

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 159

Conformance With the Carbamate Vacatur
 62 FR 32974-32980
 June 17, 1997
 (RCRA Cluster VII, HSWA provisions)

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						
SUBPART D - LISTS OF HAZARDOUS WASTES						

† HAZARDOUS WASTE FROM SPECIFIC SOURCES

revise table by removing entry for K160 and revising entries for K156, K157 and K158 as shown below:	261.32/table	4901.C.Table 2 ✓	EQ			
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Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
* * * * *		*
Organic chemicals:		
* * * * *		*
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.).	(T)
K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.).	(T)
K158	Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.).	(T)
* * * * *		*

* HW066 is a Louisiana regulatory package that is anticipated to go final March 20, 1999.

RCRA REVISION CHECKLIST 159: Conformance With
the Carbamate Vacatur (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESID						
revise table by removing in their entirety the entries listed below:	261.33(f)	4901.F.Table 4	EQ			
H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester, (U365) Bis(dimethylthiocarbamoyl) sulfide, (U401) Bis (pentamethylene)thiuram tetrasulfide, (U400) Butylate, (U392)						

Continued...

* HW066 is a Louisiana regulatory package that is anticipated to go final March 20, 1999.

RCRA REVISION CHECKLIST 159: Conformance With
the Carbamate Vacatur (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Carbamic acid, butyl-,3-iodo-2-propynyl ester, (U375)						
Carbamodithioic acid, dibutyl, sodium salt, (U379)						
Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester, (U277)						
Carbamodithioic acid, diethyl-, sodium salt, (U381)						
Carbamodithioic acid, dimethyl-, potassium salt, (U383)						
Carbamodithioic acid, dimethyl-, sodium salt, (U382)						
Carbamodithioic acid, dimethyl-, tetraanhydrosulfide with orthothioselenious acid, (U376)						
Carbamodithioic acid, (hydroxymethyl) methyl-,monopotassium salt, (U378)						
Carbamodithioic acid, methyl-, monosodium salt, (U384)						
Carbamodithioic acid, methyl-,monopotassium salt, (U377)						
Carbamothioic acid, bis(2-methylpropyl)-, S-ethyl ester, (U392)						
Carbamothioic acid, butylethyl-,S-propyl ester, (U391)						
Carbamothioic acid, cyclohexylethyl-, S-ethyl ester, (U386)						
Carbamothioic acid, dipropyl-, S-ethyl ester, (U390)						
Carbamothioic acid, dipropyl-, S-propyl ester, (U385)						
Copper, bis(dimethylcarbamodithioato-S,S')-, (U393)						
Copper dimethyldithiocarbamate,(U393)						
Cycloate, (U386)						
Dazomet, (U366)						
Disulfiram, (U403)						
EPTC, (U390)						
Ethyl Ziram, (U407)						
Ferbam, (U396)						
3-Iodo-2-propynyl n-butylcarbamate, (U375)						
Iron, tris(dimethylcarbamodithioato-S,S')-, (U396)						
Metam Sodium, (U384)						
Molinate, (U365)						
Pebulate, (U391)						
Piperidine, 1,1'-(tetrathiodicarbonothioyl)-bis-, (U400)						
Potassium dimethyldithiocarbamate, (U383)						
Potassium n-hydroxymethyl-n-methyl-di-thiocarbamate, (U378)						
Potassium n-methyldithiocarbamate, (U377)						
Selenium, tetrakis(dimethyldithiocarbamate), (U376)						
Sodium dibutyldithiocarbamate, (U379)						
Sodium diethyldithiocarbamate, (U381)						
Sodium dimethyldithiocarbamate, (U382)						
Sulfallate, (U277)						
Tetrabutylthiuram disulfide, (U402)						
Tetramethylthiuram monosulfide, (U401)						
2H-1,3,5-Tthiadiazine-2-thione, tetrahydro-3,5-dimethyl-, (U366)						
Thioperoxydicarbonic diamide, tetrabutyl, (U402)						
Thioperoxydicarbonic diamide, tetraethyl, (U403)						
Vernolate, (U385)						

* *HW066* is a Louisiana regulatory package that is anticipated to go final March 20, 1999.

RCRA REVISION CHECKLIST 159: Conformance With
the Carbamate Vacatur (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
PART 261 -- APPENDIX VII						
† BASIS FOR LISTING HAZARDOUS WASTE						
remove entire entry for EPA hazardous waste number K16	261 Appendix VII	4901.G. Table 6	✓	EQ		
PART 261 -- APPENDIX VIII						
† HAZARDOUS CONSTITUENTS						
1 remove entries "Potassium hydroxymethyl-n-methyl-dithiocarbamate" and "Tetrabutylthiuram monosulfide" and revise as shown in following table:	261 Appendix VIII	3105.E. Table 1 (HW066)	EQ			

Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.
Bis(pentamethylene)-thiuram tetrasulfide	Piperidine, 1,1'-(tetrathiodicarbonothioyl)-bis-	120-54-7	
Butylate	Carbamothioic acid, bis(2-methylpropyl)-, S-ethyl ester.	2008-41-5	
Copper dimethyldithiocarbamate	Copper, bis(dimethylcarbamodithioato-S,S')-	137-29-1	
Cycloate	Carbamothioic acid, cyclohexylethyl-, S-ethyl ester.	1134-23-2	
Dazomet	2H-1,3,5-thiadiazine-2-thione, tetrahydro-3,5-dimethyl-	533-74-4	
Disulfiram	Thioperoxydicarbonic diamide, tetraethyl-	97-77-8	
EPTC	Carbamothioic acid, dipropyl-, S-ethyl ester.	759-94-4	
Ethyl Ziram	Zinc, bis(diethylcarbamodithioato-S,S')-	14324-55-1	
Ferbam	Iron, tris(dimethylcarbamodithioato-S,S')-	14484-64-1	
3-Iodo-2-propynyl n-butylcarbamate	Carbamic acid, butyl-, 3-iodo-2-propynyl ester.	55406-53-6	

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RCRA REVISION CHECKLIST 159: Conformance With
the Carbamate Vacatur (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.			
Metam Sodium	Carbamodithioic acid, methyl-, monosodium salt.	137-42-8				
* * *	* * *	*	*	*	*	*
Molinat	1H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester.	2212-67-1				
* * *	* * *	*	*	*	*	*
Pebulate	Carbamothioic acid, butylethyl-, S-propyl ester.	1114-71-2				
* * *	* * *	*	*	*	*	*
Potassium dimethyldithiocarbamate	Carbamodithioic acid, dimethyl, potassium salt.	128-03-0				
Potassium n-hydroxymethyl- n-methyl-dithiocarbamate	Carbamodithioic acid, (hydroxymethyl)methyl-, monopotassium salt.	51026-28-9				
Potassium n-methyldithiocarbamate	Carbamodithioic acid, methyl-monopotassium salt.	137-41-7				
* * *	* * *	*	*	*	*	*
Selenium, tetrakis (dimethyl-dithiocarbamate)	Carbamodithioic acid, dimethyl-, tetraanhydrosulfide with orthothioselenious acid	144-34-3				
* * *	* * *	*	*	*	*	*
Sodium dibutyldithiocarbamate	Carbamodithioic acid, dibutyl, sodium salt.	136-30-1				
Sodium diethyldithiocarbamate	Carbamodithioic acid, diethyl-, sodium salt.	148-18-5				
Sodium dimethyldithiocarbamate	Carbamodithioic acid, dimethyl-, sodium salt.	128-04-1				
* * *	* * *	*	*	*	*	*
Sulfallate	Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester.	95-06-7				
* * *	* * *	*	*	*	*	*
Tetrabutylthiuram disulfide	Thioperoxydicarbonic diamide, tetrabutyl	1634-02-2				
* * *	* * *	*	*	*	*	*
Tetramethylthiuram monosulfide	Bis(dimethylthiocarbamoyl) sulfide	97-74-5				
* * *	* * *	*	*	*	*	*
Vernolate	Carbamothioic acid, dipropyl-, S-propyl ester.	1929-77-7				
* * *	* * *	*	*	*	*	*

* HW066 is a Louisiana regulatory package that is anticipated to go final March 20, 1999.

RCRA REVISION CHECKLIST 159: Conformance With
the Carbamate Vacatur (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 268 -- LAND DISPOSAL RESTRICTIONS						
SUBPART C -- PROHIBITIONS ON LAND DISPOSAL						
† WASTE SPECIFIC PROHIBITIONS -- SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE W						
replace "K156-K161" with "K156-K159 and K161"; replace "U277-U280" with "U278-U280"; replace "U364-U367" with "U364, U367"; remove "U375-U379,"; replace "U381-U387, U389-U396" with "U387, U389, U394, U395"; replace "U400-U404" with "U404"; remove "U407,"	268.39(a)	2221.F.1 ✓	EQ			
replace "U277-U280" with "U278-U280"; replace "U364-U367" with "U364, U367"; remove "U375-U379,"; replace "U381-U387, U389-U396" with "U387, U389, U394, U395"; replace "U400-U404" with "U404"; remove "U407,"	268.39(d)	2221.F.4 ✓	EQ			
amend table by adding language "(This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)" at end of existing text in second column for K156, K157 and K158	268.40 table	Chapter 22, Table 2' ✓	EQ			

¹Note that there is a typographical error in the Federal Register. "Potassium hydroxymethyl-..." should be "Potassium hydroxymethyl-...". (62 FR 32977).

RCRA REVISION CHECKLIST 160

Land Disposal Restrictions Phase III -- Emergency Extension of the K088
 National Capacity Variance, Amendment
 62 FR 37694-37699
 July 14, 1997
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART C - PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS - SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES						
1 revise paragraph: replace "July 8" with "October 8"; replace "these wastes" with "this waste"; remove "on July 8, 1997" from last sentence	268.39(c)	2221.F.3	EQ			

1 According to the Office of Solid Waste in the EPA, the change of "these wastes" to "this waste" was unintentional. The final rule should only have changed the date in this paragraph. The previous wording was more consistent.

RCRA REVISION CHECKLIST 161

Emergency Revision of the Carbamate Land Disposal Restrictions

62 FR 45568

August 28, 1997

(RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 268 -- LAND DISPOSAL RESTRICTIONS						
SUBPART D -- TREATMENT STANDARDS						
APPLICABILITY OF THE TREATMENT STANDARDS						
replace "Between August 26, 1996 and August 26, 1997" with "Between August 26, 1997 and August 26, 1998"	268.40(g)	2223.G (HW064)	EQ			
in footnote 6 to the table, replace "Between August 26, 1996 and August 26, 1997" with "Between August 26, 1997 and August 26, 1998"	268.48(a)/Table	¹ Chapter 22, Table 7	EQ			

* HW064 is a Louisiana regulatory package that became final September 20, 1998. All other citations listed in this checklist are anticipated to final March 20, 1999 and are included in Louisiana regulatory package HW066.

¹Footnote 6 was removed in 63 FR 47417 as of September 4, 1998.

RCRA REVISION CHECKLIST 162

Clarification of Standards for Hazardous Waste LDR Treatment Variances

62 FR 64504-64509

December 5, 1997

(RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 268

SUBPART D - TREATMENT STANDARDS

† VARIANCES FROM A TREATMENT STANDARD

Guidance Note: 40 CFR 268.44(a)-(g) are not delegable because the variance addressed by these provisions could result in nationally-applicable standards for a new waste treatability group. States who have correctly adopted these provisions with the authority remaining with EPA are strongly encouraged to make the optional revisions to 40 CFR 268.44(a) addressed by this checklist.

completely revise paragraph; based on petition, Administrator may approve a variance from applicable treatment standard if:	268.44(a) intro	2231.A	EQ			
add new subparagraph; it is not physically possible to treat waste to level specified in or by method specified as the treatment standard; petitioner must demonstrate that physical/chemical properties of waste differ significantly from waste analyzed in developing treatment standard; or	268.44(a)(1)	2231.A.1	EQ			

RCRA REVISION CHECKLIST 162: Clarification of Standards
for LDR Treatment Variances (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; it is inappropriate to require waste to be treated to level specified or by method specified, even though such treatment is technically possible; petitioner must demonstrate that:	268.44(a)(2) intro	2231.A.2	EQ			
add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or	268.44(a)(2)(i)	2231.A.2.a	EQ			
add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation	268.44(a)(2)(ii)	2231.A.2.b	EQ			

completely revise paragraph; based on petition, Administrator or delegated representative may approve a site-specific variance from an applicable treatment standard if:	268.44(h) intro	2231.G	EQ			

RCRA REVISION CHECKLIST 162: Clarification of Standards
for LDR Treatment Variances (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; it is not physically possible to treat waste to level specified in or by method specified as the treatment standard; petitioner must demonstrate that physical/chemical properties of waste differ significantly from waste analyzed in developing treatment standard; or	268.44(h)(1)	2231.G.1	EQ			
add new subparagraph; it is inappropriate to require waste to be treated to level specified or by method specified, even though such treatment is technically possible; petitioner must demonstrate that:	268.44(h)(2) intro	2231.G.2	EQ			
add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or	268.44(h)(2)(i)	2231.G.2.a	EQ			
add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation	268.44(h)(2)(ii)	2231.G.2.b	EQ			

RCRA REVISION CHECKLIST 162: Clarification of Standards
for LDR Treatment Variances (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new subparagraph; public notice and opportunity for comment must be provided before granting or denying petition	268.44(h)(3)	2231.G.3 ^{G.5}	EQ			
add paragraph; for all variances, petitioner must demonstrate that compliance with treatment variance is sufficient to minimize threats to human health and environment; in evaluating demonstration, EPA may take into account whether a treatment variance should be approved if the waste is to be used in manner constituting disposal under 40 CFR 266.20 through 266.23	268.44(m)	2231.M	EQ			
remove	268.44(p)	N/A ¹	EQ			

¹LDEQ never adopted the 40 CFR 268.44(p) to state regulations.

