

RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>ASSESSMENT OF EXISTING DRIP PAD INTEGRITY</b>						
delete ", and must document the age of the drip pad to the extent possible, to document compliance with paragraph (b) of this section"	264.571(a)	2803.A			x	✓
3 change "modifications will be" to "modifications are"; change "insufficient" to "in sufficient"; change "263.573" to "264.573"; delete "and must document the age of the drip pad to the extent possible"; delete "All upgrades, repairs, and modifications must be completed in accordance with the following:"	264.571(b)	2803.B			x	✓
3  remove subparagraphs	264.571(b)(1)	no state analog	x			
	264.571(b)(2)	no state analog	x			
	264.571(b)(3)	no state analog	x			
<b>DESIGN AND INSTALLATION OF NEW DRIP PADS</b>						
insert "new" before "drip pads"; replace "all of the applicable requirements of §§ 264.573, 264.574 and 264.575 of this subpart." with "one of the following:"	264.572	2804	x			

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new subparagraph; all of the requirements of 264.573 (except 264.573(a)(4)), 264.574 and 264.575	264.572(a)	2804.A	x			
add new subparagraph; all of the requirements of 264.573 (except 264.573(b)), 264.574 and 264.575	264.572(b)	2804.B	x			
<b>DESIGN AND OPERATING REQUIREMENTS</b>						
4, remove existing text 5, designated as (a)(4) 6 and note regarding administrative stay for existing drip pads; replace with subparagraph addressing hydraulic conductivity requirements; maintain surface free of cracks and gaps; sealing material must be chemically compatible with preservatives that contact pad; requirements apply to existing drip pads and drip pads of owners/operators electing to comply with 264.572(a)	264.573(a)(4)(i)	2805.A.4	x			

RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph; owner or operator must obtain and keep at the facility written assessment of drip pad certified by independent qualified registered engineer; assessment must attest to results of evaluation; assessment must be reviewed, updated and recertified annually; evaluation must document extent to which drip pad meets 264.573 (except 264.573(b)) design and operating standards	264.573(a)(4)(ii)	2805.A.4	x			
7 replace existing introductory sentence with: "If owner/operator elects to comply with § 264.572(b) instead of § 264.572(a), the drip pad must have:"	264.573(b)	<sup>5</sup> 2804.A	x			

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph; leakage collection system immediately above the liner designed, constructed, maintained and operated to collect leakage from below the drip pad; date, time and quantity of leakage collected must be documented in operating log	264.573(b)(3)	2805.C.3	x			
replace "at least once every seven days" with "in a manner and frequency"; replace phrase addressing the types of cleaning techniques with phrase addressing proper management of residues and weekly inspections of entire drip pad surface; at end add new sentence requiring owner/operator to determine whether residues are hazardous under 262.11 and, if so, manage according to Parts 261-268, 270 and RCRA §3010	264.573(i)	2805.J			x	

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES</b>						
<b>SUBPART W--DRIP PADS</b>						

<b>APPLICABILITY</b>					
change "run-on" to "run-off"; delete comma after first occurrence of "1990"; delete "generated" after first occurrence of "operator has"; at end of paragraph, add sentence regarding applicability of 265.443(b)(3) leak collection system requirement	265.440(a)	2801.A	x		
add new paragraph; Subpart W requirements not applicable to management of infrequent, incidental drippage in storage yards provided:	265.440(c)	<sup>2</sup> no state analog			x

<sup>2</sup> The state regulations are more stringent because Chapter 28 is applicable to all drippage.

