

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 50

Land Disposal Restrictions for First Third Scheduled Wastes

53 FR 31138-31222

August 17, 1988

as amended on February 27, 1989, at 54 FR 8264-8266
(HSWA Cluster II)

Notes: 1) The "First Third" Scheduled Waste rule addressed by this checklist is the third in a series of rules restricting the land disposal of hazardous waste. Previous related checklists include Revision Checklists 34 and 39. The First Third Scheduled Waste rule was subsequently modified by corrections at 54 FR 18836, and 54 FR 36967 addressed by Revision Checklists 62 and 66, respectively. Also, related to this present checklist are the Second Third Scheduled Wastes (54 FR 26594, Revision Checklist 63) and the Third Third Scheduled Waste (55 FR 22520, Revision Checklist 78). Revision Checklists 66 and 78 are not yet finalized.

2) Certain sections or paragraphs of the land disposal restrictions are not delegable, specifically §§268.5, 268.42(b) and 268.44. These continue to be nondelegable. With regard to §268.6, "no-migration" petitions, EPA will continue to handle these petitions at Headquarters although States may be authorized to grant these petitions in the future.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART B - GENERAL WASTE ANALYSIS

GENERAL WASTE ANALYSIS

clarify language and apply testing to soft hammer wastes in treatment surface impoundments	264.13(b)(7) (iii)	HWMR- 7 PART V § 501	X ✓		
apply to wastes that do not meet treatment standards	264.13(b)(7) (iii)(A)	" "	X ✓		
apply to wastes for which no treatment standards are established	264.13(b)(7) (iii)(B)	" "	X ✓		
prohibited disposal of residues under 268.32 or 3004(d)	264.13(b)(7) (iii)(B)(1)		✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
prohibited disposal of residues under 268.33(f)	264.13(b)(7) (iii)(B)(2)	HWMR- 7 PART V § 501	X ✓		

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

1 OPERATING RECORD

remove "or" after 268.5; add clause on 268.8 certification; add "applicable" before "notice required"; change "268.7(a)(3)" to "268.7(a)"	264.73(b)(10)	HWMR- 7 PART V § 501	X ✓		
add "and the certi- fication and demon- stration, if applicable" and "or the owner or operator"; change "268.7(a)(1) to "268.7 or 268.8"	264.73(b)(11)	" "	X ✓		
add 1) clause on certification/ demonstration, and 2) "or the owner or operator"; substitute "268.7 or 268.8" for "268.7(a)(1)"; change placement of "except the manifest number," excluding the word "for."	264.73(b)(12)	" "	X ✓		
add "and demonstra- tion if applicable"; move reference to generator; replace "268.7(b)(1) and (2)" and "268.7(a)(2)" with "268.7 and 268.8, whichever is applicable"	264.73(b)(13)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change structure; add specific mention of "the generator" moving the place- ment of the refer- ence to "treater" and replacing it with "or owner or operator of a treatment facility"; replace "268.7(a)(2)" and "268.7(b)(1)" with "268.7"; add clause on certification/ demonstration referencing 268.8	264.73(b)(14)	HWMR- 7 PART V § 501	X ✓		
add new paragraph on off-site storage facility requirements	264.73(b)(15)	" "	X ✓		
add new paragraph on on-site storage facility requirements	264.73(b)(16)	" "	X ✓		

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

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

clarify language and apply testing to soft hammer wastes in treatment surface impoundments	265.13(b)(7) (iii)	HWMR- 7 PART VI § 601	X ✓		
apply to wastes that do not meet treatment standards	265.13(b)(7) (iii)(A)	" "	X ✓		
apply to wastes for which no treatment standards are established	265.13(b)(7) (iii)(B)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
prohibited disposal of residues under 268.32 or 3004(d)	265.13(b)(7) (iii)(B)(1)	HWMR- 7 PART VI § 601	X		
prohibited disposal : of residues under 268.33(f)	265.13(b)(7) (iii)(B)(2)	" "	X		