RCRA REVISION CHECKLIST 163

Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers;
 Clarification and Technical Amendment
 62 FR 64636-64671
 December 8, 1997
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART B - GENERAL FACILITY STANDARDS						
GENERAL INSPECTION REQUIREMENTS						
replace "264.1088, and 264.1091(b)" with "and 264.1083 through 264.1089 of this part"	264.15(b)(4)	1509.B.4 ✓	EQ			
SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING						
OPERATING RECORD						

* HW064 is a Louisiana regulatory package that became final September 20, 1998. All other citations listed in this checklist are anticipated to final March 20, 1999 and are included in Louisiana regulatory package HW066.

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "264.252 through 264.254" with "264.252-264.254"; replace "264.302 through 264.304" with "264.302-264.304"; replace "264.1034(c) through 264.304(f)" with "264.1034(c)-264.1034(f)"; replace "264.1063(d) through 264.1063(i)" with "264.1063(d)-264.1063(i)"; replace "264.1088, 264.1089, and 264.1091" with "and 264.1082 through 264.1090 of this part"	264.73(b)(6)	1529.B.9 ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 AA - AIR EMISSION STANDARDS FOR PROCESS VENTS						
APPLICABILITY						
revise paragraph; add quotation marks around "90-day"; insert "and is not a recycling unit under the provisions of 40 CFR 261.6" after "or container"	264.1030(b)(3)	1705.A.3 ✓	EQ			
completely revise paragraph; for owner and operator of facility subject to part 264 and who received final permit prior to December 6, 1996, requirements of part 264, subpart AA shall be incorporated into permit when reissued under 40 CFR 124.15 requirements or reviewed under 40 CFR 270.50(d); until owner and operator receive such final permit, owner and operator subject to 40 CFR part 265, subpart AA requirements	264.1030(c)	1705.B /	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 paragraph; requirements of part 264, subpart AA do not apply to process vents at facility where owner or operator certifies that all process vents are equipped and operating air emission controls in accordance with process vent requirements under 40 CFR part 60, part 61, or part 63 ; documentation of compliance kept, or made available, with facility operating record	264.1030(e)	1705.D ✓	EQ			
DEFINITIONS						
revise "In light liquid service"; insert "organic" after "one or more of the" and after "pure"; replace "0.3 kPa" with "0.3 kilopascals (kPa)"	264.1031	1703.In Light Service ✓	EQ			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
redesignate paragraph (a)(2) as (a)(2)(i), except for last sentence	264.1033(a)(2)(i)	1709.A.2.a ✓	EQ			
revise and redesignate last sentence of (a)(2) as (a)(2)(ii); any unit that begins operation after December 21, 1990, and is subject to part 264, Subpart AA, must comply with rules immediately	264.1033(a)(2)(ii)	1709.A.2.b ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 264, subpart AA, shall comply with subpart AA requirements no later than 30 months after effective date of amendment; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	264.1033(a)(2)(iii)	1709.A.2.c ✓	EQ			
add new paragraph; owners and operators of facilities and units newly subject to part 264, subpart AA after December 8, 1997, due to action other than under 264.1033(a)(2)(iii), must comply with requirements immediately	264.1033(a)(2)(iv)	1709.A.2.d ✓	EQ			

SUBPART BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

APPLICABILITY

revise paragraph; add "and is not a recycling unit under the provisions of 40 CFR 261.6" at end	264.1050(b)(3)	1717.B.3 ✓	EQ			
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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
completely revise paragraph; for owner and operator of facility newly subject to part 264, subpart BB, and who received final permit prior to December 6, 1996, requirements of part 264, subpart BB shall be incorporated into permit when reissued under 40 CFR 124.15 requirements or reviewed under 40 CFR 270.50(d); until owner and operator receives such final permit, owner and operator subject to 40 CFR 265, subpart BB requirements	264.1050(c)	1717.C ✓	EQ			
remove "a period of"; insert comma after "identified"	264.1050(f)	1717.F (HW064) ✓	EQ			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
redesignate 264.1060 as 264.1060(a); insert "subject to this subpart" following "control devices" and insert "of this part" at end of paragraph	264.1060(a)	1735.A ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 paragraph; owner or operator who cannot install closed-vent system and control device to comply with part 264, subpart BB, by the effective date must prepare implementation schedule including dates by which closed-vent system and control device will be installed and in operation; implementation schedule may allow up to 30 months after effective date for installation and startup	264.1060(b)(1)	1735.B.1	EQ			
add new paragraph; any unit that begins operation after December 21, 1990, and is subject to part 264, Subpart BB, must comply with rules immediately	264.1060(b)(2)	1735.B.2	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 264, subpart BB, shall comply with subpart BB requirements no later than 30 months after effective date of amendment; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	264.1060(b)(3)	1735.B.3	EQ			
add new paragraph; owners and operators of facilities and units newly subject to part 264, subpart BB, after December 8, 1997, due to action other than under 264.1060(b)(3), must comply with requirements immediately	264.1060(b)(4)	1735.B.4	EQ			

ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
insert "(i.e., monitor for leaks once every six months)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(2)	1739.B.2 ✓	EQ			
insert "(i.e., monitor for leaks once every year)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(3)	1739.B.3 ✓	EQ			

RECORDKEEPING REQUIREMENTS

delete "a period of"; insert "calendar" following "per"	264.1064(g)(6)	1743.G.6 ✓	EQ			
revise paragraph; owner or operator of facility with equipment subject to part 264, subpart BB, and to 40 CFR part 60, part 61, or part 63 may determine compliance with subpart BB by documentation under 264.1064 or by documentation of compliance with 40 CFR part 60, part 61, or part 63; documentation of compliance under 40 CFR part 60, part 61, or part 63 shall be kept or made available with the operating record	264.1064(m)	1743.M ✓	EQ			

SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

APPLICABILITY

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
replace "October 6, 1996" and "this date" with "December 6, 1996"	264.1080(b)(1)	1747.B.1 ✓	EQ			
replace "subpart and who" with "subpart who"; replace "October 6, 1996" with "December 6, 1996"; replace "the owner and operator receives a final permit incorporating the requirements of this subpart" with "the permit is reissued in accordance with the requirements of 40 CFR 124.15 or reviewed in accordance with the requirements of 40 CFR 270.50(d)"	264.1080(c)	1747.C ✓	EQ			
STANDARDS: GENERAL						
insert "hazardous" before both occurrences of "waste management unit"; replace "§264.1084 through §264.1087" with "§§264.1084 through 264.1087"	264.1082(b)	1751.B ✓	EQ			
add "at section 4.4 of Method 25D in 40 CFR part 60, appendix A, or a value of 25 ppmw, whichever is less" at end of paragraph	264.1082(c)(2)(ix)(A)	1751.C.2.i ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
completely revise paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant value at least 0.1 Y/X at 25 degrees Celsius	264.1082(c)(2)(ix)(B)	1751.C.2.i.ii	EQ			
insert "or surface impoundment" following "tank"	264.1082(c)(3)	1751.C.3	EQ			
replace "Has" with "The organic hazardous constituents in the waste have"; add "the" before "EPA"; replace "or treated" with "or have been removed or destroyed"	264.1082(c)(4)(ii)	1751.C.4.b	EQ			
WASTE DETERMINATION PROCEDURES						
insert "For a waste determination that is required by paragraph (a)(1) of this section," at beginning of paragraph; replace "may" with "shall"	264.1083(a)(2)	1753.A.2	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "a waste management unit" with "waste management units"; replace "264.1082(c)(2)" with "264.1082(c)(2)(i) through 264.1082(c)(2)(vi)"; replace "§ 264.1084 through § 264.1087" with "§§ 264.1084 through 264.1087"	264.1083(b)(1)	1753.B.1 ✓	EQ			
STANDARDS: TANKS						
insert ", and any manifold system associated with the fixed roof," before "shall be"	264.1084(c)(2)(iii)	1755.C.2.c ✓	EQ			
delete "it" before "shall be"; insert ", except as provided for in paragraphs (c)(2)(iii)(B)(1) and (2) of this section" at end of paragraph	264.1084(c)(2)(iii)(B)	1755.C.2.C.ii ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; when necessary to provide access to tank for performing activities of 264.1084(c)(2)(iii)(B)(2), venting of vapor headspace underneath fixed roof to control device is not required, opening of closure devices is allowed, and removal of fixed roof is allowed; following completion of activity, owner or operator shall secure closure device in closed position or reinstall cover and resume operation of control device	264.1084(c)(2)(iii)(B)(1)	1755.C.2.c.ii.(a)	EQ			
add new paragraph; during routine inspection, maintenance, or other activities needed for normal operations, and for removal of sludge or other residues from tank bottom	264.1084(c)(2)(iii)(B)(2)	1755.C.2.c.ii.(b)	EQ			
add new paragraph; safety devices, as defined in 40 CFR 265.1081, may be installed and operated as necessary on tank complying with 264.1084(e) requirements	264.1084(e)(4)	1755.E.4	EQ			
replace "perimeter" with "diameter"	264.1084(f)(3)(i)(D)(4)	1755.F.3.a.iv.d ✓	EQ			
replace "this subpart" with "this section"	264.1084(f)(3)(iii)	1755.F.3.c.iii ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; safety devices, as defined in 40 CFR 265.1081, may be installed and operated on tank complying with 264.1084(f)	264.1084(f)(4)	1755.F.4 ✓	EQ			
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1084(j)(2)(iii)	1755.J.2.c ✓	EQ			
STANDARDS: SURFACE IMPOUNDMENTS						
replace "sections" with "section"	264.1085(b)(2)	1757.B.2 ✓	EQ			
replace "for and designing" with "of construction and designing"	264.1085(d)(1)(iii)	1757.D.1.c	EQ			
insert "the" before "surface impoundment"	264.1085(d)(2)(i)(B)	1757.D.2.a.ii ✓	EQ			
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1085(e)(2)(iii)	1757.E.2.c	EQ			
STANDARDS: CONTAINERS						
replace "it" with "the container"; insert comma after "integrity"; replace comma after "permeability" with ";	264.1086(c)(2)	1759.C.2 ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container is accepted at facility; date of acceptance	264.1086(c)(4)(i)	1759.C.4.a	EQ			
replace "a submerged-fill" with "A submerged-fill"	264.1086(d)(2)	1759.D.2	EQ			
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	264.1086(d)(4)(i)	1759.D.4.a	EQ			
completely revise paragraph; to determine compliance with 264.1086(d)(1)(ii), use procedure specified in 264.1083(d)	264.1086(g)	1759.G	EQ			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
add "that is a hazardous waste and that" after "All carbon"; add ", regardless of the average volatile organic concentration of the carbon" at end of paragraph	264.1087(c)(3)(ii)	1761.C.3.b	EQ			
insert "closed-vent system and" before the first occurrence of "control device"	264.1087(c)(7)	1761.C.7	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
RECORDKEEPING REQUIREMENTS						
replace "(b) through (i)" with "(b) through (j)"; replace both occurrences of "paragraph (i)" with "paragraphs (i) and (j)"; replace "tank or container" with "waste management unit"; replace "§264.1084(d) of this subpart" with "§264.1080(d) or §264.1080(b)(7) of this subpart, respectively"	264.1089(a)	1765.A	EQ			
delete ", the following information"; replace "provisions" with "requirements"	264.1089(b)(1)(ii)(B)	1765.B.1.b.ii	EQ			
replace "or containers" with "and containers"; replace "(c)(2)" with "§§ 264.1082(c)(2)(i) through (c)(2)(vi)"	264.1089(f)(1)	1765.F.1	EQ			
add new paragraph; for each hazardous waste management unit not using air emission controls under 264.1084 through 264.1087 in accordance with 264.1080(b)(7), owner and operator shall record and maintain the following:	264.1089(j)	1765.J	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; certification that waste management unit equipped with and operating air emission controls in accordance with 40 CFR part 60, part 61, or part 63	264.1089(j)(1)	1765.J.1	EQ			
add new paragraph; identification of specific requirements under 40 CFR part 60, part 61, or part 63 with which waste management unit is in compliance	264.1089(j)(2)	1765.J.2	EQ			

