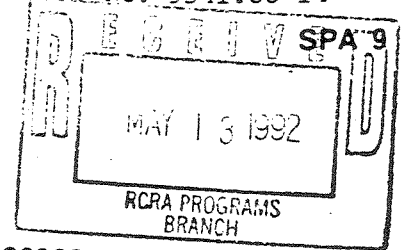


US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 74

Toxicity Characteristic Revisions
55 FR 11798-11877

March 29, 1990

as amended on June 29, 1990, at 55 FR 26986-26998
(RCRA Cluster II)

Note: 1) A correction to the preamble of the March 29, 1990 rule was published on August 2, 1990 (55 FR 31387). This notice corrected an implementation timetable and extended the period of time within which affected small quantity generators must comply with the new modification requirements. An August 10, 1990 (55 FR 32733) notice corrected the August 2, 1990 notice. On September 27, 1990, a clarification to the March 29 final rule was published in the Federal Register (55 FR 39409) regarding four implementation issues. The clarification did not affect the Federal code addressed by this checklist. An interim final rule promulgated on October 5, 1990 (55 FR 40834) did affect the Federal code relevant to the Toxicity Characteristic. A separate revision checklist (Revision Checklist 80) was developed to address those changes effected by the interim final rule.

2) Two interim final rules (55 FR 40834; October 5, 1990 and 56 FR 3978; February 1, 1991) and a final rule (56 FR 13406; April 2, 1991) extended the compliance date of the Toxicity Characteristic (TC) rule for certain hydrocarbon recovery and remediation operations. This extension is addressed by Revision Checklist 80. Because a less stringent requirement than that imposed by the TC rule is in effect until January 23, 1993, that Revision Checklist is optional.

3) States are strongly encouraged to adopt the Permit Modifications rule (53 FR 37912; September 28, 1988; Revision Checklist 54) and the "Christmas Tree Rule" (54 FR 9596; March 7, 1989; Revision Checklist 61) to ease implementation of the Toxicity Characteristic Rule and future waste listings. While both of these rules are optional, they will greatly reduce the immediate permit burden resulting from the TC rule.

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

replace "characteristic of EP toxicity" with "Toxicity Characteristic"	261.4(b)(6)(i)	HWMR- 7 PART II § 201	X	✓	
replace "characteristic of EP toxicity" with "Toxicity Characteristic solely for arsenic"	261.4(b)(9)	" "	X	✓	

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RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
1 add new paragraph regulating petroleum-contaminated media and debris that fail the 261.24 Toxicity Characteristic test and are subject to Part 280 corrective action	261.4(b)(10)	HWMR- 7 PART II § 201	X		

PCB WASTES REGULATED UNDER TOXIC SUBSTANCE CONTROL ACT

exemption for PCB-containing wastes, already regulated under Part 761 (TSCA), that fail the 261.24 Toxicity Characteristic test (D018 through D043 only)	261.8	HWMR 7 PART II § 201	X		
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SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE

TOXICITY CHARACTERISTIC

remove "EP" before "toxicity"; insert "using the methodology outlined in Appendix II" after "after filtering"; change "purposes" to "purpose"	261.24(a)	HWMR- 7 PART II § 201	X		
1 remove "EP" before "toxicity"; add D018 through D043 to Table 1; add new column with CAS numbers	261.24(b)	HWMR- 7 PART II § 201	X		

RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

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

TABLE 1.—MAXIMUM CONCENTRATION OF CONTAMINANTS FOR THE TOXICITY CHARACTERISTIC

EPA HW No. ¹	Contaminant	CAS No. ²	Regula- tory Level (mg/L)
D004	Arsenic	7440-38-2	5.0
D005	Barium	7440-39-3	100.0
D018	Benzene	71-43-2	0.5
D006	Cadmium	7440-43-9	1.0
D019	Carbon tetrachloride	56-23-5	0.5
D020	Chloroform	57-74-9	0.03
D021	Chlorobenzene	108-90-7	100.0
D022	Chloroform	57-66-3	6.0
D007	Chromium	7440-47-3	5.0
D023	o-Cresol	95-48-7	*200.0
D024	m-Cresol	108-39-4	*200.0
D025	p-Cresol	106-44-5	*200.0
D026	Cresol		*200.0
D016	2,4-D	94-75-7	10.0
D027	1,4- Dichloroben- zene	106-46-7	7.5
D028	1,2- Dichloroeth- ane	107-06-2	0.5
D029	1,1- Dichloroethy- lene	75-35-4	0.7
D030	2,4- Dinitrotoluene	121-14-2	*0.13
D012	Endrin	72-20-8	0.02
D031	Heptachlor (and its pyrolysis)	76-44-8	0.008

D032	Hexachloroben- zene	118-74-1	*0.13
D033	Hexachlorocyclo- dienes	87-68-3	0.5
D034	Hexachloroeth- ane	67-72-1	3.0
D008	Lead	7439-92-1	5.0
D013	Uncane	56-89-9	0.4
D009	Mercury	7439-97-6	0.2
D014	Methoxychlor	72-43-5	10.0
D035	Methyl ethyl ketone	78-93-3	200.0
D036	Nitrobenzene	98-95-3	2.0
D037	Pentachloro- phenol	87-86-5	100.0
D038	Pyridine	110-86-1	*5.0
D010	Selenium	7782-49-2	1.0
D011	Silver	7440-22-4	5.0
D039	Tetrachloroethy- lene	127-18-4	0.7
D015	Toxaphene	8001-35-2	0.5
D040	Trichloroethy- lene	79-01-6	0.5
D041	2,4,5- Trichloro- phenol	95-95-4	400.0
D042	2,4,6- Trichloro- phenol	88-06-2	2.0
D017	2,4,5-TP (Silver)	93-72-1	1.0
D043	Vinyl chloride	75-01-4	0.2

¹ Hazardous waste number.² Chemical abstracts service number.³ Quantitation limit is greater than the calculated regulatory level. The quantitation limit therefore becomes the regulatory level.⁴ If o-, m-, and p-Cresol concentrations cannot be differentiated, the total cresol (D026) concentration is used. The regulatory level of total cresol is 200 mg/l.

SUBPART D - LISTS OF HAZARDOUS WASTES

GENERAL

replace "EP Toxic Waste" in the hazard codes and in the text following the hazard codes with "Toxicity Characteristic Waste"	261.30(b)	HWMR- 7 PART 11 § 201	X	✓	
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RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

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

APPENDIX II TO PART 261

METHOD 1311 TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)					
2 EP toxicity test PRO- cedures are replaced by Method 1311 Toxicity Character- istic Leaching Procedures (TCLP)	Appendix II	HWMR- 7 PART II § 201	✓ X		

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

SUBPART N - LANDFILLS

DESIGN AND OPERATING REQUIREMENTS

replace "EP Toxicity Characteristics" with "Toxicity Character- istics"; insert "with EPA Hazardous Waste Numbers D004 through D017" after "chapter"	264.301(e)(1)	HWMR- 7 PART V § 501	✓ X		
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PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART K - SURFACE IMPOUNDMENTS

DESIGN REQUIREMENTS

replace "EP Toxicity Characteristics" with "Toxicity Character- istics"; insert "with EPA Hazardous Waste Numbers D004 through D017" after "chapter"	265.221(d)(1)	HWMR- 7 PART VI § 601	✓ X		
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RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

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

SUBPART M - LAND TREATMENT

WASTE ANALYSIS

replace "exceed" with "equal or exceed"; replace "EP Toxicity Characteristic" with "Toxicity Characteristic"	265.273(a)	HWMT-7 PART VI § 601	X		
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PART 268 - LAND DISPOSAL RESTRICTIONS