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

1 OPERATING RECORD					
after 268.5 replace 1) "or" with "monitoring data required pursuant to" and 2) "pur- suant to" with "under"; insert clause on certifi- cation after "268.8"; add "applicable" before "notice"; replace "268.7(a)(3)" with "268.7(a)"	265.73(b)(8)	HWMR- 7 PART VI § 601	X		
add 1) "a copy of" before "the notice." 2) "and the certi- fication and demonstration if applicable" after "the notice" and 3) "or the owner or operator" after "generator"; replace "268.7(a)(1)" with "268.7 or 268.8"	265.73(b)(9)	HWMR- 7 PART VI § 601	X		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add 1) clause on certification/ demonstration, after "notice" and 2) "or the owner or operator" after "generator"; move manifest number clause; substitute "268.7 or 268.8" for "268.7(a)(1)"	265.73(b)(10)	HWMR- 7 PART VI § 601	X ✓		
add 1) "a copy of" before "notice" and 2) "and demon- stration if applicable" after "certification"; restructure para- graph and move reference to generator; replace "268.7(b)" and "268.7(a)(2)" with 268.7 or 268.8"	265.73(b)(11)	" "	X ✓		
restructure para- graph moving clause on manifest number and placement of "treatment facility"; add 1) "owner or operator of a" before "treatment facility" and 2) "and the certifica- tion and demonstra- tion if applicable" before "required"; replace "268.7(a)(2)" and "268.7(b)(2)" with "268.7 or 268.8";	265.73(b)(12)	" "	X ✓		
add new paragraph on requirements for off-site storage facilities	265.73(b)(13)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph on requirements for on-site storage facilities	265.74(b)(14)	HWMR- 7 PART VII § 601	X		

PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

add language to reflect that products for general public's use are not subject to regulation if they meet treatment requirements of 268 Subpart D or prohibition levels of 268.32 or 3004(d) where no treatment standards; zinc-containing fertilizers using K061 not subject to this requirement	266.20(b)	HWMR- 7 PART VII § 701	X		
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

2 PURPOSE, SCOPE, AND APPLICABILITY

remove old 268.1(c)(3); redesignate 268.1(c)(4) as 268.1(c)(3)	268.1(c)(3)	HWMR- 7 PART VIII §801	X		
redesignate old 268.1(c)(5) as 268.1(c)(4) and revise	268.1(c)(4)	" "	X		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add new 268.1(c)(5)-- landfills/surface impoundments, in compliance with 268.8 with respect to wastes not subject to specific treatment standards or prohibitions	268.1(c)(5)	HWMR- 7 PART VIII §801	X ✓		
add new paragraph preserving waiver availability under 121(d)(4)	268.1(d)	" "	X ✓		