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator maintains and complies with a written contingency plan describing how owner or operator will respond to discharge of infrequent and incidental drippage; at a minimum, what the contingency plan must describe	265.440(c)(1)	<sup>1</sup> no state analog			X	
	265.440(c)(1)(i)	<sup>1</sup> no state analog			X	
	265.440(c)(1)(ii)	<sup>1</sup> no state analog			X	
	265.440(c)(1)(iii)	<sup>1</sup> no state analog			X	
	265.440(c)(1)(iv)	<sup>1</sup> no state analog			X	

**ASSESSMENT OF EXISTING DRIP PAD INTEGRITY**

delete "justify and" after "The evaluation must"; delete ", and must document the age of the drip pad to the extent possible, to document compliance with paragraph (b) of this section"	265.441(a)	4591			X	
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<sup>1</sup> the state regulations are more stringent because Chapter 28 is applicable to all drippage.

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>3</b> add comma after first occurrence of "this subpart"; change "modifications will be" to "modifications are"; delete "and must document the age of the drip pad to the extent possible"; delete "," after "265.443 of this subpart"; delete comma after "qualified"; delete "All upgrades, repairs, and modifications must be completed in accordance with the following:"	265.441(b)	2803.B			x	
<b>3</b>  remove subparagraphs	265.441(b)(1)	no state analog	x			
	265.441(b)(2)	no state analog	x			
	265.441(b)(3)	no state analog	x			

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>DESIGN AND INSTALLATION OF NEW DRIP PADS</b>						
replace "all of the applicable requirements of §§ 265.443, 265.444 and 265.445 of this subpart." with "one of the following:"	265.442	2811	x			
all of the applicable requirements of 265.443 (except 265.443(a)(4)), 265.444 and 265.445	265.442(a)	2811	x			
all of the applicable requirements of 265.443 (except 265.443(b)), 265.444 and 265.445	265.442(b)	2811	x			

RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>DESIGN AND OPERATING REQUIREMENTS</b>						
<p>4, remove existing text 8 designated as 265.443(a)(4) and remove two notes regarding administrative stays for new and existing drip pads; replace with new subparagraph regarding hydraulic conductivity requirements; maintain surface free of cracks and gaps; surface material must be chemically compatible with preservatives that contact pad; requirements apply to existing drip pads and drip pads of owners/ operators electing to comply with 265.442(a)</p>	265.443(a)(4)(i)	2805.A.4	x			

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new subparagraph; owner or operator must obtain and keep at the facility a written assessment of drip pad certified by independent qualified registered engineer; assessment must attest to results of evaluation; assessment must be reviewed, updated and recertified annually; evaluation must document extent to which drip pad meets 265.443 (except 265.443(b)) design and operating standards	265.443(a)(4)(ii)	2805.B	x			
9 replace existing introductory sentence with "If an owner/operator elects to comply with § 265.442(b) instead of § 265.442(a), the drip pad must have:"	265.443(b)	2805.C	x			

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to Listings and Technical Requirements (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new subparagraph; leakage collection system immediately above the liner designed, constructed, maintained and operated to collect leakage from below the drip pad for removal; date, time and quantity of leakage collected must be documented in operating log	265.443(b)(3)	2805.C.3	x			
replace "at least once every seven days" with "in a manner and frequency"; replace phrase addressing the types of cleaning techniques with phrase addressing proper management of residues and weekly inspections of entire drip pad surface	265.443(i)	2805.J			x	

- 1 For those States that did not adopt the June 13, 1991 administrative stay, the changes to these listings represent a narrowing of the F032, F034 and F035 listings. Thus, these changes are optional for States not adopting that administrative stay. Those States which adopted that administrative stay should remove the wording added by the stay and replace the wording with that shown in the December 24, 1992 rule and presented in this checklist.
- 2 Only those States that added the stay to their code need to make this change.
- 3 The Federal Register instructions for revising this paragraph are unclear. According to EPA, the last sentence of (b), which introduces the subparagraphs, is to be removed, as well as subparagraphs (b)(1), (2), and (3). A technical correction will be published in the Federal Register in the near future.

