

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 61

**Changes to Interim Status Facilities for Hazardous Waste Management;
Modification of Hazardous Waste Management Permits;
Procedures for Post-Closure Permitting
54 FR 9596-9609
March 7, 1989
(Non-HSWA Cluster V)**

Note: This rule does not impose a requirement or prohibition pursuant to HSWA. However, portions of the Federal requirements may be necessary to implement HSWA. These necessary rules will be immediately effective and administered by EPA in all States pursuant to RCRA Section 3006(g). For example, use of a Class I modification to add waste codes and/or narrative descriptions of treatment residues to RCRA permits may be necessary in appropriate situations to effectively implement the treatment requirements and prohibitions of the HSWA land disposal restrictions program. Other examples involve a change in interim status needed to comply with an EPA-issued Section 3008(h) corrective action order to comply with the minimum technology requirements of HSWA Section 3004(b).

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

PART 124 - PROCEDURES FOR DECISIONMAKING

SUBPART A - GENERAL PROGRAM REQUIREMENTS

	<u>PURPOSE AND SCOPE</u>		
↑ add sentence to end on denial of a permit under 270.29	124.1(a)	105, 301.B, 323.A, 701	EQ

	<u>ISSUANCE AND EFFECTIVE DATE OF PERMIT</u>		
↑ add parenthetical clause on denial of permit under 270.29	124.15(a)	705.A	EQ
add parenthetical clause on denial of permit under 270.29	124.15(b)	705.B	EQ

	<u>APPEAL OF RCRA, UIC, AND PSD PERMITS</u>		
↑ add parenthetical clause on denial of permit under 270.29	124.19(a)	*	

* 40 CFR 271.14 does not mandate authorization for §124.19. LDEQ does not want to be authorized for this provision. Louisiana maintains a different appeals process outlined in LAC 33:V.707.C and Louisiana Revised Statute 30:2024.

RCRA REVISION CHECKLIST 61: Changes to Interim Status Facilities for
Hazardous Waste Management; Modification of Hazardous Waste Management
Permits; Procedures for Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
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PART 270 - EPA-ADMINISTERED PERMIT PROGRAMS:
THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

<u>PURPOSE AND SCOPE OF THESE REGULATIONS</u>					
↑ add sentence to end on effect of permit denial on post-closure permit requirements	270.1(c)	109, 305.A	EQ		

SUBPART B - PERMIT APPLICATION

<u>GENERAL REQUIREMENTS</u>					
↑ add sentence to end-- Director may deny a permit for active life without a complete permit application	270.10(c)	503	EQ		

<u>PERMIT DENIAL</u>					
↑ director denial of entire permit application or active life of hazardous waste facility or unit	270.29	706	EQ		

SUBPART D - CHANGES TO PERMIT

<u>PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE</u>					
↑ make the listed changes as shown below	270.42, Appendix I	322	EQ		

Amend items F(1)(a), F(1)(b), F(3), G(1)(a), G(1)(b), (G)(5)(a) and G(5)(b); add items F(1)(c), F(4)(a), F(4)(b), G(1)(e), G(5)(c), G(5)(d), H(5)(c), H(5)(d), J(6)(c) & J(6)(d) as is shown below.

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**RCRA REVISION CHECKLIST 61: Changes to Interim Status Facilities for
Hazardous Waste Management; Modification of Hazardous Waste Management
Permits; Procedures for Post-Closure Permitting (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
SUBPART G - INTERIM STATUS					
↑ CHANGES DURING INTERIM STATUS					
add introductory paragraph addressing changes during interim status	270.72(a)	4303.A	EQ		
redesignate former 270.72(a) as 270.72(a)(1); reword and include wording on newly listed or identified wastes regarding units used to handle such waste	270.72(a)(1)	4303.A.1	EQ		
redesignate former 270.72(b) as 270.72(a)(2); slightly reword and reorganize	270.72(a)(2)	4303.A.2	EQ		
redesignate this portion of former 270.72(b) regarding lack of capacity and reword slightly	270.72(a)(2)(i)	4303.A.2.a	EQ		
add subsection regarding compliance with Federal, State, or local requirements	270.72(a)(2)(ii)	4303.A.2.b	EQ		
redesignate former 270.72(c) as 270.72(a)(3); remove "may be made at a facility" after "hazardous waste"	270.72(a)(3)	4303.A.3	EQ		
redesignate former 270.72(c)(1) as 270.72(a)(3)(i); replace "it is" with "the change."	270.72(a)(3)(i)	4303.A.3.a	EQ		
redesignate former 270.72(c)(2) as 270.72(a)(3)(ii); replace "it is" with "The change"; remove parenthetical statement					

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Permits; Procedures for Post-Closure Permitting (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
and "regulations"; replace "local laws" with "local requirement"	270.72(a)(3)(ii)	4303.A.3.b	EQ		
redesignate former 270.72(d) as 270.72(a)(4); remove "may be made" after "facility"; remove "ownership or" before "operational control"	270.72(a)(4)	4303.A.4	EQ		
add new section allowing changes made in accordance with a corrective action order or a court order; limited to the IS or D of releases originating within facility's boundaries	270.72(a)(5)	4303.A.5	EQ		
redesignate former 270.72(e) as 270.72(b); revise first sentence; replace last sentence with list of changes that can be made if they amount to reconstruction:	270.72(b)	4303.B	EQ		
changes solely to comply with 265.193	270.72(b)(1)	4303.B.1	EQ		
changes necessary to satisfy standards of 3004(o) because of Federal, State or local requirements	270.72(b)(2)	4303.B.2	EQ		
changes necessary to allow continuing treat- ment of newly listed or identified wastes TSD'd prior to rule's effective date	270.72(b)(3)	4303.B.3	EQ		
changes during closure in accordance with approved closure plan	270.72(b)(4)	4303.B.4	EQ		
changes necessary to comply with interim					

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			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
status corrective action order or court order; changes limited to TS or D of waste originated within boundary of facility	270.72(b)(5)	4303.B.5	EQ		
changes to treat or store, in tanks or containers, wastes subject to 268 or RCRA Section 3004 disposal restriction, if solely made for compliance with these requirements	270.72(b)(6)	4303.B.6	EQ		
redesignate and revise as 270.72(a)(3)	270.72(a)(3)	4303.A.3	EQ		
redesignate and revise as 270.72(a)(4)	270.72(a)(4)	4303.A.4	EQ		
redesignate and revise as 270.72(b)	270.72(b)	4303.B	EQ		
† <u>TERMINATION OF INTERIM STATUS</u>					
redesignate former 270.73(e) as 270.73(f); add new paragraph on termination 12 months after effective date for land disposal units operating under 270.72(a)(1), (2) or (3)	270.73(e)	4305.E	EQ		
redesignate former 270.73(e) as 270.73(f)	270.73(f)	4305.C	EQ		
redesignate former 270.73(f) as 270.73(g)	270.73(g)	4305.D	EQ		