TREATMENT SURFACE IMPOUNDMENT EXEMPTION

clarify language and revise to apply to soft hammer wastes to treatment surface impoundments that meet a list of conditions:	268.4(a)(2)	HWMR- 7 PART VIII §801	X ✓		
sampling and testing requirements for wastes with and without treatment standards; super- natant and sludge samples tested separately	268.4(a)(2)(I)	" "	X ✓		
annual removal of specific residues; residues subject to valid certifica- tion; flow-through standard of removal for supernatant	268.4(a)(2)(II)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
requirements for subsequent management of treatment residues in another impoundment prohibited unless certification under 268.8 and standards of 268.8(a) are met	268.4(a)(2)(iii)	HWMR- 7 PART VIII §801	X ✓		
recordkeeping requirements must be specified in the facility's waste analysis plan	268.4(a)(2)(iv)	" "	X ✓		
3 WASTE ANALYSIS AND RECORDKEEPING					
clarify language and provide exception to section 268.43 testing requirements	268.7(a)	HWMR- 7 PART VIII §801	X ✓		
remove the clause after "treatment standards" which ends with "exceeds" and insert "set forth in Subpart D of this part or exceeds"; insert "or storage" after "treatment"; remove "of this part" after "268.32" and "section" before "3004(d)"	268.7(a)(1)	" "	X ✓		
insert "treatment storage, or" before "land disposal facility"; insert "levels" after "prohibition"; remove "of this part" after "268.32" and "section" before "3004(d)"	268.7(a)(2)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
remove "an extension under §268.1(c)(3)"; insert "with each shipment of waste"; after "Subpart C"; replace "forward" with "submit"; remove "with the waste" and "land disposal"; add new notice requirements for facility receiving the waste	268.7(a)(3)	HWMR- 7 PART VIII §801	X ✓		
EPA hazardous waste number	268.7(a)(3)(i)	" "	X ✓		
treatment standards and applicable 268.32 or 3004(d) prohibition	268.7(a)(3)(ii)	" "	X ✓		
manifest number of shipment	268.7(a)(3)(iii)	" "	X ✓		
waste analysis data	268.7(a)(3)(iv)	" "	X ✓		
date waste is subject to prohibition	268.7(a)(3)(v)	" "	X ✓		
redesignate old 268.7(a)(4) as 268.7(a)(5); add new paragraph 268.7(a)(4) requires generator notification for 268.33(f) only prohibited wastes	268.7(a)(4)	" "	X ✓		
EPA hazardous waste number	268.7(a)(4)(i)	" "	X ✓		
applicable 268.33(f) prohibitions	268.7(a)(4)(ii)	" "	X ✓		
manifest number of shipment	268.7(a)(4)(iii)	" "	X ✓		
waste analysis data	268.7(a)(4)(iv)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add new requirement for retention of waste analysis data on-site in files	268.7(a)(5)	HWMR- 7 PART VIII §801	X		
add five-year retention period for notices, certifications, demonstrations, etc. produced relative to 268.7; extensions during enforcement actions	268.7(a)(6)	" "	X		
clarify language and applicability of testing requirements	268.7(b)	" "	X		
redesignate old 268.7(b)(1) as 268.7(b)(4); add new paragraph 268.7(b)(1) derived from old 268.7(b) on testing when standards are expressed as concentrations in waste extract	268.7(b)(1)	" "	X		
redesignate old 268.7(b)(2) as 268.7(b)(5); add new paragraph 268.7(b)(2) derived in part from old 268.7(b) on testing of 268.32 or 3004(d) prohibited wastes not subject to Subpart D treatment standards	268.7(b)(2)	" "	X		
add new paragraph on testing for wastes with treatment standards expressed as concentrations in waste	268.7(b)(3)	" "	X		
old 268.7(b)(1) redesignated as 268.7(b)(4)	268.7(b)(4)	" "	X		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
old 268.7(b)(2) redesignated as 268.7(b)(5)	268.7(b)(5)	HWMR- 7 PART VIII §801	X	✓	
add new paragraph for compliance with generator notice/certification requirements if waste sent off-site	268.7(b)(6)	" "	X	✓	
notification with each shipment for waste subject to 268.33(f), but not subject to 268.32	268.7(b)(7)	" "	X	✓	
EPA hazardous waste number	268.7(b)(7)(i)	" "	X	✓	
applicable 268.33(f) prohibitions	268.7(b)(7)(ii)	" "	X	✓	
manifest number of waste shipment	268.7(b)(7)(iii)	" "	X	✓	
waste analysis data	268.7(b)(7)(iv)	" "	X	✓	
no 268.7(b)(4) notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administra- tor; records of recipients of waste derived products	268.7(b)(8)	" "	X	✓	
clarify language	268.7(c)	" "	X	✓	
have copies of notice under 268.7(a) or (b) and certifica- tions in 268.8 if applicable	268.7(c)(1)	" "	X	✓	

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
retain rest of old 268.7(c), starting with "test the waste," and designate as 268.7(c)(2)	268.7(c)(2)	HWMR- 7 PART VIII §801	X		
waste subject to 268.33(f) prohibitions, but not 268.32 prohibitions or subject to certification prior to disposal in landfill or surface impoundment unit and disposal is in accordance with 268.5(h)(2); same for wastes subject to 268.33(f) and 3004(d) prohibitions or codified 268.32 prohibitions	268.7(c)(3)	" "	X		

LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS

disposal of 268.33(f) prohibited wastes in landfills or surface impoundments in compliance with 268.5(h)(2) if requirements of 268.8 are met	268.8(a)	HWMR- 7 PART VIII §801	X		
good faith generator effort to contract with treatment and recovery facilities providing greatest environmental benefit	268.8(a)(1)	" "	X		
demonstration and certification submitted to Regional Administrator that 268.8(a)(1) requirements have been met	268.8(a)(2)	" "	X		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
explanation and certification when no practically available treatment can be found	268.8(a)(2)(i)	HWMR- 7 PART VII §801	X ✓		
contracting and certification when practically available treatments are found	268.8(a)(2)(ii)	" "	X ✓		
copy of demonstration and certification sent to receiving facilities for shipments of waste with no practically available treatment; certification only for subsequent shipments; generator recordkeeping and five year retention	268.8(a)(3)	" "	X ✓		
generator copy of demonstration and certification sent to receiving facilities for shipments of wastes with practically available treatment; certification only for subsequent shipments; generator record-keeping and five year retention	268.8(a)(4)	" "	X ✓		
additional information for certification if requested by Regional Administrator	268.8(b)	" "	X ✓		
notification when change in conditions forming basis of certification	268.8(b)(1)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
invalidation when Regional Administrator finds practically available treatment method or a method yielding greater environmental benefit than certified	268.8(b)(2)	HWMR- 7 PART VIII §801	X ✓		
when certification is invalidated, generator must cease shipment, communicate with facilities receiving waste, and keep records of communication	268.8(b)(3)	" "	X ✓		
receiving treatment, recovery or storage facilities keep copy of generator's demonstra- tion and certification	268.8(c)	" "	X ✓		
receiving treatment, storage or recovery facility certify waste treated according to generators' demonstration	268.8(c)(1)	" "	X ✓		
receiving treatment, recovery or storage facility must send generator demonstra- tion/certification and 268.8(c)(1) certification to facility receiving waste or treatment residues	268.8(c)(2)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
4 disposal facility must assure certification prior to disposal in landfill or surface impoundment unit and units in accordance with 268.5(h)(2) for wastes prohibited under 268.33(f)	268.8(d)	HWMR- 7 PART VIII §801	X ✓		
wastes may be disposed in landfill or surface impoundment meeting 268.5(h)(2) if certified and treated	268.8(e)	" "	X ✓		

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

5 WASTE SPECIFIC PROHIBITIONS - SOLVENT WASTES

repromulgate requirement to treat to applicable standard unless restricted solvent falls into treatability group for which EPA has determined no capacity exists	268.30(a)	HWMR - 7 PART VIII §801	X ✓		
remove final clause starting with "not subject to..." and ending with "November 8, 1988"	268.30(a)(2)	" "	X ✓		
change hyphenation; add "; or" at end of paragraph	268.30(a)(3)	" "	X ✓		
change first "(2), and (3)" to "(2), (3), and (4)"; remove second sentence concerning disposal in landfills prior to November 8, 1988	268.30(b)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
redesignate old 268.30(c) as 268.30(d); add new paragraph 268.30(c) prohibiting after November 8, 1990 land disposal of F001-F005 solvent waste contaminated soil and debris (and their treatment residues) resulting from CERCLA action or RCRA corrective action; permitting disposal in landfill or surface impoundment unit in compliance with 268.5(h)(2) prior to November 8, 1990	268.30(c)	HWMR- 7 PART VIII §801	X ✓		
old 268.30(c) is new 268.30(d); revise "(a) and (b)" to read "(a), (b), and (c)"; 268.30(d)(1)-(3) are the same as the old 268.30(c)(1)-(3) except in (3) add "and units" after "wastes"	268.30(d)	" "	X ✓		
6 WASTE SPECIFIC PROHIBITIONS--DIOXIN-CONTAINING WASTES					
add phrase "unless the following condition applies:"	268.31(a)	HWMR- 7 PART VIII §801	X ✓		
contaminated soil and debris waste resulting from response action under CERCLA or from a RCRA corrective action	268.31(a)(1)	" "	X		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
redesignate old 268.31(b) as 268.31(d); new paragraph 268.31(b) prohibiting land disposal of F020-F023 & F026-F028 dioxin-containing wastes after November 8, 1990	268.31(b)	HWMR- 7 PART VIII §801	X ✓		
change years to "1988" and "1990," respectively; insert "(1)" after "(a)"; replace "the facility" with "such unit"	268.31(c)	" "	X ✓		
old 268.31(b) is new 268.31(d); in introductory sentence insert "and (b)" after "(a)"; 268.31(d)(1)-(3) are the same as old 268.31(b)(1)-(3) except in (3) change "extension from" to "extension to"	268.31(d)	" "	X ✓		