**RCRA REVISION CHECKLIST 120: Wood Preserving; Revisions to  
Listings and Technical Requirements (cont'd)**

- 4 The Federal Register does not clearly indicate that these notes regarding administrative stays are removed by this rule; according to EPA, they should be removed. A technical correction will be published in the Federal Register in the near future.
- 5 There are two typographical errors in this paragraph in the Federal Register; in both occurrences, "1x10<sup>-7</sup>" should be "1x10<sup>-7</sup>."
- 6 Note that the Federal Register is in error. According to EPA, the last line of 264.573(a)(4)(i) should read "§ 264.572(b) instead of §264.572(a)" rather than "§264.572(a) instead of 264.572(b)." As written, the code contradicts what is said in the 264.572(a)&(b) requirements.
- 7 There is an error in the Federal Register at 264.573(b). According to EPA, the phrase "§ 264.572(b) instead of § 264.572(a)" should be "§ 264.572(a) instead of § 264.572(b)." As currently written, the code contradicts the 264.572(a)&(b) requirements.
- 8 Note that the Federal Register is in error. According to the last line of 265.443(a)(4)(i) should read "§ 265.442(b) instead of § 265.442(a)" rather than "§ 265.442(a) instead of § 265.442(b)". As written, the code contradicts what is said in the 265.442(a)&(b) requirements.
- 9 There is an error in the Federal Register at 265.443(b). According to EPA, the phrase "§ 265.442(b) instead of § 265.442(a)" should be "§ 265.442(a) instead of § 265.442(b)." As currently written, the code contradicts the 265.442(a)&(b) requirements.

**RCRA REVISION CHECKLIST 121**

**Corrective Action Management Units and Temporary Units**

58 FR 8658-8685

February 16, 1993

(RCRA Cluster III, HSWA provisions)

**Note:** The final rule addressed by this checklist reduces the regulatory requirements for certain types of waste management conducted during correction action; thus authorized States are not required to adopt the changes addressed by this rule. As such, this checklist is designated as optional. However, EPA strongly encourages States to adopt the checklist as soon as possible in order to expedite hazardous waste remediation at RCRA corrective action facilities.

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**

† **DEFINITIONS**

add "corrective action management unit"	260.10 "corrective action management unit"	109	x			
add sentence excluding a corrective action management unit into which remediation wastes are placed from definition	260.10 "disposal facility"	109	x			
designate existing definition as "(1)"; add second definition numbered "(2)" for the purpose of implementing correction action under 264.101	260.10 "facility"	109	x			
replace "or a cave" with "a cave, or a corrective action management unit"	260.10 "landfill"	109 "landfill"	x			

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add "corrective action management unit," after "containment building, "	260.10 "miscellaneous unit"	109 "miscellaneous unit"	x			
add "remediation waste"	260.10 "remediation waste"	109 "remediation waste"	x			

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

**SUBPART A - GENERAL**

† **RELATIONSHIP TO INTERIM STATUS STANDARDS**

1 add ", except as provided under 40 CFR part 264 subpart S" at end of paragraph	264.3	4301.C	x			
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**SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS**

† **CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS**

add "in accordance with this section and subpart S of this part" after "in the permit"	264.101(b)	3322.B	x			
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**SUBPART S - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS**

† **CORRECTIVE ACTION MANAGEMENT UNITS (CAMU)**

Regional Administrator may designate one or more areas at a facility as CAMUs for purpose of implementing remedies under 264.101 or RCRA 3008(h)	264.552(a)	2601.A	x			
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✓

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
placement of remediation wastes in CAMU does not constitute land disposal	264.552(a)(1)	2601.A.1	x			
consolidation or placement of remediation wastes in CAMU does not constitute creation of a unit subject to minimum technology requirements	264.552(a)(2)	2601.A.2	x			
Regional Administrator may designate a regulated unit as a CAMU or include a regulated unit in a CAMU; criteria	264.552(b)(1)	2601.B.1	x			
	264.552(b)(1)(i)	2601.B.1.a	x			
	264.552(b)(1)(ii)	2601.B.1.b	x			
Subparts F, G, and H and unit-specific Parts 264 or 265 requirements that applied to regulated unit continue to apply to that portion of CAMU after incorporation	264.552(b)(2)	2601.B.2	x			
criteria by which Regional Administrator shall designate CAMU:	264.552(c)	2601.C.	x			
CAMU shall facilitate implementation of reliable, effective, protective, and cost-effective remedies	264.552(c)(1)	2601.C.1	x			