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL INSPECTION REQUIREMENTS

replace "it" with "the frequency; replace "265.1089, and 265.1091b" with "and 265.1084 through 265.1090 of this part,"	265.15(b)(4)	4317.B.3	EQ			
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SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
replace "when required" with ", and corrective action where required by subpart F of this part and"; replace "265.1089, 265.1090, and 265.1091" with "and 265.1083 through 265.1090 of this part"	265.73(b)(6)	4357.B.8	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 AA - AIR EMISSION STANDARDS FOR PROCESS VENTS						
APPLICABILITY						
add quotation marks around "90-day";add "and is not a recycling unit under the requirements of 40 CFR 261.6" at end of paragraph	265.1030(b)(3)	4549.B.3 ✓	EQ			
add new paragraph; requirements of part 265, subpart AA, do not apply to process vents at facility where owner or operator certifies that all process vents are equipped with and operating air emission controls in accordance with 40 CFR part 60, part 61, or part 63; documentation of compliance with 40 CFR part 60, part 61, or part 63 shall be kept or made available with facility operating record	265.1030(d)	4549.C ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
add new paragraph; owner or operator of existing facility who cannot install closed-vent system and control device to comply with part 265, subpart AA by effective date must prepare implementation schedule that includes expected dates of installation and operation; implementation schedule may allow up to 30 months for installation and startup	265.1033(a)(2)(i)	4555(1709A.2.a) ✓	EQ			
add new paragraph; unit that begins operation after December 21, 1990, and subject to requirements of part 265, subpart AA when operation begins must comply with rules immediately	265.1033(a)(2)(ii)	4555(1709.A.2.b)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface
Impoundments, and Containers; Clarification and Technical Amendment(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 paragraph; owner or operator of facility in existence on effective date of statutory or EPA regulatory amendment that renders facility subject to part 265, subpart AA shall comply with requirements of part 265, subpart AA no later than 30 months after amendment's effective date; when control equipment cannot be installed and operational by effective date facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	265.1033(a)(2)(iii)	4555(1709.A.2.c)	EQ			
add new paragraph; owners and operators of facilities and units newly subject to part 265, subpart AA after December 8, 1997, due to action other than under 265.1033(a)(2)(iii), must comply with requirements immediately	265.1033(a)(2)(iv)	4555(1709.A.2.d)	EQ			
replace both occurrences of "oC" with "°C"	265.1033(f)(2)(vi)(B)	4555(1709.F.2.f.ii) (HW064)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 BB - AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS						
APPLICABILITY						
add quotation marks around "90-day"; add "and is not a recycling unit under the provisions of 40 CFR 261.6" at end of paragraph	265.1050(b)(3)	4561.B.3	✓	EQ		
remove "a period of"; replace "§ 265.1052 through § 265.1060" with "§§ 265.1052 through 265.1060"; insert comma between "identified" and "as required"	265.1050(e)	4561.E	✓	EQ		
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
redesignate 265.1060 as 265.1060(a); add "subject to this subpart" after "devices"; add "of this part" at end	265.1060(a)	4581(1735.A)	✓	EQ		

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 paragraph; owner or operator who cannot install closed-vent system and control device to comply with part 265, subpart BB by effective date must prepare implementation schedule including dates by which closed-vent system and control device will be installed and in operation; implementation schedule may allow up to 30 months after effective date for installation and startup	265.1060(b)(1)	4581(1735.A.1)	EQ			
add new paragraph; any units that begin operation after December 21, 1990, and are subject to part 265, Subpart BB, must comply with rules immediately	265.1060(b)(2)	4581(1735.B.2)	EQ			

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			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; owner or operator of facility in existence on effective date of statutory or regulatory amendment that renders facility subject to part 265, subpart BB shall comply with subpart BB, requirements no later than 30 months after effective date of amendment; facility owner or operator shall prepare implementation schedule; enter implementation schedule in operating record or permanent file at facility	265.1060(b)(3)	4581(1735.B.3)	EQ			
add new paragraph; owners and operators of facilities and units newly subject to part 265, subpart BB, after December 8, 1997, due to action other than under 265.1060(b)(3), must comply with requirements immediately	265.1060(b)(4)	4581(1735.B.4)	EQ			

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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
ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR						
add "(i.e., monitor for leaks once every six months)" after "periods"; add "of this subpart" at end of paragraph	265.1062(b)(2)	4581(1739.B.2)	EQ			
add "(i.e., monitor for leaks once every year)" after second occurrence of "periods"; add "of this subpart" at end of paragraph	265.1062(b)(3)	4581(1739.B.3)	EQ			
RECORDKEEPING REQUIREMENTS						
delete "a period of"	265.1064(g)(6)	4589(1743.G.6)	EQ			
revise paragraph; owner or operator of facility with equipment subject to part 265, subpart BB, and to leak detection, monitoring, and repair requirements of 40 CFR part 60, part 61, or part 63 may elect to determine compliance with subpart BB by documentation under 265.1064 or by documentation of compliance with 40 CFR part 60, part 61, or part 63; documentation of compliance under 40 CFR part 60, part 61, or part 63 shall be kept or made available with the operating record	265.1064(m)	4589(1743.M)	EQ			

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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
SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS						
APPLICABILITY						
replace both "October 6, 1996" and "this date" with "December 6, 1996"	265.1080(b)(1)	4719(1747.B.1) ✓	EQ			
replace "October 6, 1996" with "December 6, 1996"	265.1080(c)	4719(1747.C) ✓	EQ			
DEFINITIONS						
revise "In light material service"; replace "the vapor" with "The vapor"	265.1081	4721(1703.In Light Material Service) ✓	EQ			
SCHEDULE FOR IMPLEMENTATION OF AIR EMISSION STANDARDS						
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)	4723.A (HW064) ✓	EQ			
replace "required by" with "or waste management units required to comply with this subpart and complete modifications of production or treatment processes to satisfy exemption criteria in accordance with § 265.1083(c) of"; replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(1)	4723.A.1 ✓	EQ			

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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
revise paragraph; when control equipment or waste management units required to comply with part 265, subpart CC cannot be installed and in operation or modifications of production or treatment processes to satisfy exemption criteria under § 265.1083(c) cannot be completed by December 6, 1996, owner or operator shall:	265.1082(a)(2)	4723.A.2 ✓	EQ			
add "and waste management units, and complete modifications of production or treatment processes" after "equipment"	265.1082(a)(2)(i)	4723.A.2.a ✓	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "orders for the control equipment," with "orders for control equipment, waste management units, and production or treatment process modifications;"; add "or waste management units, and modifications of production or treatment processes;" before "completion"; replace "control equipment installation," with "control equipment or waste management unit installation, and production or treatment process modifications;" delete "any"; replace "meets" with "or waste management units, and modified production or treatment processes meet"	265.1082(a)(2)(ii)	4723.A.2.b	EQ			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iii)	4723.A.2.c	EQ			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iv)	4723.A.2.d	EQ			
add "and units" after "facilities"; replace "statutory or regulatory amendments under the Act that render" with "a statutory or EPA regulatory amendment that renders"	265.1082(b)	4723.B	EQ			

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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
replace "all control equipment required by" with "control equipment or waste management units required to comply with this subpart, and complete modifications of production or treatment processes to satisfy exemption criteria of § 265.1083(c) of"	265.1082(b)(1)	4723.B.1	EQ			
insert "or waste management units required to comply with" after "control equipment"; insert ", or when modifications of production or treatment processes to satisfy exemption criteria of § 265.1083(c) of this subpart cannot be completed" after "operation"	265.1082(b)(2)	4723.B.2	EQ			
replace "operate" with "begin operation of"; insert "or waste management unit, and complete modification of production or treatment processes" after "control equipment"	265.1082(b)(2)(i)	4723.B.2.a	EQ			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(ii)	4723.B.2.b	EQ			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(iii)	4723.B.c	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
redesignate 265.1082(c) as 265.1082(d) and add new 265.1082(c); owners and operators of facilities and units that become newly subject to the part 265, subpart CC, requirements after December 8, 1997 due to action other than those in 265.1082(b) must comply with requirements immediately	265.1082(c)	4723.C	EQ			
insert comma between "control equipment" and "and"	265.1082(d)	4723.D	EQ			
STANDARDS: GENERAL						
replace both occurrences of "waste management unit" with "hazardous waste management unit"; replace "§265.1085 through §265.1088" with "§§ 265.1085 through 265.1088"	265.1083(b)	4725(1751.B)	EQ			
replace "C" with "C ₁ "	265.1083(c)(2)(i)	4725(1751.C.2.a) (HW064)	EQ			
add "at section 4.4 of Method 25D in 40 CFR part 60, appendix A, or a value of 25 ppmw, whichever is less" at end of paragraph	265.1083(c)(2)(ix)(A)	4725(1751.C.2.i.i)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
completely revise paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant value at least 0.1 Y/X at 25 degrees Celsius	265.1083(c)(2)(ix)(B)	4725(1751.C.2.i.ii)	EQ			
add "or surface impoundment" after "tank"	265.1083(c)(3)	4725(1751.C.3)	EQ			
replace "Has" with "The organic hazardous constituents in the waste have"; replace "EPA" with "the EPA"; replace "or treated" with "or have been removed or destroyed"	265.1083(c)(4)(ii)	4725(1751.C.4.b)	EQ			
WASTE DETERMINATION PROCEDURES						
replace "The" with "For a waste determination that is required by paragraph (a)(1) of this section, the" at beginning of paragraph	265.1084(a)(2)	4727.A.2 (HW064)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "for the hazardous waste stream" with "and analyzed for a hazardous waste determination. The average of the four or more sample results constitutes a waste determination for the waste stream. One or more waste determinations may be required"	265.1084(a)(3)(ii)(B)	4727.A.3.b.ii (HW064)	EQ			
replace "8260(B) or 8270(C)" with "8260 or 8270"	265.1084(a)(3)(iii)	4727.A.3.c (HW064)	EQ			
no change	265.1084(a)(3)(iii)(A)	4727.A.3.c.i (HW064)	EQ			
replace both occurrences of "8260(B)" with "8260"	265.1084(a)(3)(iii)(F)	4727.A.3.c.vi (HW064)	EQ			
replace both occurrences of "8270(C)" with "8270"	265.1084(a)(3)(iii)(G)	4727.A.3.c.vii (HW064)	EQ			
insert ", introduction, and analysis" after "preparation"	265.1084(a)(3)(iii)(G)(1)	4727.A.3.c.vii.(a). (HW064)	EQ			
redesignate all except title as 265.1084(a)(3)(iv)(A)	265.1084(a)(3)(iv)	4727.A.3.d(HW064)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
revise redesignated paragraph; replace "samples analyzed" with "waste determinations conducted"; replace "paragraph (a)(3)(iii)" with "paragraphs (a)(3)(ii) and (iii)"; replace all "sample" with "waste determination"; at "n =", replace "collected (at least 4)" with "conducted"; at "C _i =", replace "§ 265.1084(a)(3)(ii) of this subpart" with "paragraph (a)(3)(iii) of this section (i.e., the average of the four or more samples specified in paragraph (a)(3)(ii)(B) of this section)"	265.1084(a)(3)(iv)(A)	4727.A.3.d.i (HW064)	✓ EQ			
add new paragraph; for purpose of determining C _i , for individual waste samples analyzed in accordance with 265.1084(a)(3)(iii), owner or operator shall account for VO concentrations determined to be below limit of detection of analytical method by using following VO concentration:	265.1084(a)(3)(iv)(B)	4727.A.3.d.ii (HW064)	✓ EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 paragraph; if Method 25D in 40 CFR part 60, appendix A is used for analysis, one-half blank value determined in method at section 4.4 of Method 25D	265.1084(a)(3)(iv)(B)(1)	4727.A.3.d.ii.(a). (HW064)	EQ			
add new paragraph; if other analytical method used, one-half sum of limits of detection established for each organic constituent in waste that has Henry's law constant values at least 0.1 Y/X at 25 degrees Celsius	265.1084(a)(3)(iv)(B)(2)	4727.A.3.d.ii.(b). (HW064)	EQ			
add new paragraph; provided that test method is appropriate for waste as required under 265.1084(a)(3)(iii), EPA will determine compliance based on test method used by owner or operator as recorded pursuant to § 265.1090(f)(1)	265.1084(a)(3)(v)	4727.A.3.e (HW064)	EQ		✓	
add "The owner or operator may choose one or more appropriate methods to analyze each collected sample in accordance with the requirements of paragraph (a)(3)(iii) of this section" at end of paragraph	265.1084(a)(4)(iv)	4727.A.4.d (HW064)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "265.1083(c)(2)" with "265.1083(c)(2)(i) through (c)(2)(vi)"; replace "§ 265.1085 through § 265.1088" with "§§ 265.1085 through 265.1088"	265.1084(b)(1)	4727.B.1 (HW064)	EQ			
replace "for the hazardous waste stream" with "and analyzed for a hazardous waste determination. The average of the four or more sample results constitutes a waste determination for the waste stream. One or more waste determinations may be required"; insert "waste" before "compositions"; replace "process treating" with "source or process generating"	265.1084(b)(3)(ii)(B)	4727.B.3.b.ii (HW064)	EQ			✓