WASTE SPECIFIC PROHIBITIONS - CALIFORNIA LIST WASTES

revise variance dates to reflect that the requirements of (a) and (e) do not apply until:	268.32(d)	HWMR- 7 PART VIII §801	X ✓		
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**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
revise language and change date to July 8, 1989; insert "not" before "resulting from a response..."; insert "(CERCLA)" after "Liability Act"; add sentence about disposal between July 8, 1987 and July 8, 1989 permitted in landfill or surface impoundment in compliance with 268.5(h)(2)	268.32(d)(1)	HWMR- 7 PART VIII §801	X ✓		
change date to November 8, 1990. wastes from a CERCLA action or RCRA correc- tive action; disposal between November 8, 1988 and November 8, 1990 permitted in landfill or surface impoundment in compliance with 268.5(h)(2)	268.32(d)(2)	"	X ✓		
7 change date to November 8, 1988	268.32(e)	"	X ✓		
add clause on not including wastes described in 268.32(d)	268.32(e)(2)	"	X ✓		
change "July 8, 1989" to "November 8, 1988"; replace "described" with "Included" and "the facility" with "such disposal"	268.32(f)	"	X ✓		
insert ",(d)," after "(a)"	268.32(g)	"	X ✓		
insert ",(d)," after "(a)(3)"	268.32(h)	"	X ✓		

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
WASTE SPECIFIC PROHIBITIONS - FIRST THIRD WASTES					
specific wastes prohibited from land disposal effective August 8, 1988	268.33(a)	HWMR- 7 PART VIII §801	X ✓		
land disposal prohibition of K061 waste containing 15% or greater of zinc pursuant to 268.41 treatment standard for K061 containing less than 15% zinc	268.33(a)(1)	" "	X ✓		
wastes--K048, K049, K050, K051, K052, K061 (contain 5% or greater zinc), K071--prohibited from land disposal effective August 8, 1990	268.33(b)	" "	X ✓		
effective August 8, 1990, land disposal prohibition of wastes specified in 268.10 having a treatment standard in 268, based on incineration and which are contaminated soil and debris, Subpart D	268.33(c)	" "	X ✓		
between November 8, 1988 and August 8, 1990, landfill or surface impoundment disposal permitted if in compliance with 268.5(h)(2) of wastes included under 268(b) & (c)	268.33(d)	" "	X ✓		
requirements of 268(a)-(d) do not apply when:	268.33(e)	" "	X ✓		

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
waste meets applicable 268, Subpart D standards	268.33(e)(1)	HWMR- 7 PART VIII §801	X	✓	
granted an exemption from prohibition for wastes and units under 268.6	268.33(e)(2)	" "	X	✓	
granted an extension to an effective date for wastes under 268.5	268.33(e)(3)	" "	X	✓	
prohibition of landfill or surface impoundment disposal of wastes specified in 268.10 for which treatment standards do not apply (other than 268.32 or section 3004(d) prohibitions) unless 268.8 demonstration and certification	268.33(f)	" "	X	✓	
for a waste listed in 268.10, initial generator testing to determine exceedance of 268.41 & 268.43 treatment standards and prohibition from land disposal if exceed standards	268.33(g)	" "	X	✓	