✓

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
associated waste management activities shall not create unacceptable risks to humans or the environment	264.552(c)(2)	2601.C.2	x			
CAMU shall include uncontaminated areas only if including such areas for purpose of managing remediation waste is more protective than managing such wastes at contaminated areas	264.552(c)(3)	2601.C.3	x			
CAMU areas where waste will remain after closure shall be managed and contained to minimize future releases, to the extent practicable	264.552(c)(4)	2601.C.4	x			
CAMU shall expedite remedial activity implementation when appropriate and practical	264.552(c)(5)	2601.C.5	x			
CAMU shall enable use of treatment technologies, when appropriate, to enhance long-term effectiveness of remedial actions	264.552(c)(6)	2601.C.6	x			

✓

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
CAMU shall, to the extent practicable, minimize land area where wastes will remain after closure	264.552(c)(7)	2601.C,7	x			
owner/operator shall provide sufficient information to enable Regional Administrator to designate CAMU in accordance with 264.552	264.552(d)	2601.D	x			
Regional Administrator shall specify CAMU requirements in permit or order, including:	264.552(e)	2601.E	x			
areal configuration of CAMU	264.552(e)(1)	2601.E.1	x			
requirements for remediation waste management, including applicable design, operation and closure requirements	264.552(e)(2)	2601.E.2	x			
requirements for ground water monitoring sufficient to:	264.552(e)(3)	2601.E.3	x			
continue to detect and characterize existing releases from sources within CAMU	264.552(e)(3)(i)	2601.E.3.a	x			

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
detect and characterize releases from areas of the CAMU in which wastes will remain after closure	264.552(e)(3)(ii)	2601.E.3.b	x			
closure and post-closure requirements:	264.552(e)(4)	2601.E.4	x			
CAMU closure shall:	264.552(e)(4)(i)	2601.E.4.a	x			
minimize need for further maintenance	264.552(e)(4)(i)(A)	2601.E.4.a.i	x			
control, minimize, or eliminate post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated runoff, or hazardous waste decomposition products to ground, surface waters, or atmosphere	264.552(e)(4)(i)(B)	2601.E.4.a.ii	x			
requirements for closure of CAMU shall include, as appropriate and deemed necessary by the Regional Administrator:	264.552(e)(4)(ii)	2601.E.4.b	x			
excavation, removal, treatment or containment of wastes	264.552(e)(4)(ii)(A)	2601.E.4.b.i	x			
capping of areas in which wastes will remain after CAMU closure	264.552(e)(4)(ii)(B)	2601.E.4.b.ii	x			

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
removal and decontamination of equipment, devices, and structures used in remediation waste management activities within CAMU	264.552(e)(4)(ii)(C)	2601.E.4.b.iii	x			
in establishing specific 264.552(e) closure requirements, Regional Administrator shall consider:	264.552(e)(4)(iii)	2601.E.4.c	x			
CAMU characteristics	264.552(e)(4)(iii)(A)	2601.E.4.c.i	x			
volume of wastes which remain in place after closure	264.552(e)(4)(iii)(B)	2601.E.4.c.ii	x			
potential for releases from CAMU	264.552(e)(4)(iii)(C)	2601.E.4.c.iii	x			
physical and chemical characteristics of the waste	264.552(e)(4)(iii)(D)	2601.E.4.c.iv	x			
2 hydrogeological and other relevant environmental conditions which may influence migration of potential or actual releases	264.552(e)(4)(iii)(E)	2601.E.4.c.v	x			
potential for exposure of human and environmental receptors if releases occur	264.552(e)(4)(iii)(F)	2601.E.4.c.vi	x			