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface
Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
insert new second sentence; when owner or operator is making hazardous waste determination for treated hazardous waste to be compared to average VO concentration at point of waste origination or entry to treatment system, to determine if conditions of 264.1082(c)(2)(i) through (c)(2)(vi) or 265.1083(c)(2)(i) through (c)(2)(vi) are met, then waste samples shall be prepared and analyzed using same method(s) as used in making initial waste determinations at point of waste origination or at point of entry; remove "EPA" before "Method 624"; replace "8260(B) or 8270(C)" with "8260 or 8270"	265.1084(b)(3)(iii)	4727.B.3.c (HW064)	EQ		✓	
replace both occurrences of "8260(B)" with "8260"	265.1084(b)(3)(iii)(F)	4727.B.3.c.iv (HW064)	EQ			
replace both occurrences of "8270(C)" with "8270"	265.1084(b)(3)(iii)(G)	4727.B.3.c.vii (HW064)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface
Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
revise paragraph; replace "samples analyzed" with "waste determinations conducted"; replace "paragraph (b)(3)(iii)" with "paragraphs (b)(3)(ii) and (iii)"; replace all "sample" with "waste determination"; at "n =", replace "collected (at least 4)" with "conducted"; at "C _i =", replace "§ 265.1084(b)(3)(iii) of this subpart" with "paragraph (b)(3)(iii) of this section (i.e., the average of the four or more samples specified in paragraph (b)(3)(ii)(B) of this section)"	265.1084(b)(3)(iv)	4727.B.3.d (HW064)	EQ			
add new paragraph; provided that test method is appropriate for waste as required under 265.1084(b)(3)(iii), determine compliance based on test method used by owner or operator as recorded pursuant to § 265.1090(f)(1)	265.1084(b)(3)(v)	4727.B.3.e (HW064)	EQ			
revised by placing "MR = E _b - E _a " before "Where:"	265.1084(b)(8)(iii)	4727.B.8.c (HW064)	EQ			
revised by moving "respectively" to follow "of this section" and by placing "MR _{bio} = E _b x F _{bio} " before "Where:"	265.1084(b)(9)(iv)	4727.B.9.d (HW064)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers: Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "in air" with "or n-hexane and air"; add "methane or n-hexane" at end of paragraph	265.1084(d)(5)(ii)	4727.D.5.b (HW064)	EQ		✓	✓
STANDARDS: TANKS						
insert ", and any manifold system associated with the fixed roof," following "fixed roof"	265.1085(c)(2)(iii)	4729(1755.C.2.c)	EQ			
replace "and it shall" with "and shall"; insert ", except as provided for in paragraphs (c)(2)(iii)(B)(1) and (2) of this section" at end of paragraph	265.1085(c)(2)(iii)(B)	4729(1755.C.2.c.ii)	EQ			
add new paragraph; during periods necessary to provide access to tank for performing activities of 265.1085(c)(2)(iii)(B)(2), venting of vapor headspace underneath fixed roof to control device not required, opening of closure devices is allowed, and removal of fixed roof is allowed; following completion of activity, owner or operator shall promptly secure closure device in closed position or reinstall cover and resume operation of control device	265.1085(c)(2)(iii)(B)(1)	4729 (1755.C.2.c.ii.(a.))	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; during periods of routine inspection, maintenance, or other activities needed for normal operations, and for removal of accumulated sludge or other residues from bottom of tank	265.1085(c)(2)(iii)(B)(2)	4729 (1755.C.2.c.ii.(b).)	EQ			
add new paragraph; safety devices, as defined in 265.1081, may be installed and operated as necessary on tank complying with requirements of 265.1085(e)	265.1085(e)(4)	4729(1755.E.4)	EQ			
replace "perimeter" with "diameter"; replace "are then are" with "are then"	265.1085(f)(3)(i)(D)(4)	4729 (1755.F.3.a.iv.(d))	EQ			
add new paragraph; safety devices, as defined in 265.1081, may be installed and operated as necessary on tank complying with requirements of 265.1085(f)	265.1085(f)(4)	4729(1755.F.4)	EQ			
add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1085(j)(2)(iii)	4729(1755.J.2.c)	EQ			
STANDARDS: SURFACE IMPOUNDMENTS						
replace "provisions" with "requirements"; replace "this sections" with "this section"	265.1086(b)(2)	4731(1757.B.2) (HW064)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
replace "materials for" with "materials of construction"	265.1086(d)(1)(iii)	4731(1757.D.1.c)	EQ			
insert "the" before "surface impoundment"	265.1086(d)(2)(i)(B)	4731(1757.D.2.a.ii) (HW064)	EQ			
add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1086(e)(2)(iii)	4731(1757.E.2.c)	EQ			
STANDARDS: CONTAINERS						
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	265.1087(c)(4)(i)	4733(1759.C.4.a)	EQ			
revise paragraph and add requirements; container visual inspection shall be conducted on or before date that container accepted at facility; date of acceptance	265.1087(d)(4)(i)	4733(1759.D.4.a)	EQ			
completely revise paragraph; to determine compliance with 265.1087(d)(1)(ii), procedure specified in 265.1084(d) shall be used	265.1087(g)	4733(1759.G)	EQ			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add "that is a hazardous waste and that" after "carbon"; add ", regardless of the average volatile organic concentration of the carbon" at end of paragraph	265.1088(c)(3)(ii)	4735(1761.C.3.b)	EQ			
insert "closed-vent system and" between "The" and "control"	265.1088(c)(7)	4735(1761.C.7)	EQ			
RECORDKEEPING REQUIREMENTS						
replace "paragraphs (b) through (i)" with "paragraphs (b) through (j)"; replace both occurrences of "paragraph (i)" with "paragraphs (i) and (j)"; replace "tank or container" with "waste management unit"; replace "§§ 264.1084 through 264.01087" with "§§ 265.1085 through 265.1088"; replace "§ 264.1084(d) of this subpart" with "§ 265.1080(d) or § 265.1080(b)(7) of this subpart, respectively"	265.1090(a)	4739(1765.A)	EQ			
delete ", the following information"; replace "the location" with "The location"	265.1090(b)(1)(ii)(B)	4739(1765.B.1.b.ii)	EQ			
replace "or (c)(2)" with "§ 265.1084(c)(2)(i) through (c)(2)(vi)"	265.1090(f)(1)	4739(1765.F.1)	EQ			

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph; for each hazardous waste management unit not using air emission controls specified in 265.1085 through 265.1088 in accordance with 265.1080(b)(7), owner and operator shall record and maintain the following information:	265.1090(j)	4739(1765.J)	EQ			
add new paragraph; certification that waste management unit is equipped with and operating air emission controls in accordance with requirements under 40 CFR part 60, part 61, or part 63	265.1090(j)(1)	4739(1765.J.1)	EQ			
add new paragraph; identification of specific requirements codified under 40 CFR part 60, part 61, or part 63 with which unit is in compliance	265.1090(j)(2)	4739(1765.J.2)	EQ			

PART 265 APPENDICES

APPENDIX VI - COMPOUNDS WITH HENRY'S LAW CONSTANT LESS THAN 0.1 Y/X

revised to read as follows:	Chapter 17, Table 1 (HW064) ✓	EQ			
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Appendix VI to Part 265--Compounds With Henry's Law Constant Less Than 0.1 Y/X

Compound name	CAS No.
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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Acetaldol						107-89-1
Acetamide						60-35-5
2-Acetylaminofluorene						53-96-3
3-Acetyl-5-hydroxypiperidine.						
3-Acetylpiperidine						618-42-8
1-Acetyl-2-thiourea						591-08-2
Acrylamide						79-06-1
Acrylic acid						79-10-7
Adenine						73-24-5
Adipic acid						124-04-9
Compound name						CAS No.
Adiponitrile						111-69-3
Alachlor						15972-60-8
Aldicarb						116-06-3
Ametryn						834-12-8
4-Aminobiphenyl						92-67-1
4-Aminopyridine						504-24-5
Aniline						62-53-3
o-Anisidine						90-04-0
Anthraquinone						84-65-1
Atrazine						1912-24-9
Benzeneearsonic acid						98-05-5
Benzenesulfonic acid						98-11-3

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Benzidine						92-87-5
Benzo(a)anthracene						56-55-3
Benzo(k)fluoranthene						207-08-9
Benzoic acid						65-85-0
Benzo(g,h,i)perylene						191-24-2
Benzo(a)pyrene						50-32-8
Benzyl alcohol						100-51-6
gamma-BHC						58-89-9
Bis(2-ethylhexyl)phthalate						117-81-7
Bromochloromethyl acetate.						
Bromoxynil						1689-84-5
Butyric acid						107-92-6

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Caprolactam (hexahydro-2H-azepin-2-one).....						105-60-2
Catechol (o-dihydroxybenzene).....						120-80-9
Cellulose.....						9004-34-6
Cell wall.						
Chlorhydrin (3-Chloro-1,2-propanediol).....						96-24-2
Chloroacetic acid.....						79-11-8
2-Chloroacetophenone.....						93-76-5
p-Chloroaniline.....						106-47-8
p-Chlorobenzophenone.....						134-85-0
Chlorobenzilate.....						510-15-6
p-Chloro-m-cresol (6-chloro-m-cresol).....						59-50-7
3-Chloro-2,5-diketopyrrolidine.						
Chloro-1,2-ethane diol.						
4-Chlorophenol.....						106-48-9
Chlorophenol polymers (2-chlorophenol & 4-chlorophenol).....						95-57-8 & 106-48-9
1-(o-Chlorophenyl)thiourea.....						5344-82-1
Chrysene.....						218-01-9
Citric acid.....						77-92-9
Creosote.....						8001-58-9
m-Cresol.....						108-39-4
o-Cresol.....						95-48-7
p-Cresol.....						106-44-5

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Cresol (mixed isomers)						1319-77-3
4-Cumylphenol						27576-86

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Cyanide						57-12-5
4-Cyanomethyl benzoate.						
Diazinon						333-41-5
Dibenzo(a,h)anthracene						53-70-3
Dibutylphthalate						84-74-2
2,5-Dichloroaniline (N,N'-dichloroaniline)						95-82-9
2,6-Dichlorobenzonitrile11						1194-65-6
2,6-Dichloro-4-nitroaniline						99-30-9
2,5-Dichlorophenol						333-41-5
3,4-Dichlorotetrahydrofuran						3511-19
Dichlorvos (DDVP)						62737
Diethanolamine						111-42-2
N,N-Diethylaniline						91-66-7
Diethylene glycol						111-46-6
Diethylene glycol dimethyl ether (dimethyl Carbitol)						111-96-6
Diethylene glycol monobutyl ether (butyl Carbitol)						112-34-5
Diethylene glycol monoethyl ether acetate (Carbitol acetate)						112-15-2
Diethylene glycol monoethyl ether (Carbitol Cellosolve)						111-90-0
Diethylene glycol monomethyl ether (methyl Carbitol)						111-77-3
N,N'-Diethylhydrazine						1615-80-1
Diethyl (4-methylumbelliferyl) thionophosphate						299-45-6
Diethyl phosphorothioate						126-75-0

* HW064 is a Louisiana regulatory package that became final September 20, 1998. All other citations listed in this checklist are anticipated to final March 20, 1999 and are included in Louisiana regulatory package HW066.