APPENDIX I TO PART 268

TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

3 replace Appendix with note stating the TCLP is located in Appendix II of Part 261	Appendix I	HWMT-7 PART VIII § 801	X		
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- ¹ Also see technical corrections to the rule at 55 FR 26986 (June 29, 1990).
- ² Because the June 29, 1990 (55 FR 26986) notice made extensive corrections to Appendix II, Part 261, the Appendix in that notice should be used instead of the one in the March 29, 1990 (55 FR 11798) notice.
- ³ As background, the TCLP was originally promulgated in 268, Appendix I, on November 7, 1986 (51 FR 40572; Revision Checklist 34) for use in the Land Disposal Restrictions (LDR) program to determine whether certain wastes require treatment prior to land disposal and to determine whether certain treated wastes meet the applicable treatment standards. The TC rule and its June 29, 1990 modification promulgated a revised TCLP at 261, Appendix II, with modifications based on the Agency's own research and public comment. This TCLP is to be used in both the TC and the LDR programs. The objective of the above footnoted revision to 268, Appendix I, is to assure that the TCLP entered into the code by the November 7, 1986 notice (51 FR 40572; Revision Checklist 34) is removed and replaced by the TCLP entered into the code and amended by the final rules (55 FR 11798 and 55 FR 26986) addressed by Revision Checklist 74. The actual placement of the TCLP within a State's code is not that important, per se; what is important is that a State's code contains only the Revision Checklist 74 TCLP. States that have not yet adopted Revision Checklist 34 (the first of the LDR restrictions) need not make this particular revision to 268, Appendix I, as they would not yet have entered the original Part 268 TCLP into their code. Also, the change on page 2 of this checklist for 261, Appendix II,

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RCRA REVISION CHECKLIST 74: Toxicity Characteristic Revisions (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS		
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assures that they add the Revision Checklist 74 TCLP to their code. However, such States must be careful when adding the LDR restrictions to their code, i.e., the Revision Checklist 34 TCLP should not be added at that time--rather, the Revision Checklist 74 TCLP should remain the only TCLP in their code. States using the Consolidated LDR Checklist should be sure to read Footnote 40 on that checklist regarding this issue.

RCRA REVISION CHECKLIST 75

Listing of 1,1-Dimethylhydrazine Production Wastes

55 FR 18496-18506

May 2, 1990

HWA Cluster II

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM SPECIFIC SOURCES

1 add K107-K110 to the subgroup "Organic Chemicals"	261.32	HWMR- 7 PART II § 201	X	✓	
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Industry and EPA hazardous waste No.	Hazardous waste	Hazard code
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Organic chemicals:

K107.....	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C,T)
K108.....	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I,T)
K109.....	Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)

RCRA REVISION CHECKLIST 75: Listing of 1,1-Dimethylhydrazine Production Wastes (cont)

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

K110..... Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides. (T)

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APPENDIX III TO PART 261

CHEMICAL ANALYSIS TEST METHODS

add compound and analysis method to Table 1	Appendix III	HWMR-7 PART II § 201	K	✓		
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TABLE 1. - ANALYSIS METHODS FOR ORGANIC
CHEMICALS CONTAINED IN SW-846

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Compound	Method No.
1,1-Dimethylhydrazine (UDMH).....	8250

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APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add, in numerical order, K107-K110	Appendix VII	HWMR-7 PART II § 201	✓		
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RCRA REVISION CHECKLIST 75: Listing of 1,1-Dimethylhydrazine Production Wastes (cont'd)

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

EPA hazardous
waste No.

Hazardous constituents for
which listed

K107.....	1,1-Dimethylhydrazine (UDMH).
K108.....	1,1-Dimethylhydrazine (UDMH).
K109.....	1,1-Dimethylhydrazine (UDMH).
K110.....	1,1-Dimethylhydrazine (UDMH).

¹ The Federal Register for this Rule contains two typographical errors in the description of the K107 hazardous waste (55 FR 18505). "1,1-dimethyl-hydrazine" should be "1,1-dimethylhydrazine" and "hydrazines" should be "hydrazides." This revision checklist contains the corrected description for K107.