✓

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
post-closure requirements as necessary to protect human health and the environment; for areas where wastes will remain, monitoring and maintenance activities and frequency	264.552(e)(4)(iv)	2601.E.4.d	x			
Regional Administrator shall document rationale for CAMU designation; make documentation available to public	264.552(f)	2601.F	x			
incorporation of CAMU into existing permit approved by Regional Administrator under 270.41 or 270.42 procedures	264.552(g)	2601.G	x			
CAMU designation does not change EPA's existing authority to address clean-up levels, media-specific points of compliance, or other remedy selection decisions	264.552(h)	2601.H	x			

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>† TEMPORARY UNITS (TU)</b>						
Regional Administrator may determine alternative design, operating, or closure standards for temporary tanks and container storage areas for treatment or storage of hazardous remediation wastes under 264.101 or RCRA 3008(h); must protect human health and environment	264.553(a)	2603.A	x			
temporary unit to which alternative requirements are applied shall be:	264.553(b)	2603.B	x			
located within facility boundary	264.553(b)(1)	2603.B.1	x			
used only for treatment or storage of remediation wastes	264.553(b)(2)	2603.B.2	x			
factors Regional Administrator shall consider in establishing temporary unit standards:	264.553(c)	2603.C	x			
length of time unit will be in operation	264.553(c)(1)	2603.C.1	x			
type of unit	264.553(c)(2)	2603.C.2	x			
volumes of wastes to be managed	264.553(c)(3)	2603.C.3	x			

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
physical and chemical characteristics of wastes to be managed	264.553(c)(4)	2603.C.4	x			
potential for releases from the unit	264.553(c)(5)	2603.C.5	x			
hydrogeological and other relevant environmental conditions which may influence migration of potential releases	264.553(c)(6)	2603.C.6	x			
potential for exposure of humans and environmental receptors if releases occur	264.553(c)(7)	2603.C.7	x			
Regional Administrator shall specify in permit or order length of time, up to a year, the temporary unit will be allowed to operate; design, operating, and closure requirements for the unit	264.553(d)	2603.D	x			
<b>3</b> Regional Administrator may extend operational period of temporary unit once for no longer than one year beyond period specified in permit or order, if:	264.553(e)	2603.E	x			

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
continued operation of unit will not threaten human health and environment	264.553(e)(1)	2603.E.1	x			
continued operation of unit is necessary to ensure timely and efficient implementation of remedial actions	264.553(e)(2)	2603.E.2	x			
incorporation of a temporary unit or time extension for temporary unit in an existing permit shall be:	264.553(f)	2603.F	x			
approved in accordance with 270.41 permit modification procedures	264.553(f)(1)	2603.F.1	x			
requested by owner/operator as Class II modification in accordance with 270.42	264.553(f)(2)	2603.F.2	x			
Regional Administrator shall document rationale for temporary unit designation; documentation made available to public	264.553(g)	2603.G	x			

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and Temporary Units (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 A - GENERAL**

† **PURPOSE, SCOPE, AND APPLICABILITY**

add ", and of 40 CFR 264.552 and 40 CFR 264.553," after "standards of this part"	265.1(b)	4301.A & C, 105, 109. Interim status & 4307				x	✓
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**PART 268 - LAND DISPOSAL RESTRICTIONS**

**SUBPART A - GENERAL**

† **DEFINITIONS APPLICABLE IN THIS PART**

add ", except in a corrective action management unit," after "on the land"	268.2(c)	2203	x				
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**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM**

**SUBPART A - GENERAL INFORMATION**

† **DEFINITIONS**

add "corrective action management unit"	270.2	109 "corrective action management unit"	x				
add sentence excluding a corrective action management unit into which remediation wastes are placed from definition	270.2 "disposal unit"	109 "disposal unit"	x				