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
N,N'-Diethylpropionamide						15299-99-7
Dimethoate						60-51-5

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
2,3-Dimethoxystrychnidin-10-one						357-57-3
4-Dimethylaminoazobenzene						60-11-7
7,12-Dimethylbenz(a)anthracene						57-97-6
3,3-Dimethylbenzidine						119-93-7
Dimethylcarbamoyl chloride						79-44-7
Dimethyldisulfide						624-92-0
Dimethylformamide						68-12-2
1,1-Dimethylhydrazine						57-14-7
Dimethylphthalate						131-11-3
Dimethylsulfone						67-71-0
Dimethylsulfoxide						67-68-5
4,6-Dinitro-o-cresol						534-52-1
1,2-Diphenylhydrazine						122-66-7
Dipropylene glycol (1,1'-oxydi-2-propanol)						110-98-5
Endrin						72-20-8
Epinephrine						51-43-4
mono-Ethanolamine						141-43-5
Ethyl carbamate (urethane).....						5-17-96
Ethylene glycol						107-21-1
Ethylene glycol monobutyl ether (butyl Cellosolve)						111-76-2
Ethylene glycol monoethyl ether (Cellosolve).....						110-80-5
Ethylene glycol monoethyl ether acetate (Cellosolve acetate).....						111-15-9

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Ethylene glycol monomethyl ether (methyl Cellosolve)						109-86-4
Ethylene glycol monophenyl ether (phenyl Cellosolve)						122-99-6

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Compound name						CAS No.
Ethylene glycol monopropyl ether (propyl Cellosolve)						2807-30-9
Ethylene thiourea (2-imidazolidinethione)						9-64-57
4-Ethylmorpholine						100-74-3
3-Ethylphenol						620-17-7
Fluoroacetic acid, sodium salt						62-74-8
Formaldehyde						50-00-0
Formamide						75-12-7
Formic acid						64-18-6
Fumaric acid						110-17-8
Glutaric acid						110-94-1
Glycerin (Glycerol)						56-81-5
Glycidol						556-52-5
Glycinamide						598-41-4
Glyphosate						1071-83-6
Guthion						86-50-0
Hexamethylene-1,6-diisocyanate (1,6-diisocyanatohexane)						822-06-0
Hexamethyl phosphoramidate						680-31-9
Hexanoic acid						142-62-1
Hydrazine						302-01-2
Hydrocyanic acid						74-90-8
Hydroquinone						123-31-9
Hydroxy-2-propionitrile (hydracrylonitrile)						109-78-4

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Indeno (1,2,3-cd) pyrene						193-39-5
Lead acetate						301-04-2

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Lead subacetate (lead acetate, monobasic)						1335-32-6
Leucine						61-90-5
Malathion						121-75-5
Maleic acid						110-16-7
Maleic anhydride						108-31-6
Mesityl oxide						141-79-7
Methane sulfonic acid						75-75-2
Methomyl						16752-77-5
p-Methoxyphenol						150-76-5
Methyl acrylate						96-33-3
4,4'-Methylene-bis-(2-chloroaniline)						101-14-4
4,4'-Methylenediphenyl diisocyanate (diphenyl methane diisocyanate)						101-68-8
4,4'-Methylenedianiline						101-77-9
Methylene diphenylamine (MDA).						
5-Methylfurfural						620-02-0
Methylhydrazine						60-34-4
Methyliminoacetic acid.						
Methyl methane sulfonate						66-27-3
1-Methyl-2-methoxyaziridine.						
Methylparathion						298-00-0
Methyl sulfuric acid (sulfuric acid, dimethyl ester)						77-78-1
4-Methylthiophenol						106-45-6

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Monomethylformamide (N-methylformamide)						123-39-7
Nabam						142-59-6

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
alpha-Naphthol						90-15-3
beta-Naphthol						135-19-3
alpha-Naphthylamine						134-32-7
beta-Naphthylamine						91-59-8
Neopentyl glycol (dimethylolpropane)						126-30-7
Niacinamide						98-92-0
o-Nitroaniline						88-74-4
Nitroglycerin						55-63-0
2-Nitrophenol						88-75-5
4-Nitrophenol						100-02-7
N-Nitrosodimethylamine						62-75-9
Nitrosoguanidine						674-81-7
N-Nitroso-n-methylurea						684-93-5
N-Nitrosomorpholine (4-nitrosomorpholine)						59-89-2
Oxalic acid						144-62-7
Parathion						56-38-2
Pentaerythritol						115-77-5
Phenacetin						62-44-2
Phenol						108-95-2
Phenylacetic acid						103-82-2
m-Phenylene diamine						108-45-2
o-Phenylene diamine						95-54-5

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
p-Phenylene diamine						106-50-3
Phenyl mercuric acetate						62-38-4

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
Compound name						CAS No.
Phorate						298-02-2
Phthalic anhydride						85-44-9
alpha-Picoline (2-methyl pyridine).....						109-06-8
1,3-Propane sulfone						1120-71-4
beta-Propiolactone						57-57-8
Proporur (Baygon).....						
Propylene glycol.....						57-55-6
Pyrene						129-00-0
Pyridinium bromide						39416-48-3
Quinoline						91-22-5
Quinone (p-benzoquinone).....						106-51-4
Resorcinol						108-46-3
Simazine						122-34-9
Sodium acetate						127-09-3
Sodium formate						141-53-7
Strychnine						57-24-9
Succinic acid						110-15-6
Succinimide						123-56-8
Sulfanilic acid.....						121-47-1
Terephthalic acid						100-21-0
Tetraethyldithiopyrophosphate.....						3689-24-5
Tetraethylenepentamine						112-57-2

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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
Thiofanox						39196-18-4
Thiosemicarbazide						79-19-6
Compound name						CAS No.
2,4-Toluenediamine						95-80-7
2,6-Toluenediamine						823-40-5
3,4-Toluenediamine						496-72-0
2,4-Toluene diisocyanate						584-84-9
p-Toluic acid						99-94-5
m-Toluidine						108-44-1
1,1,2-Trichloro-1,2,2-trifluoroethane						76-13-1
Triethanolamine						102-71-6
Triethylene glycol dimethyl ether.						
Tripropylene glycol						24800-44-0
Warfarin						81-81-2
3,4-Xylenol (3,4-dimethylphenol)						95-65-8

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

insert "of this part" following "264.15(b)" and following "264.1088"	270.14(b)(5)	517.G	EQ			
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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(cont'd)

¹ At (b)(3)(iii) there is a typographical error. The internal reference to “(b)(4)(iii)” should be “(a)(4)(iii)”.

* HW064 is a Louisiana regulatory package that became final September 20, 1998. All other citations listed in this checklist are anticipated to final March 20, 1999 and are included in Louisiana regulatory package HW066.

RCRA REVISION CHECKLIST 164

Kraft Mill Steam Stripper Condensate Exclusion
 63 FR 18504-18751
 April 15, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

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

SUBPART A - GENERAL

† EXCLUSIONS

add new paragraph; condensates derived from overhead gases from kraft mill steam strippers used to comply with 40 CFR 63.446(e); exemption applies only to combustion at mill generating condensates	261.4(a)(15)	105.D.1.o	EQ			
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RCRA REVISION CHECKLIST 166

Recycled Used Oil Management Standards; Technical Correction and Clarification

63 FR 24963-24969

May 6, 1998

(RCRA Cluster VIII, non-HSWA provisions)

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						
SUBPART A - GENERAL						
† REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS						
remove both occurrences of the phrase "if it is destined to be burned for energy recovery"	261.5(j)	3913/3915 ¹ ✓			MS	
† REQUIREMENTS FOR RECYCLABLE MATERIALS						
replace "266.40(e)" with "279.11"	261.6(a)(3)(iv)(A)	4105.B.9 ✓	EQ			
replace "266.40(e)" with "279.11"	261.6(a)(3)(iv)(B)	4105.B.10 ✓	EQ			
replace "266.40(e)" with "279.11"	261.6(a)(3)(iv)(C)	4105.B.11 ✓	EQ			

¹ SQG's have more stringent regulations in the state of Louisiana than the federal regulations.

RCRA REVISION CHECKLIST 166: Recycled Used Oil
Management Standards; Technical Correction and Clarification (cont'd)

SPA 19

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 279 - STANDARDS FOR THE MANAGEMENT OF USED OIL						
SUBPART B - APPLICABILITY						

†

APPLICABILITY

completely revise paragraph; used oil containing PCBs at concentration less than 50 ppm is subject to requirements of part 279; used oil subject to part 279 may also be subject to prohibitions and requirements at 40 CFR part 761, including §761.20(d)&(e); used oil containing PCBs at concentrations of 50 ppm or greater is not subject to part 279 but is subject to 40 CFR part 761	279.10(i)	4003.I ✓	EQ			
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†

USED OIL STORAGE

insert "that is" between "environment" and "not"; insert "and" between "chapter" and "which"; replace "authorized used oil program for" with "recycled used oil management program in effect in"	279.22(d)	4013.D	EQ			
no change	279.22(d)(1)	4013.D.1	EQ			
no change	279.22(d)(2)	4013.D.2 ✓	EQ			
no change	279.22(d)(3)	4013.D.3	EQ			
remove "to prevent further releases"	279.22(d)(4)	4013.D.4	EQ			

RCRA REVISION CHECKLIST 166: Recycled Used Oil
Management Standards; Technical Correction and Clarification (cont'd)

SPA 19

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART E - STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES

† USED OIL STORAGE AT TRANSFER FACILITIES

insert "that is" between "environment" and "not"; insert a comma after "part 280"; insert "of this chapter and" after "subpart F"; replace "authorized used oil program for" with "recycled used oil management program in effect in"	279.45(h)	4035.H	✓	EQ			
no change	279.45(h)(1)	4035.H.1	✓	EQ			
replace "release" with "released"	279.45(h)(2)	4035.H.2	✓	EQ			
no change	279.45(h)(3)	4035.H.3		EQ			
no change	279.45(h)(4)	4035.H.4		EQ			

SUBPART F - STANDARDS FOR USED OIL PROCESSORS AND RE-REFINERS

† USED OIL MANAGEMENT

insert "that is" between "environment" and "not"; insert "and" between "chapter" and "which"; replace "authorized used oil program for" with "recycled used oil management program in effect in"	279.54(g)	4049.G	✓	EQ			
no change	279.54(g)(1)	4049.G.1	✓	EQ			
no change	279.54(g)(2)	4049.G.2	✓	EQ			
replace "mange" with "manage"	279.54(g)(3)	4049.G.3		EQ			
no change	279.54(g)(4)	4049.G.4		EQ			

RCRA REVISION CHECKLIST 166: Recycled Used Oil
Management Standards; Technical Correction and Clarification (cont'd)

SPA 19

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
insert "that is" between "environment" and "not"; insert a comma after "part 280"; insert "of this chapter and" after "subpart F"; replace "authorized used oil program for" with "recycled used oil management program in effect in"	279.64(g)	4069.G	EQ			
no change	279.64(g)(1)	4069.G.1	EQ			
no change	279.64(g)(2)	4069.G.2	EQ			
no change	279.64(g)(3)	4069.G.3	EQ			
no change	279.64(g)(4)	4069.G.4	EQ			

SUBPART H - STANDARDS FOR USED OIL FUEL MARKETERS

† TRACKING

replace "an on-specification used oil burner" with "the facility to which it delivers the used oil"	279.74(b)	4085.B	EQ			
no change	279.74(b)(1)	4085.B.1	EQ			
no change	279.74(b)(2)	4085.B.2	EQ			
no change	279.74(b)(3)	4085.B.3	EQ			
no change	279.74(b)(4)	4085.B.4	EQ			

RCRA REVISION CHECKLIST 167 A

Land Disposal Restrictions Phase IV –
Treatment Standards for Metal Wastes
and Mineral Processing Wastes

63 FR 28556-28753

May 26, 1998

(RCRA Cluster VIII, HSWA provisions)

Note: This rule makes changes to 40 CFR Part 148, addressing Land Disposal Restrictions for Underground Injection Programs relative to mineral processing wastes. These changes are outside the Subtitle C program and are not addressed by this Revision Checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

DEFINITIONS APPLICABLE IN THIS PART

insert "selenium, sulfides," after "except fluoride,"; delete comma after "hazardous waste"	268.2(i)	2203.Underlying Hazardous Constituent	EQ			
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DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT

add new paragraph; adding iron filings or other metallic forms of iron to lead-containing hazardous wastes to achieve land disposal restriction treatment standard for lead is a form of impermissible dilution and is prohibited; list of lead-containing wastes	268.3(d)	2207.D	EQ			
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SUBPART C - PROHIBITIONS ON LAND DISPOSAL