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

replace "this subpart" with "§268.41"; remove "without further treatment"	268.40(a)	HWMR- 7 PART VIII §801	X		
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**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
land disposal of a restricted waste identified in 268.43 only if below listed constituent concentrations	268.40(c)	HWMR- 7 PART VIII §801	X ✓		

TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT

in Table CCWE remove entry specified below; add subtables to Table CCWE in numerical order as specified below	268.41(a)	HWMR- 7 PART VIII §801	X ✓		
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Delete the following entry:

	Concentration (in mg/l)	
	Wastewaters containing spent solvents	All other spent solvent wastes
F001-F005 spent solvents		
Methylene chloride (from the pharmaceutical industry).....	12.7	.96

Add the following subtables to Table CCWE in numerical order by EPA Hazardous Waste Number:

**TABLE CCWE—CONSTITUTENT
CONCENTRATIONS IN WASTE EXTRACT**

F006 nonwastewaters (see also Table CCW in § 268.43)	Concentration (in mg/l)
Cadmium.....	0.088
Chromium (Total).....	5.2
Lead.....	.51
Nickel.....	.32
Silver.....	.072
Cyanides (Total).....	Reserved
K001 nonwastewaters (see also Table in § 268.43)	Concentration (in mg/l)
Lead.....	0.51

K022 nonwastewaters (see also Table CCW in § 268.43)	Concentration (in mg/l)
Chromium (Total).....	5.2
Nickel.....	0.32
K046 nonwastewaters (Nonreactive Subcategory)	Concentration (in mg/l)
Lead.....	0.18

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
K048, K049, K050, K051 and K052 nonwastewaters (see also Table CCW in § 268.43)	Concentration (in mg/l)	K071 nonwastewaters			Concentration (in mg/l)
Arsenic	0.004	Mercury			0.025
Chromium (Total)	1.7				
Nickel	.048				
Selenium	.025				
K061 nonwastewaters (Low Zinc Subcategory—less than 15% total zinc)	Concentration (in mg/l)	K055 nonwastewaters (Solvent Washes Subcategory) see also Table CCW in § 268.43)			Concentration (in mg/l)
Cadmium	0.14	Chromium (Total)			0.094
Chromium (Total)	5.2	Lead			.37
Lead	.24				
Nickel	.32	K067 nonwastewaters (see also Table CCW in § 268.43)			Concentration (in mg/l)
		Lead			0.51
K061 nonwastewaters (High Zinc Subcategory—15% or greater total zinc; effective until 8/8/90)	Concentration (in mg/l)	K101 and K102 nonwastewaters (Low Arsenic Subcategory—less than 1% Total Arsenic) (see also Table CCW in § 268.43)			Concentration (in mg/l)
Cadmium	0.14	Cadmium			0.066
Chromium (Total)	5.2	Chromium (Total)			5.2
Lead	.24	Lead			.51
Nickel	.32	Nickel			.32
K062 nonwastewaters	Concentration (in mg/l)				
Chromium (Total)	0.094				
Lead	.37				

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

add ability to incinerate in boilers and industrial furnaces after "265, Subpart O"	268.42(a)(2)	HWMR - 7 PART VIII §801	X		
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TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS

Introductory paragraph for Table CCW explaining table:	268.43(a)	HWMR - 7 PART VIII §801	X		
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Add new Table CCW as shown below. Subtables are arranged in numerical order by EPA Hazardous Waste Number. Additionally there is a listing after the subtables of "K" wastes which are prohibited from land disposal.