**RCRA REVISION CHECKLIST 121: Corrective Action Management Units and  
Temporary Units (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 D - CHANGES TO PERMIT**

**† PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE**

add new section N. to table	270.42 Appendix I	322.N	x			
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- <sup>1</sup> Note that the comment following 264.3 remains unchanged.
- <sup>2</sup> Note that there is a typographical error in the Federal Register addressed by this Checklist; in 264.552(e)(4)(iii)(E) "Hydrological" should be "Hydrogeological".
- <sup>3</sup> Note that at 264.553(e), "Administrator" should read "Regional Administrator".

**RCRA REVISION CHECKLIST 122**

**Recycled Used Oil Management Standards;  
Technical Amendments and Corrections**

**58 FR 26420-26426**

**May 3, 1993**

**as amended on June 17, 1993 at 58 FR 33341-33342  
(RCRA Cluster III, both HSWA and non-HSWA provisions)**

**Notes: 1) This rule corrects several technical errors and provides clarifying amendments to the recycled used oil management standards rule, published September 10, 1992 (57 FR 41566; Revision Checklist 112). This rule also corrects an error in the May 20, 1992 Used Oil Filter rule (57 FR 21524; Revision Checklist 104). States that have already adopted these checklists are encouraged to adopt Revision Checklist 122 as soon as possible.**

**2) The preamble to the September 10, 1992 rule (57 FR 41566; Revision Checklist 112) indicated none of the provisions of that rule were being promulgated pursuant to HSWA. Therefore, the Part 279 regulations would not be enforceable in an authorized State until the State had received authorization for Revision Checklist 112. However, EPA has now determined that by the addition of Section 3006(h) to RCRA in 1986, it was not Congress's intent to make the original used oil recycling requirements in 266, Subpart E suddenly unenforceable in authorized states. 266 Subpart E (November 29, 1985; 50 FR 49164; Revision Checklist 19) was primarily recodified in certain portions of Part 279 (specifically 279.10, 279.11, and portions of 279.1 and Subparts G and H) by the September 10, 1992 rule. Since these provisions were originally promulgated under HSWA, they remain HSWA requirements and will continue to be enforced by EPA until a State becomes authorized for them. The HSWA provisions changed by this checklist are designated by a "♦" (diamond symbol).**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE</b>						
<b>SUBPART A - GENERAL</b>						
<b>EXCLUSIONS</b>						
1 261.4(b)(15) redesignated as (b)(13)	261.4(b)(13)	105.D.46	x			
1 add paragraph excluding from regulation used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products	261.4(b)(14)	105.D.47	x			

**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
1 redesignate as 261.4(b)(13)	261.4(b)(15)	105.D.46	x			✓

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

delete "subpart G of" before "part 279"	261.5(j)	<sup>1</sup> No state analog			x	
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**PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE  
TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

**SUBPART A - GENERAL**

**PURPOSE, SCOPE, AND APPLICABILITY**

2 change "261.6(a)(2) and (3)" to "261.6(a)(2), (3), and (4)"; change "that requirements of this part" to "they"; add "part 279 or" before "subparts"; change "subparts C, F, G or H" to "subparts C, D, F or G" (note, this last change appears to be an error; see Endnote 2 for this checklist)	264.1(g)(2)	1501.C.2	x			✓
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<sup>1</sup> The state does not recognize the class of conditionally exempt small quantity generators. Generators who generate less than 100kg/mth are considered by Louisiana Regulations to be a small quantity generator.