1 WASTE SPECIFIC PROHIBITIONS - TOXICITY CHARACTERISTIC METAL WASTES

RCRA REVISION CHECKLIST 167 A: Land Disposal Restrictions
Phase IV--Treatment Standards for Metal Wastes and Mineral Processing Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
effective August 24, 1998, the specified wastes are prohibited from land disposal	268.34(a)	2216.A	EQ			
effective May 26, 2000, the specified wastes are prohibited from land disposal	268.34(b)	2216.B	EQ			
between May 26, 1998 and May 26, 2000, newly identified characteristic wastes mixed with D004-D011 wastes, or mixed with newly identified characteristic mineral processing wastes, soil, or debris may be disposed in a landfill or surface impoundment if unit is in compliance with 268.5(h)(2)	268.34(c)	2216.C	EQ			
requirements of 268.34(a) & (b) do not apply if:	268.34(d) intro	2216.D	EQ			
wastes meet applicable treatment standards specified in part 268, subpart D	268.34(d)(1)	2216.D.1	EQ			
persons have been granted an exemption from prohibition pursuant to a petition under 268.6, with respect to wastes & units covered	268.34(d)(2)	2216.D.2	EQ			
wastes meet applicable alternate treatment standards pursuant to a petition under 268.44; or	268.34(d)(3)	2216.D.3	EQ			

RCRA REVISION CHECKLIST 167 A: Land Disposal Restrictions
Phase IV--Treatment Standards for Metal Wastes and Mineral Processing Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
persons have been granted an exemption to the effective date of a prohibition pursuant to 268.5, with respect to wastes covered by extension	268.34(d)(4)	2216.D.4	EQ			
to determine whether a hazardous waste exceeds treatment standards in 268.40, test the waste extract or entire waste, or use knowledge of the waste; if waste contains constituents in excess of applicable UTS levels of 268.48, waste is prohibited from land disposal and all requirements of 268 apply, except as specified	268.34(e)	2216.E	EQ			

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

replace "(D001-D003, and D012-D043)" with "(D001-D043)"; insert "and are not managed in a wastewater treatment system...injection well," after "Hazardous Wastes,"; replace "Table UTS," with "Table Universal Treatment Standards,"	268.40(e)	2223.E	EQ			
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RCRA REVISION CHECKLIST 167 A: Land Disposal Restrictions
Phase IV--Treatment Standards for Metal Wastes and Mineral Processing Wastes (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 paragraph; prohibited D004–D011 mixed radioactive wastes & mixed radioactive listed wastes containing metals, previously treated & put into storage, do not have to be retreated prior to land disposal	268.40(h)	2223.H	EQ			
replace existing table with the table found at 63 <u>FR</u> 28643-28738 (May 26, 1998)	268.40/Table "Treatment Standards for Hazardous Wastes"	Chapter 22. Table 2	EQ			

UNIVERSAL TREATMENT STANDARDS

Note: The revised numerical Universal Treatment Standards (UTS) for metal constituents Barium, Lead, Selenium, Beryllium, Nickel, Thallium, and Vanadium are less stringent (†) than existing standards and are optional for State adoption. The revised UTS for Cadmium, Chromium, Silver, Antimony and Zinc are more stringent. The UTS for Mercury are printed in the rule because of the ongoing discussion regarding changing the standards; however, at this time the UTS for Mercury remain unchanged.

replace existing table with the table found at 63 <u>FR</u> 28739-28750 (May 26, 1998)	268.48(a)/Table UTS	Chapter 22. Table 7	EQ			
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¹ CL 157 (62 FR 26022, May 12, 1997) removed and reserved § 268.34. The July 1, 1997 printed 40 CFR contains the section, with a note indicating the removal effective August 11, 1997. The May 26, 1998 rule (63 FR 28556) instructions indicate that §268.34 is being revised, but the entire section is new since the section was reserved at the time the rule was promulgated.

RCRA REVISION CHECKLIST 167 B

Land Disposal Restrictions Phase IV –
 Hazardous Soils Treatment Standards and Exclusions
 63 FR 28556-28753
 May 26, 1998
 (RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART A - GENERAL						
DEFINITIONS APPLICABLE IN THIS PART						
† add new paragraph; definition of soil	268.2(k)	2203.Soil	EQ			
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
† delete "Determine if the waste ...as follows:"; delete "a" after "generator of"; replace "§268.40 or §268.45" with "§268.40, §268.45, or §268.49";after "before they can be land disposed" insert "and some soils are contaminated by such hazardous wastes";after "These wastes" insert " and soils contaminated with such wastes,";after "they are managing a waste" insert "or soil contaminated with a waste,"	268.7(a)(1)	2245.A	EQ			
† insert "or contaminated soil" after "If the waste"	268.7(a)(2)	2245.B	EQ			

**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† add new paragraph; for contaminated soil certification statement should be included, signed by an authorized representative; certification statement	268.7(a)(2)(i)	2245.B.1	EQ			
† add and reserve new paragraph	268.7(a)(2)(ii)	2245.B	EQ			
† insert "or contaminated soil" after "If the waste" in the first sentence	268.7(a)(3) intro	2245.C	EQ			
1,† completely revise; for contaminated soil, with initial shipment of wastes generator must send notice & place copy in file; notice to include information in 268.7(a)(4) table	268.7(a)(3)(ii)	2245.C.1.b	EQ			
† insert "or contaminated soil" after "certain wastes" and after "hazardous wastes"	268.7(a)(4)	2245.D.	EQ			
† for entry 1, insert "Numbers" after "Waste", replace "Manifest numbers" with "Manifest Number of first shipment"; for entry 3, replace parenthetical phrase with "in characteristic wastes" and delete "✓" under 268.7(a)(4) column ; redesignate entry 8 as 9; add new 8 as indicated at 63 FR 28640	268.7(a)(4)/table	2245.D.Table	EQ			
† insert "or contaminated soil" after "prohibited waste"	268.7(a)(5)	2245.E	EQ			

**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† insert "or contaminated soil" after "that the waste"	268.7(a)(6)	2245.F	EQ			
† insert "or contaminated soil" after "For wastes"; delete "as concentrations"; delete the comma after the parenthetical phrase	268.7(b)(1)	2247.A.1	EQ			
† insert "or contaminated soil" after "For wastes"	268.7(b)(2)	2247.A.2	EQ			
† insert "or contaminated soil" after "shipment of waste"	268.7(b)(3)	2247.B	EQ			
† add new sentence & new certification statement after certification statement; a certification is also necessary for contaminated soil; certification statement	268.7(b)(4) intro	2247.C	EQ			
† add new paragraph; generators & treaters who receive a determination that contaminated soil subject to 268.49(a) no longer contains a listed hazardous waste and determine that contaminated soil no longer exhibits a characteristic of hazardous waste must:	268.7(e) intro	2246.F	EQ			
† add new subparagraph; prepare a one-time only documentation of determinations including supporting information and,	268.7(e)(1)	2246.F.1	EQ			

**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOGIS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† add new subparagraph; maintain that information in the facility files & other records for a minimum 3 years	268.7(e)(2)	2246.F.2	EQ			

SUBPART D - TREATMENT STANDARDS

VARIANCE FROM A TREATMENT STANDARD

† redesignate 268.44(h)(3) as 268.44(h)(5); add new 268.44(h)(3); for contaminated soil only, treatment would result in hazardous constituent concentrations below that necessary to minimize threats to human health and environment; treatment variances must:	268.44(h)(3) intro	2231.G.3	EQ			
† at a minimum, impose alternative land disposal restriction treatment standards that, using a reasonable maximum exposure scenario, meet the listed specifications	268.44(h)(3)(i)	2231.G.3.a	EQ			
	268.44(h)(3)(i)(A)	2231.G.3.a.i	EQ			
	268.44(h)(3)(i)(B)	2231.G.3.a.ii	EQ			
† not consider post-land-disposal controls	268.44(h)(3)(ii)	2231.G.3.b	EQ			
† add new paragraph; for contaminated soil only, treatment would result in hazardous constituent concentrations below natural background concentrations at the site of land disposal	268.44(h)(4)	2231.G.4	EQ			
† redesignate former 268.44(h)(3) as 268.44(h)(5)	268.44(h)(5)	2231.G.5	EQ			

**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
2 ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL						
† applicability; LDRs must be complied with prior to placing contaminated soil into a land disposal unit; chart describes whether compliance with LDRs is necessary prior to placing contaminated soil into a land disposal unit; add table as shown at 63 FR 28751(May 26, 1998)	268.49(a)	2236.A	EQ			
† prior to land disposal, contaminated soil identified by 268.49(a) must be treated according to 268.49(c) or 268.48 UTS applicable to contaminating waste and/or applicable characteristic; 268.49(c) treatment standards and the UTS may be modified through a variance approved under 268.44	268.49(b)	2236.B	EQ			
† treatment standards for contaminated soils; prior to land disposal, contaminated soil identified by 268.49(a) as needing to comply with LDRs must be treated according to 268.49(c)(1)-(3) or 268.48 UTS	268.49(c) intro	2236.C	EQ			

**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† all soils; prior to land disposal, all constituents subject to treatment must be treated according to standards specified	268.49(c)(1) intro	2236.C.1	EQ			
	268.49(c)(1)(A)	2236.C.1.a	EQ			
	268.49(c)(1)(B)	2236.C.1.b	EQ			
	268.49(c)(1)(C)	2236.C.1.c	EQ			
† soils that exhibit characteristic of ignitability, corrosivity or reactivity; in addition to treatment required by 268.49(c)(1), prior to land disposal soils that exhibit a characteristic must be treated to eliminate characteristic	268.49(c)(2)	2236.C.2	EQ			
† soils that contain nonanalyzable constituents; in addition to requirements of 268.49(c)(1)&(2), prior to land disposal specified treatment is required	268.49(c)(3) intro	2236.C.3	EQ			
	268.49(c)(3)(A)	2236.C.a	EQ			
	268.49(c)(3)(B)	2236.C.b	EQ			

**RCRA REVISION CHECKLIST 167 B: Land Disposal Restrictions
Phase IV--Hazardous Soils Treatment Standards and Exclusions (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† constituents subject to treatment; when applying soil treatment standards in 268.49(c), constituents subject to treatment are any listed in 268.48, Table UTS that are reasonably expected to be present, with exceptions, and are present at greater than 10 times the UTS	268.49(d)	2236.D	EQ			
† management of treatment residuals; treatment residuals from treating contaminated soil identified by 268.49(a) must be managed as follows:	268.49(e) intro	2236.E	EQ			
† soil residuals are subject to treatment standards of 268.49	268.49(e)(1)	2236.E.1	EQ			
† non-soil residuals are subject to the standards specified	268.49(e)(2) intro	2236.E.2	EQ			
	268.49(e)(2)(A)	2236.E.2.a	EQ			
	268.49(e)(2)(B)	2236.E.2.b	EQ			

¹ Note there is a typographical error at §268.7(a)(3)(ii) in the rule. The reference to "information in "268.7(a)(3) of the Generator" should be "information in column "268.7(a)(3)" of the Generator".

² The entire section 268.49 was added by 63 FR 28556, May 26, 1998.