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

TABLE CCW—CONSTITUENT CONCENTRATIONS IN WASTES		K016 nonwastewaters	Concen- tration (in mg/ kg)	K018 wastewaters	Concen- tration (in mg/ kg)
F001, F002, F003, F004 and F005 wastewaters (Pharmaceutical Industry)	Concen- tration (in mg/ l)	Hexachlorobenzene	28	Bis(2-chloroethyl)ether	0.007
Methylene chloride	0.44	Hexachlorobutadiene	5.8	Chlorobenzene	.008
		Hexachlorocyclopentadiene	5.8	Chloroform	.007
		Hexachloroethane	28	p-Dichlorobenzene	.008
		Tetrachloroethene	6.0	1,2-Dichloroethane	.007
				Fluorene	.007
				Hexachloroethane	.033
				Naphthalene	.007
				Phenanthrene	.007
				1,2,4,5-Tetrachlorobenzene	.017
				Tetrachloroethene	.007
				1,2,4-Trichlorobenzene	.023
				1,1,1-Trichloroethane	.007
F006 nonwastewaters (see also Table CCWE in § 268.41)	Concen- tration (in mg/ kg)	K018 wastewaters	Concen- tration (in mg/ l)	K020 nonwastewaters	Concen- tration (in mg/ kg)
Cyanides (Total)	Reserved	Hexachlorobenzene	0.033	1,2-Dichloroethane	6.0
		Hexachlorobutadiene	.007	1,1,2,2-Tetrachloroethane	5.8
		Hexachlorocyclopentadiene	.007		
		Hexachloroethane	.033		
		Tetrachloroethene	.007		
K001 nonwastewaters (see also Table CCWE in § 268.41)	Concen- tration (in mg/ kg)	K018 nonwastewaters	Concen- tration (in mg/ kg)	K020 nonwastewaters	Concen- tration (in mg/ kg)
Naphthalene	8.0	Chloroethane	6.0		
Pentachlorophenol	.37	1,1-Dichloroethane	6.0		
Phenanthrene	8.0	1,2-Dichloroethane	6.0		
Pyrene	7.3	Hexachlorobenzene	28		
Toluene	.14	Hexachlorobutadiene	5.8		
Xylenes	.16	Hexachloroethane	28		
		Pentachloroethane	5.8		
		1,1,1-Trichloroethane	6.0		
K001 wastewaters	Concen- tration (in mg/ l)	K018 wastewaters	Concen- tration (in mg/ l)	K020 wastewaters	Concen- tration (in mg/ l)
Naphthalene	0.15	Chloroethane	0.007	1,2-Dichloroethane	0.007
Pentachlorophenol	.28	Chloromethane	.007	1,1,2,2-Tetrachloroethane	.007
Phenanthrene	.15	1,1-Dichloroethane	.007	Tetrachloroethene	.007
Pyrene	.14	1,2-Dichloroethane	.007		
Toluene	.14	Hexachlorobenzene	.033		
Xylenes	.16	Hexachlorobutadiene	.007		
Lead	.037	Pentachloroethane	.007		
		1,1,1-Trichloroethane	.007		
K016 wastewaters	Concen- tration (in mg/ l)	K018 nonwastewaters	Concen- tration (in mg/ kg)	K022 nonwastewaters (see also Table CCWE in § 268.41)	Concen- tration (in mg/ kg)
Anthracene	1.8	Bis(2-chloroethyl)ether	5.8	Acetophenone	19
Benzal chloride	.28	Chlorobenzene	6.0	Sum of Diphenylamine and Diphenyl- nitrosamine	13
Benzo (b and/or k) fluoranthene	.28	Chloroform	6.0	Phenol	12
Phenanthrene	.37	1,2-Dichloroethane	6.0	Toluene	0.034
Toluene	.16	Hexachloroethane	28		
Chromium (Total)	.32	Naphthalene	5.8		
Nickel	.44	Phenanthrene	5.8		
		Tetrachloroethene	6.0		
		1,2,4-Trichlorobenzene	18		
		1,1,1-Trichloroethane	6.0		
				K024 nonwastewaters	Concen- tration (in mg/ kg)
				Phthalic acid	28

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)[illegible]