**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (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 A - GENERAL**

**PURPOSE, SCOPE, AND APPLICABILITY**

2 change "owner and operator" to "owner or operator"; change "261.6(a)(2) and (3)" to "261.6(a)(2), (3), and (4)"; change "that requirements of this part" to "they"; add "part 279 or" before "subparts"; change "subparts C, F, G or H" to "subparts C, D, F or G" (note, this last change appears to be an error; see endnote 2 for this checklist)	265.1(c)(6)	105.D.4	x			
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**PART 279 - STANDARDS FOR THE MANAGEMENT OF USED OIL**

**SUBPART A - DEFINITIONS**

**DEFINITIONS**

♦ change "if contaminated" to "is contaminated"	279.1 "used oil"	4001 "Used oil"	x		
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**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

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

**SUBPART B - APPLICABILITY**

**APPLICABILITY**

3. ♦ change "exhibits a" to "solely exhibits one or more of the"; after "chapter", insert "and mixtures of used oil and hazardous waste that is listed in subpart D solely because it exhibits one or more of the characteristics of hazardous waste identified in subpart C"	279.10(b)(2)	4003.B.2	x			✓
♦ change "Regulation" to "Except as specified in § 279.10(b)(2)(iii), regulation"	279.10(b)(2)(ii)	4003.B.2.b	x			✓
♦ change "because if" to "because it"	279.10(b)(2)(iii)	4003.B.2.c	x			✓
replace old paragraph with new heading: "Materials containing or otherwise contaminated with used oil"	279.10(c)	4003.C	x			✓

**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new subparagraph; except as provided in 279.10(c)(2), materials containing or otherwise contaminated with used oil from which used oil has been properly drained or removed such that no visible signs of free-flowing oil remain in or on material:	279.10(c)(1)	4003.C.1	x			
are not used oil; not subject to Part 279	279.10(c)(1)(i)	4003.C.1.a	x			
subject to Parts 124, 260-266, 268, and 270 if applicable	279.10(c)(1)(ii)	4003.C.1.b	x			
add new subparagraph; materials containing or otherwise contaminated with used oil that are burned for energy recovery subject to Part 279	279.10(c)(2)	4003.C.2	x			
add new subparagraph; used oil drained or removed from materials containing or otherwise contaminated with used oil subject to Part 279	279.10(c)(3)	4003.C.3	x			

**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

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

**SUBPART E - STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES**

**APPLICABILITY**

in first sentence, change "generated by" to "from" and delete "from the initial generator"	279.40(a)(4)	4025.A.4	x			
6 delete "of this partuel Marketers"	279.40(d)(4)	4025.D.4	x			

**NOTIFICATIONx**

7 no change to September 10, 1992 text; see Endnote 7	279.42(a)	4029.A	x			
add "ordering information for" after "obtain"	279.42(b)	4029.B			x	

**USED OIL TRANSPORTATION**

change heading to "DOT Requirements"; replace existing text; used oil transporters must comply with all applicable requirements under DOT regulations in 49 CFR 171-180; persons transporting used oil that meets definition of hazardous material in 49 CFR 171.8 must comply with all applicable regulations in 49 CFR parts 171-180	279.43(b)	4031.B	x			
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**USED OIL STORAGE AT TRANSFER FACILITIES**

**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
remove first sentence; in the third sentence, change "generators" to "transporters"	279.45	4035	x			
change "." at end of paragraph to "; or"	279.45(d)(1)(ii)	4035.D.1.b	x			
add new paragraph regarding equivalent secondary containment system	279.45(d)(1)(iii)	4035.D.1.c	x			
<b>SUBPART F - STANDARDS FOR USED OIL PROCESSORS AND RE-REFINERS</b>						
<b>NOTIFICATION</b>						
7 no change to September 10, 1992 text; see Endnote 7	279.51(a)	4043.A	x			
<b>GENERAL FACILITY STANDARDS</b>						
change "paragraph (h)" to "paragraphs (b)(6)(viii)(A) and (B)"	279.52(b)(6)(viii)(C)	4045.B.6.h.iii	x			
<b>USED OIL MANAGEMENT</b>						
remove first sentence; in the third sentence, change "generators" to "processors/re- refiners"	279.54	4049	x			✓
remove "or process"	279.54(a)	4049.A	x			✓
change "." to "; or" at end of paragraph	279.54(c)(1)(ii)	4049.C.1.a	x			✓
add new paragraph regarding equivalent secondary containment system	279.54(c)(1)(iii)	4049.C.2	x			✓