RCRA REVISION CHECKLIST 167 C

Land Disposal Restrictions Phase IV – Corrections

63 FR 28556-28753

May 26, 1998

as amended at 63 FR 31266, June 8, 1998

(RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV-ALENT	LESS STRIN-GENT	MORE STRIN-GENT	BROADER IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART A - GENERAL						
TREATMENT SURFACE IMPOUNDMENT EXEMPTION						
replace colon after “at least annually” with a semicolon; delete second sentence beginning with “However, residues which are”	268.4(a)(2)(ii)	2237.A.2.b.i-ii ✓	EQ			
insert period after “for subsequent management” and delete remainder of sentence	268.4(a)(2)(iii)	2237.A.2.c ✓	EQ			

**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--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
TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES						
replace "restricted" with "prohibited"; after first occurrence of "or solid waste or" replace "exempt" with "is exempted"; delete comma after first occurrence of "Subtitle C regulation" and after "261.4(a)(2)"; insert "that" after "261.4(a)(2) or"; insert ", or are managed in an underground injection well regulated by the SDWA" after "CWA-equivalent,"; replace "stating" with "describing"; insert "on-site" after "facility's"; change "file" to "files"	268.7(a)(7)	2245.G ✓	EQ			
for entry 1, insert "Numbers" after "Waste", replace "Manifest numbers" with "Manifest Number of first shipment" remove "✓" from §268.7(b) column; for entry 2, replace parenthetical phrase with "in characteristic wastes"; redesignate entry 5 as 6; add new 5 as indicated at 63 FR 28640	268.7(b)(3)(ii)/Table	2245.D.Generator Paperwork Requirments Table ✓	EQ			

**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--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 paragraph; for characteristic wastes subject to 268.40 that are reasonably expected to contain 268.2(i) hazardous constituents which are treated on-site and then sent off-site, the certification must state; certification statement	268.7(b)(4)(iv)	2247.C.4 ✓	EQ			
add new paragraph; for characteristic wastes containing underlying hazardous constituents as defined in 268.2(i) that are treated on-site to hazardous constituent levels in 268.48, the certification must state; certification statement	268.7(b)(4)(v)	2247.C.5 /	EQ			
replace "treatment or storage" with "treatment, storage, or disposal"; insert comma after second occurrence of "storage"	268.7(b)(5)	2247.D ✓	EQ			
¹ replace both references to "(b)(4)" with "(b)(3)"; replace reference to "(b)(5)" with "(b)(4)"	268.7(b)(6)	2247.E /	EQ			

**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--Corrections (cont'd)**

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

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

2 replace "(D001-D003, and D012-D043)" with "(D001-D043)"; insert "and are not managed in a wastewater treatment system...injection well," after "Hazardous Wastes,"; replace "Table UTS," with "Table Universal Treatment Standards,"	268.40(e)	2223.E ✓	EQ			
2 replace existing table with the table found at 63 FR 28643-28738 (May 26, 1998)	268.40/table "Treatment Standards for Hazardous Wastes"	Chapter 22.Table 2 ✓	EQ			

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

remove "paragraphs (a)(1) and (a)(2) of this section and in"; replace "in paragraphs (a)(1) and (a)(2) and Table 1 of this section" with "in the table entitled "Technology... Standards" in this section"	268.42(a)	2227.A ✓	EQ			
remove	268.42(a)(1) - (a)(3)	2227.A.1-3 ✓	EQ			

TREATMENT STANDARDS FOR HAZARDOUS DEBRIS

replace reference to "261.3(e)(2)" with "261.3(f)(2)"	268.45(a) intro	2230.A ✓	EQ			
insert "treatment" after "meet the"; replace "under §268.43" with "in 'Treatment Standards for Hazardous Wastes' at §268.40"	268.45(d)(3)	2230.D.3 ✓	EQ			

**RCRA REVISION CHECKLIST 167 C: Land Disposal Restrictions
Phase IV--Corrections (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
replace "technology-based standards for ... under §268.42" with "technology specified in the treatment standard for D001: Ignitable Liquids"	268.45(d)(4)	2230.D.4 ✓	EQ			

UNIVERSAL TREATMENT STANDARDS

2 replace existing table with the table found at 63 FR 28739-28750 (May 26, 1998)	268.48(a)/table UTS	Chapter 22.Table 7 ✓	EQ			
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APPENDIX VII TO PART 268

remove entries for waste code F033; revise second entry for F032, second entry for F034, first entry for K088, entries for D003-D011; add two entries for F035	Appendix VII, Table 1	³ N/A ✓	EQ			
revise entry number 9 and add entries 12 and 13	Appendix VII, Table 2	³ N/A ✓	EQ			

APPENDIX VIII TO PART 268

revise title; add in alphanumeric order the entry for "NA"	Appendix VIII	³ N/A ✓	EQ			
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¹ The internal reference at 268.7(b)(6) has incorrectly been changed from "266.20(b)" to "268.20(b)". There is no 40 CFR 268.20; therefore, the original reference appears to have been correct and should be retained.

² Revisions made at 268.40(e), and the replacement of the 268.40 and 268.48 tables, are included on both Revision Checklists 167A and 167C as revisions were made to these tables both because of changes due to the new LDR Phase IV restrictions and because of corrections needed to the existing tables.

³ There is no state equivalent. These tables are optional and merely suggest additional technology available, while the state chooses to continue using the standard technology. Additionally, Appendix VIII have listed effective dates that do not correspond to the state regulations.

RCRA REVISION CHECKLIST 167 D

Mineral Processing Secondary Materials Exclusion

63 FR 28556-28753

May 26, 1998

(RCRA Cluster VIII, non-HSWA provisions)

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						
SUBPART A - GENERAL						
DEFINITION OF SOLID WASTE						
†,1 insert "(except as provided under 40 CFR 261.4(a)(15)). Materials noted with a "-" in column 3 of Table 1 are not solid wastes when reclaimed (except as provided under 40 CFR 261.4(a)(15))" at end of sentence	261.2(c)(3)	109.Solid Waste.3.c ✓	EQ			
†,1 revise Table 1 by inserting in third column heading "(except as provided in 261.4(a)(15) for mineral processing secondary materials)" following "Reclamation (§ 261.2(c)(3))"	261.2(c)(4)/Table	109.Solid Waste.Table 1 ✓	EQ			
†,1 completely revise; where materials are generated and reclaimed within the primary mineral processing industry, the conditions of the exclusion at 261.4(a)(15) apply	261.2(e)(1)(iii)	109.Solid Waste.5.a.iii ✓	EQ			

**RCRA REVISION CHECKLIST 167 D: Mineral Processing Secondary
Materials Exclusion (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
EXCLUSIONS						
† add new paragraph; secondary materials generated within the primary mineral processing industry from which minerals, acids, cyanide, water or other values are recovered, provided that:	261.4(a)(16) intro	105.D.1.p ✓	EQ			
† add new subparagraph; secondary material is legitimately recycled to recover minerals, acids, cyanide, water or other values	261.4(a)(16)(i)	105.D.1.p.i ✓	EQ			
† add new subparagraph; secondary material is not accumulated speculatively	261.4(a)(16)(ii)	105.D.1.p.ii ✓	EQ			
† add new subparagraph; except as provided in 261.4(a)(15)(iv), the secondary material is stored in tanks, containers, or buildings meeting the specified minimum integrity standards; if tanks or containers contain particulate subject to wind dispersal, owner/operator must operate units in a manner which controls fugitive dust; units must be designed, constructed and operated to prevent significant releases to the environment of these materials	261.4(a)(16)(iii)	105.D.1.p.iii ✓	EQ			

**RCRA REVISION CHECKLIST 167 D: Mineral Processing Secondary
Materials Exclusion (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; Regional Administrator or State Director may make a site-specific determination that only solid mineral processing secondary materials may be placed on pads, rather than in tanks, containers, or buildings; solid mineral processing secondary materials do not contain free liquid; pads must be designed, constructed & operated to prevent significant releases and provide same degree of containment afforded the non-RCRA tanks, containers & buildings eligible for exclusion	261.4(a)(16)(iv) ✓	105.D.1.p.iv	EQ			
† add new subparagraph; environmental considerations for pads	261.4(a)(16)(iv)(A) ✓	105.D.1.p.iv.(a)	EQ			
† add new subparagraph; minimum standards for pads	261.4(a)(16)(iv)(B) ✓	105.D.1.p.iv.(b)	EQ			
† add new subparagraph; notice and comment opportunity requirements before decision	261.4(a)(16)(iv)(C) ✓	105.D.1.p.iv.(c)	EQ			
† add new paragraph; owner/operator provides notice to Regional Administrator or State Director identifying specified information; notification must be updated when type of materials recycled or location changes	261.4(a)(16)(v) ✓	105.D.1.p.iv.(d)	EQ			

**RCRA REVISION CHECKLIST 167 D: Mineral Processing Secondary
Materials Exclusion (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 paragraph; for purposes of 261.4(b)(7), mineral processing secondary materials must be the result of mineral processing & may not contain listed hazardous wastes; listed & characteristic hazardous wastes generated by non-mineral processing industries are not eligible for exclusion	261.4(a)(16)(vi) ✓	105.D.1.p.vi	EQ			

¹ Note that there are typographical errors at 261.2(c)(3), 261.2(c)(4) and 261.3(a)(2)(i). All three subparagraphs refer to "261.4(a)(15)", the Kraft Mill Steam Strippers exclusion, when they should be referring to "261.4(a)(16)" the exclusion for secondary materials generated by the primary mineral processing industry.

RCRA REVISION CHECKLIST 167 E

Bevill Exclusion Revisions and Clarifications

63 FR 28556-28753

May 26, 1998

(RCRA Cluster VIII, non-HSWA provisions)

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						
SUBPART A - GENERAL						
DEFINITION OF HAZARDOUS WASTE						
following "identified in subpart C", replace "except that" with "of this part. However,";						
following "under subpart C", replace "of this part" with "is a hazardous waste"; in second sentence, insert a comma following "had not occurred"	261.3(a)(2)(i)	109.Hazardous Waste.2.a	EQ			
remains unchanged even though included in this rule	261.3(a)(2)(iii)	109.Hazardous Waste.2.c	EQ			
EXCLUSIONS						
† revise 261.4(b)(7) as 261.4(b)(7), (b)(7)(i), & (b)(7)(ii); new 261.4(b)(7) is now unchanged first sentence of old 261.4(b)(7)	261.4(b)(7) intro	105.D.2.h	EQ			

RCRA REVISION CHECKLIST 167 E: Bevill Exclusion Revisions and Clarifications (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† new 261.4(b)(7)(i) is second sentence of old 261.4(b)(7) with the following revisions: delete comma following “§261.4(b)(7)” ; replace colon following “activities” with a semicolon; use lower case with “crushing”	261.4(b)(7)(i)	105.D.2.h.i	EQ			
† new 261.4(b)(7)(ii) is third sentence of old 261.4(b)(7) with the following revisions: insert “as generated” after “the following wastes”	261.4(b)(7)(ii)	105.D.2.h.ii	EQ			
† redesignate old 261.4(b)(7)(i) - (xx) as 261.4(b)(7)(ii)(A) - (T)	261.4(b)(7)(ii)(A) - (T)	105.D.2.h.ii.(a).-(t).	EQ			
† add new paragraph; a residue derived from co-processing mineral processing secondary materials with normal beneficiation raw materials remains excluded under 261.4(b) if owner/operator meets specified conditions	261.4(b)(7)(iii)	105.D.2.h.iii	EQ			
	261.4(b)(7)(iii)(A)	105.D.2.h.iii.(a).	EQ			
	261.4(b)(7)(iii)(B)	105.D.2.h.iii.(b).	EQ			

RCRA REVISION CHECKLIST 167 F

Exclusion of Recycled Wood Preserving Wastewaters
 63 FR 28556-28753
 May 26, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

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						
SUBPART A - GENERAL						
EXCLUSIONS						
† add new paragraph; prior to reuse, wood preserving wastewaters and spent wood preserving solutions described in 261.4(a)(9)(i)&(ii), so long as they meet all specified conditions	261.4(a)(9)(iii)	105.D.1.i.iii	EQ			
	261.4(a)(9)(iii)(A)	105.D.1.i.iii(a)	EQ			
	261.4(a)(9)(iii)(B)	105.D.1.i.iii(b)	EQ			
	261.4(a)(9)(iii)(C)	105.D.1.i.iii(c)	EQ			
	261.4(a)(9)(iii)(D)	105.D.1.i.iii(d)	EQ			
	261.4(a)(9)(iii)(E)	105.D.1.i.iii.(e)	EQ			

RCRA REVISION CHECKLIST 168

Hazardous Waste Combustors Revised Standards
 63 FR 33782 - 33829
 June 19, 1998
 (RCRA Cluster VIII, non-HSWA provisions)

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 A - GENERAL						
EXCLUSIONS						
1,† add paragraph; comparable fuels or syngas fuels that meet requirements of 261.38	261.4(a)(16)(17) <i>(a)(16) is correct</i>	105.D.1.q	EQ			
2,† COMPARABLE/SYNGAS FUEL EXCLUSION						
wastes meeting following comparable/syngas fuel requirements are not solid wastes:	261.38 intro	4909	EQ			
comparable fuels; physical and constituent specifications	261.38(a) intro	4909.A-A.2	EQ			
	261.38(a)(1) intro					
	261.38(a)(1)(i)					
	261.38(a)(1)(ii)					
	261.38(a)(2)					
synthesis gas fuel specifications	261.38(b) intro	4909.B-B.5	EQ			
	261.38(b)(1)					
	261.38(b)(2)					
	261.38(b)(3)					
	261.38(b)(4)					
	261.38(b)(5)					
Detection and Detection Limit Values for Comparable Fuel Specification	261.38/Table 1	Chapter 49.Table 7	EQ			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
implementation; waste meeting comparable or syngas fuel specification is excluded from the definition of solid waste provided following requirements are met:	261.38(c) intro	4909.C	EQ			
notices; person claiming and qualifying for exclusion is comparable/syngas fuel generator; person burning fuel is comparable/syngas burner; generator must claim and certify exclusion	261.38(c)(1)	4909.C.1	EQ			
State RCRA and CAA Directors in authorized States or Regional RCRA and CAA Directors in unauthorized States	261.38(c)(1)(i) intro	4909.C.1.a	EQ			
generator must submit one-time notice certifying compliance with conditions of exclusion and providing required documentation	261.38(c)(1)(i)(A)	4909.C.1.a.i	EQ			
generator shall specify facility(ies) generating comparable/syngas fuel	261.38(c)(1)(i)(B)	4909.C.1.a.ii	EQ			
generator's notification requirements	261.38(c)(1)(i)(C) intro	4909.C.1.a.iii, 4909.C.1.a.iii.(a)-(d)	EQ			
	261.38(c)(1)(i)(C)(1)					
	261.38(c)(1)(i)(C)(2)					
	261.38(c)(1)(i)(C)(3)					
	261.38(c)(1)(i)(C)(4)					