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
K101 wastewaters	Concentration (in mg/l)	K103 wastewaters	Concentration (in mg/l)	No Land Disposal for: <u>1/</u> K004 Nonwastewaters [Based on No Generation] <u>1/</u> K008 Nonwastewaters [Based on No Generation] <u>2/</u> K015 Nonwastewaters [Based on No Ash] 3d 3d <u>1/</u> K021 Nonwastewaters [Based on No Generation] <u>1/</u> K025 Nonwastewaters [Based on No Generation] <u>1/</u> K036 Nonwastewaters [Based on No Generation] K044 [Based on Reactivity] K045 [Based on Reactivity] K047 [Based on Reactivity] <u>1/</u> K060 Nonwastewaters [Based on No Generation] <u>1/</u> K061 Nonwastewaters—High Zinc Subcategory (greater than or equal to 15% total zinc) [Based on Recycling; effective 8/8/90] <u>1/</u> K069 Nonwastewaters—Non-Calcium Sulfate Subcategory [Based on Recycling] <u>2/</u> K083 Nonwastewaters—No Ash Subcategory (less than 0.01% total ash) [Based on No Ash] 3d 3 <u>1/</u> K100 Nonwastewaters [Based on Generation]	
Ortho-Nitroaniline.....	0.27	Aniline.....	4.5		
Arsenic.....	2.0	Benzene.....	.15		
Cadmium.....	24	2,4-Dinitrophenol.....	.81		
Lead.....	11	Nitrobenzene.....	.07		
Mercury.....	.027	Phenol.....	1.4		
K102 nonwastewaters (Low Arsenic Subcategory—less than 1% total arsenic) (see also Table CCWE in § 268.41)	Concentration (in mg/kg)	K104 nonwastewaters	Concentration (in mg/kg)		
Ortho Nitrophenol.....	13	Aniline.....	5.6		
		Benzene.....	6.0		
		2,4-Dinitrophenol.....	5.6		
		Nitrobenzene.....	5.6		
		Phenol.....	5.6		
		Cyanides (Total).....	1.8		
K102 wastewaters	Concentration (in mg/l)	K104 wastewaters	Concentration (in mg/l)		
Ortho-Nitrophenol.....	0.028	Aniline.....	4.5		
Arsenic.....	2.0	Benzene.....	.15		
Cadmium.....	24	2,4-Dinitrophenol.....	.81		
Lead.....	11				
Mercury.....	.027				
K103 nonwastewaters	Concentration (in mg/kg)	K104 wastewaters	Concentration (in mg/l)		
Aniline.....	5.6	Nitrobenzene.....	.073		
Benzene.....	6.0	Phenol.....	1.4		
2,4-Dinitrophenol.....	5.6	Cyanides (Total).....	2.7		
Nitrobenzene.....	5.6				
Phenol.....	5.6				

1/ These prohibitions will be modified to apply only to wastes generated and disposed after 8/17/88. A final rule addressing this is forthcoming.

2/ Rescheduled to 3rd 3rd--a final rule is forthcoming.

treatment standard for combinations of wastes with different treatment standards, must meet lowest standard	268.43(b)	HWMR-7 PART VIII § 801	X		
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SUBPART E - PROHIBITIONS ON STORAGE

**RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PROHIBITIONS ON STORAGE OF RESTRICTED WASTES

add to end of para- graph "or a valid certification under 268.8"	268.50(d)	HWMR- 7 PART VIII §801	X		
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¹ In this section, the language is clarified and requirements are added to reflect soft hammer certification and retention of records and to apply to storage facilities.

² Revise this section to reflect soft hammer wastes.

³ In this section, apply testing and recordkeeping analyses to First Third wastes and storage facilities and add notification requirements for soft hammer wastes.

⁴ Note that 268.8(d) has a typographical error. The reference to 263.33(f) should be 268.33(f).

⁵ Note that while 268.30(a)(introduction), 268.30(a)(1), and 268.30(a)(4) appear in the FR addressed by this checklist, they have not been changed by this FR. As such, 268.30(a)(1) and 268.30(a)(4) were not included in this checklist. An entry for the 268.30(a) introduction was included, however, to help clarify the modifications to 268.30(a).

⁶ For this section, revise applicability from facility-wide to unit and reschedule CERCLA and RCRA corrective action soil and debris dioxin-containing wastes prohibition from land disposal.

⁷ Note that the FR addressed by this checklist did not change 268.32(e)(1) even though it appears in the FR. Consequently, 268.32(e)(1) was not included in this checklist.