**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
<b>SUBPART G - STANDARDS FOR USED OIL BURNERS WHO BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY</b>						

**APPLICABILITY**

change "this subpart" to "with subpart"	279.60(b)(1)	4061.B.1	x			✓
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**NOTIFICATION**

◆.7 no change to September 10, 1992 text; see Endnote 7	279.62(a)	4065.A	x			✓
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**USED OIL STORAGE**

remove first sentence; in third sentence, change "generators" to "burners"	279.64	4069	x			✓
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**SUBPART H - STANDARDS FOR USED OIL MARKETERS**

**APPLICABILITY**

◆ change "section" to "subpart"	279.70(a)	4077.A	x			
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**ON-SPECIFICATION USED OIL FUEL**

◆ remove last sentence	279.72(a)	4081.A	x			
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**NOTIFICATION**

◆.8 change "section" to "subpart"; rest of text unchanged; see Endnote 8)	279.73(a)	4083.A	x			
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**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
<b>TRACKING</b>						
◆ change "generator" to "marketer"	279.74(a)	4085.A			x	✓

- 1 These changes correct an error in the May 20, 1992 final rule (57 FR 21534, Revision Checklist 104) by redesignating the subparagraphs sequentially. The exclusion for non-terrestrial used oil filters was added by the May 20, 1992 rule as subparagraph (b)(15) of § 261.4 even though EPA had not yet promulgated subparagraphs (b)(13) or (b)(14).
- 2 This May 3, 1993 final rule inadvertently removes a correction made by the August 25, 1992 Federal Register (57 FR 38558, Revision Checklist 111). The August 25, 1992 rule changed "subparts C, D, F, or G" to "subparts C, F, G, or H"; the May 3, 1993 rule lists the old version of these internal references. The correct reference is as shown in the August 25, 1992 rule. States may want to not make this change.
- 3 There are two typographical errors in this paragraph in the May 3, 1993 Federal Register. The heading "Characteristic hazardous waste" should be in italics, as it appeared in the September 10, 1992 final rule (57 FR 41566, Revision Checklist 112). "Hazardous waste characteristic" should be "hazardous waste characteristics" to reflect the possibility of more than one characteristic.
- 4 There is an error in the Federal Register; according to EPA, "who market" should be "who market or burn".
- 5 States are not required to adopt notes, but a State may want to include an analog to this note, for clarity.
- 6 The May 3, 1993 Federal Register does not correctly indicate the text to be removed. The text in error in the September 10, 1992 Federal Register (57 FR 41566, Revision Checklist 112) is "of this partuel Marketers", not "of the partial Marketers" as the May 3, 1993 notice indicates. This phrase should be removed.
- 7 The May 3, 1993 (58 FR 26420) rule changed the text found in the September 10, 1992 rule (57 FR 41566; Revision Checklist 112), to include renotification. However, the June 17, 1993 (58 FR 33341) rule changed the text back to the original wording in the September 10, 1992 rule.
- 8 The May 3, 1993 (58 FR 26420) Federal Register shows two different changes to this paragraph. Only the first change (revision 43) correcting the wording found in the September 10, 1992 (57 FR 41566, Revision Checklist 112) version of the paragraph should be made.

**RCRA REVISION CHECKLIST 122: Recycled Used Oil Management Standards;  
Technical Amendments and Corrections (cont'd)**

While the May 3, 1993 (58 FR 26420) rule changed the rest of the text so that renotification was required, the June 17, 1993 (58 FR 33341) rule changed the text back to that found in the September 10, 1992 rule.