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
public notice; prior to burning excluded comparable/syngas fuel, burner must publish notice; information requirements	261.38(c)(1)(ii) intro	4909.C.1.b, 4909.C.1.b.i-v	EQ			
	261.38(c)(1)(ii)(A)					
	261.38(c)(1)(ii)(B)					
	261.38(c)(1)(ii)(C)					
	261.38(c)(1)(ii)(D)					
	261.38(c)(1)(ii)(E)					
burning; exclusion for comparable/syngas fuel applies only if fuel is burned in units subject to Federal/State/local air emission requirements, including applicable CAA MACT requirements	261.38(c)(2) intro	4909.C.2	EQ			
industrial furnaces as defined in § 260.10	261.38(c)(2)(i)	4909.C.2.a	EQ			
boilers as defined in § 260.10, and	261.38(c)(2)(ii) intro	4909.C.2.b	EQ			
industrial boilers located on facility site engaged in manufacturing process where substances are transformed into new products, including component parts of products, by mechanical or chemical processes; or	261.38(c)(2)(ii)(A)	4909.C.2.b.i	EQ			
utility boilers used to produce electric power, steam, heated or cooled air, or other gases or fluids for sale	261.38(c)(2)(ii)(B)	4909.C.2.b.ii	EQ			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
hazardous waste incinerators subject to regulation under subpart O of parts 264 and 265, or applicable CAA MACT standards	261.38(c)(2)(iii)	4909.C.2.c	EQ			
blending to meet viscosity specification; hazardous waste blending requirements	261.38(c)(3) intro	4909.C.3, 4909.C.3.a-c	EQ			
	261.38(c)(3)(i)					
	261.38(c)(3)(ii)					
	261.38(c)(3)(iii)					
treatment to meet comparable fuel exclusion specifications	261.38(c)(4) intro	4909.C.4	EQ			
hazardous waste may be treated to meet exclusion specification if standards are met; treatment standards	261.38(c)(4)(i) intro	4909.C.4.a, 4909.C.4.a.i-iii	EQ			
	261.38(c)(4)(i)(A)					
	261.38(c)(4)(i)(B)					
	261.38(c)(4)(i)(C)					
residuals resulting from treatment of listed subpart D hazardous waste to generate a comparable fuel remain hazardous waste	261.38(c)(4)(ii)	4909.C.4.b	EQ			
generation of a syngas fuel	261.38(c)(5) intro	4909.C.5	EQ			
syngas fuel can be generated from processing hazardous wastes to meet exclusion specification; processing standards	261.38(c)(5)(i) intro	4909.C.5.a, 4909.C.5.a.i-iii	EQ			
	261.38(c)(5)(i)(A)					
	261.38(c)(5)(i)(B)					
	261.38(c)(5)(i)(C)					
residuals resulting from treatment of listed subpart D hazardous waste to generate a comparable fuel remain hazardous waste	261.38(c)(5)(ii)	4909.C.5.b	EQ			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
dilution prohibition for comparable/syngas fuels	261.38(c)(6)	4909.C.6	EQ			
waste analysis plans; generator shall develop and follow written waste analysis plan; plan shall be developed in accordance with SW-846 and followed/retained at facility excluding waste	261.38(c)(7) intro	4909.C.7	EQ			
minimum specifications for waste analysis plan	261.38(c)(7)(i) intro	4909.C.7.a, 4909.C.7.a.i-v	EQ			
	261.38(c)(7)(i)(A)					
	261.38(c)(7)(i)(B)					
	261.38(c)(7)(i)(C)					
	261.38(c)(7)(i)(D)					
	261.38(c)(7)(i)(E)					
waste analysis plan recording requirements	261.38(c)(7)(ii) intro	4909.C.7.b, 4909.C.7.b.i-viii	EQ			
	261.38(c)(7)(ii)(A)					
	261.38(c)(7)(ii)(B)					
	261.38(c)(7)(ii)(C)					
	261.38(c)(7)(ii)(D)					
	261.38(c)(7)(ii)(E)					
	261.38(c)(7)(ii)(F)					
	261.38(c)(7)(ii)(G)					
	261.38(c)(7)(ii)(H)					

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
waste analysis plan shall be submitted prior to performing sampling, analysis or management of syngas fuel as excluded waste; approval of plan must be in writing and received by facility prior to sampling and analysis; plan approval may contain provisions and conditions as regulatory authority deems appropriate	261.38(c)(7)(iii)	4909.C.7.c	EQ			
comparable fuel sampling and analysis	261.38(c)(8) intro	4909.C.8	EQ			
for each excluded waste generator must test for constituents in Part 261 Appendix VIII, except those generator determines by testing or knowledge to not be present in waste; generator required to document basis of each decision; generator may not determine certain categories of constituents should not be present	261.38(c)(8)(i) intro	4909.C.8.a, 4909.C.8.a.i-iv	EQ			
	261.38(c)(8)(i)(A)					
	261.38(c)(8)(i)(B)					
	261.38(c)(8)(i)(C)					
	261.38(c)(8)(i)(D)					
for each excluded waste where generator of comparable/syngas fuel is not original generator, generator of comparable/syngas fuel may not use process knowledge and must test to determine constituent specifications	261.38(c)(8)(ii)	4909.C.8.b	EQ			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
generator may use any reliable analytical method to demonstrate no constituent of concern is present above specification levels; responsibility of generator to ensure unbiased, precise, and representative sampling and analysis; waste is eligible for exclusion if:	261.38(c)(8)(iii) intro	4909.C.8.c	EQ			
each constituent of concern is not present above specification level at 95% upper confidence limit around mean, and	261.38(c)(8)(iii)(A)	4909.C.8.c.i	EQ			
analysis could have detected presence of constituent at or below specification level at 95% upper confidence limit around mean	261.38(c)(8)(iii)(B)	4909.C.8.c.ii	EQ			
nothing preempts, overrides or negates 262.11 provision which requires generators of solid waste to determine if waste is hazardous waste	261.38(c)(8)(iv)	4909.C.8.d	EQ			
in enforcement action, burden of proof to establish conformance with exclusion specification shall be on generator	261.38(c)(8)(v)	4909.C.8.e	EQ			
generator must conduct sampling and analysis in accordance with waste analysis plan	261.38(c)(8)(vi)	4909.C.8.f	EQ			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
syngas and comparable fuel not blended to meet kinematic viscosity specification shall be analyzed as generated	261.38(c)(8)(vii)	4909.C.8.g	EQ			
if comparable fuel blended to meet kinematic viscosity specification generator shall:	261.38(c)(8)(viii) intro	4909.C.8.h	EQ			
analyze fuel as generated to ensure meeting constituent and heating value specifications	261.38(c)(8)(viii)(A)	4909.C.8.h.i	EQ			
after blending, analyze fuel again to ensure blended fuel meets comparable/syngas fuel specifications	261.38(c)(8)(viii)(B)	4909.C.8.h.ii	EQ			
excluded comparable/syngas fuel must be re-tested at least annually and after a process change that could change chemical or physical properties of waste	261.38(c)(8)(ix)	4909.C.8.i	EQ			
speculative accumulation; any persons handling comparable/syngas fuel are subject to speculative accumulation test under 261.2(c)(4)	261.38(c)(9)	4909.C.9	EQ			
records; generator must maintain certain records on-site	261.38(c)(10) intro	4909.C.10	EQ			
information required to be submitted to implementing authority as part of notification of claim	261.38(c)(10)(i) intro	4909.C.10.a, 4909.C.10.a.i-iii	EQ			
	261.38(c)(10)(i)(A)					
	261.38(c)(10)(i)(B)					
	261.38(c)(10)(i)(C)					

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
brief description of process generating hazardous waste and process generating excluded fuel, if not same	261.38(c)(10)(ii)	4909.C.10.b	EQ			
estimate of average and maximum monthly and annual quantities of each waste claimed for exclusion	261.38(c)(10)(iii)	4909.C.10.c	EQ			
documentation for any claim that constituent is not present in hazardous waste	261.38(c)(10)(iv)	4909.C.10.d	EQ			
results of all analyses and all detection limits achieved	261.38(c)(10)(v)	4909.C.10.e	EQ			
required documentation if excluded waste was generated through treatment or blending	261.38(c)(10)(vi)	4909.C.10.f	EQ			
certification from burner if waste is shipped off-site	261.38(c)(10)(vii)	4909.C.10.g	EQ			
waste analysis plan and results of sampling and analysis	261.38(c)(10)(viii) intro	4909.C.10.h	EQ			
required analysis and sampling information	261.38(c)(10)(viii)(A)	4909.C.10.h.a, 4909.C.10.h.a.i-viii	EQ			
	261.38(c)(10)(viii)(B)					
	261.38(c)(10)(viii)(C)					
	261.38(c)(10)(viii)(D)					
	261.38(c)(10)(viii)(E)					
	261.38(c)(10)(viii)(F)					
	261.38(c)(10)(viii)(G)					
	261.38(c)(10)(viii)(H)					

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
if fuel is shipped off-site for burning, generator must retain shipment information on-site; information requirements	261.38(c)(10)(ix) intro	4909.C.10.i.a, 4909.a.i-v	EQ			
	261.38(c)(10)(ix)(A)					
	261.38(c)(10)(ix)(B)					
	261.38(c)(10)(ix)(C)					
	261.38(c)(10)(ix)(D)					
	261.38(c)(10)(ix)(E)					
records retention; records must be maintained for three years; generator must maintain current waste analysis plan during three-year period	261.38(c)(11)	4909.c.11	EQ			
burner certification; prior to submitting notification, generator intending to ship fuel off-site for burning must obtain one-time written, signed statement from burner; certification information requirements	261.38(c)(12) intro	4909.C.12.a, 4909.C.12.a.i-iii	EQ			
	261.38(c)(12)(i)					
	261.38(c)(12)(ii)					
	261.38(c)(12)(iii)					
ineligible waste codes; wastes listed because of presence of dioxins or furans are not eligible for exclusion, and fuel produced from or containing these wastes remains hazardous waste subject to full RCRA requirements	261.38(c)(13)	4909.C.13	EQ			

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (cont'd)

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

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART D - CHANGES TO PERMITS

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

† add new paragraph; combustion facility changes to meet part 63 MACT standards; procedures apply to hazardous waste combustion facility permit modifications requested under Appendix I of 270.42, section L(9)	270.42(j) intro	321.C.10 ✓	EQ			
	270.42(j)(1)	321.C.10.a ✓	EQ			
	270.42(j)(2)	321.C.10.b ✓	EQ			
† add entry L(9) as follows:	270.42 Appendix I	322.L.9 ✓	EQ			

Modification												Class	
*	*	*	*	*	*	*	*	*	*	*	*	*	
L. Incinerators, Boilers, and Industrial Furnaces												1	
*	*	*	*	*	*	*	*	*	*	*	*	*	
9.	Technology Changes Needed to meet Standards under 40 CFR part 63 (Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors), provided the procedures of §270.42(i) are followed.												
*	*	*	*	*	*	*	*	*	*	*	*	*	

¹ Class 1 modifications requiring Agency prior approval.

RCRA REVISION CHECKLIST 168: Hazardous Waste Combustors
Revised Standards (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 G - INTERIM STATUS

CHANGES DURING INTERIM STATUS

† add paragraph; changes necessary to comply with standards under 40 CFR part 63, Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors	270.72(b)(8)	4303.B.8	EQ			
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- 1 There is a typographical error in the 63 FR 33782 (6/19/98) rule. The new paragraph 261.4(a)(16) should be numbered 261.4(a)(17). Paragraph 261.4(a)(16) was added by 63 FR 28556 (May 26, 1998, Revision Checklist 167).
- 2 The entire section at 40 CFR 261.38 was added by the June 19, 1998 rule (63 FR 33782; Revision Checklist 168).