

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 125

Boilers and Industrial Furnaces;  
 Changes for Consistency with New Air Regulations  
 58 FR 38816-38884  
 July 20, 1993  
 (RCRA Cluster IV, HSWA/non-HSWA provisions)

Notes: 1) The final rule addressed by this checklist was promulgated pursuant to the Clean Air Act, rather than the Resource Conservation and Recovery Act, and primarily amends regulations in 40 CFR Parts 51 and 52. However, this rule also makes conforming changes to 40 CFR Parts 260 and 266 to ensure that the guidelines for air quality modeling and screening for boilers and industrial furnaces burning hazardous waste are consistent with the guidelines in 40 CFR Part 51. Only the changes to 40 CFR Parts 260 and 266 are included in this checklist. These revisions are necessary. Therefore, this checklist has been developed to help States maintain consistency with the Federal regulations. Note that States do not have to adopt the changes to 40 CFR Parts 51 and 52 to make the Part 260 and 266 changes. Rather, States should reference Appendix W, Part 51 at 266.104(e)(3) and 266.106(h).

2) Note that EPA's Office of Solid Waste is treating the changes made by the Air rule to 40 CFR Parts 260 and 266 as HSWA provisions because they amend the BIF regulations promulgated under HSWA.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B - DEFINITIONS						
REFERENCES						
revise reference to "U.S. EPA, Screening Procedures for Estimating the Air Quality Impact of Stationary Sources" to refer to the October 1992 version	260.11(a)	20NMAC4.1.101	X			

RCRA REVISION CHECKLIST 125: Boilers and Industrial Furnaces;  
Changes for Consistency with New Air Regulations (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES						
SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES						
STANDARDS TO CONTROL ORGANIC EMISSIONS						
change wording to refer to Appendix W, Part 51, methods rather than Appendix X, Part 266, methods; change wording to reflect updated 260.11(a) reference; remove "on-site" after "average" in last sentence	266.104(e)(3)	20NMAC4.1.700	X			
STANDARDS TO CONTROL METALS EMISSIONS						
change wording to refer to Appendix W, Part 51, methods rather than Appendix X, Part 266, methods; change wording to reflect updated 260.11(a) reference	266.106(h)	20NMAC4.1.700	X			
APPENDIX X TO PART 266						
GUIDELINE ON AIR QUALITY MODELS (REVISED)						
remove text; change title to "Appendix X-- Removed"	266, Appendix X	20NMAC4.1.700	X			

RCRA REVISION CHECKLIST 126

Testing and Monitoring Activities

58 FR 46040-46051

August 31, 1993

as amended September 19, 1994, at 59 FR 47980-47982

(RCRA Cluster IV, HSWA/Non-HSWA provisions)

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

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

REFERENCES

revise reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" to refer to third edition; add ASTM Method E926-88 to the end of the list of publications incorporated by reference; remove unnumbered paragraph and list of analytical testing methods; remove footnote 1 following the list of publications incorporated by reference	260.11(a)	20NMAC4.1.101	X			
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RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
SUBPART C - RULEMAKING PETITIONS						
PETITIONS TO AMEND PART 261 TO EXCLUDE A WASTE PRODUCED AT A PARTICULAR FACILITY						
add "of this chapter" after "part 261"; replace "appendix III" with reference to "Test Methods for Evaluating Solid Waste, Physical/ Chemical Methods"	260.22(d)(1)(i)					
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART C - CHARACTERISTICS OF HAZARDOUS WASTE						
CHARACTERISTIC OF CORROSIVITY						
remove text after "using" and replace with reference to Method 9040 in "Test Methods for Evaluating Solid Waste, Physical/ Chemical Methods"	261.22(a)(1)	20NMAC4.1.200	X			
after "Test Methods for", replace "the Evaluation of" with "Evaluating"; change "(incorporated by reference, see § 260.11)" to ", as incorporated by reference in 260.11 of this chapter."; remove the rest of the paragraph	261.22(a)(2)	20NMAC4.1.200	X			

## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
<b>TOXICITY CHARACTERISTIC</b>						
replace "test methods described in appendix II or equivalent methods approved by the Administrator under the procedures set forth in §§ 260.20 and 260.21" with reference to the TCLP in "Test Methods for Evaluating Solid Waste, Physical/ Chemical Methods" as incorporated by reference at 260.11; replace "Appendix II" with "Method 1311"	261.24(a)	20NMAC4.1.200	X			

## APPENDIX II TO PART 261

## METHOD 1311 TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

replace TCLP with note referencing the TCLP in "Test Methods for Evaluating Solid Waste, Physical/ Chemical Methods"	Appendix II	20NMAC4.1.200	X			
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## APPENDIX III TO PART 261

## CHEMICAL ANALYSIS TEST METHODS

## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
replace introductory paragraphs and tables 1, 2, and 3 with note referencing Chapter 2 of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	Appendix III	20NMAC4.1.200	X			

## APPENDIX X TO PART 261

## METHOD OF ANALYSIS FOR CHLORINATED DIBENZO-P-DIOXINS AND -DIBENZOFURANS

remove	Appendix X	20NMAC4.1.200	X			
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## PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART J - TANK SYSTEMS

## APPLICABILITY

replace "EPA" with "the following test must be used:"; change "Wastes" to "Waste"; add comma after "Physical/Chemical Methods"; remove parentheses from "(EPA Publication No. SW-846)"; remove "No."; replace "must be used" with ", as incorporated by reference in § 260.11 of this chapter"	264.190(a)	20NMAC4.1.500	X			
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RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

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

SUBPART N - LANDFILLS

SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS

change "Wastes" to "Waste"; change the period after "Physical/Chemical Methods" to a comma; remove brackets from "[EPA Publication No. SW-846]"; remove "No."; add ", as incorporated by reference in § 260.11 of this chapter" at end of sentence	264.314(c)	20NMAC4.1.500	X			
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PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART J - TANK SYSTEMS

APPLICABILITY

replace first occurrence of following test must be used"; change "Wastes" to "Waste"; add comma after "Physical/Chemical Methods"; remove parentheses from "(EPA Publication No. SW-846)"; remove "No."; replace "must be used" with ", as incorporated by reference in § 260.11 of this chapter"	265.190(a)	20NMAC4.1.600	X			
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RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
SUBPART N - LANDFILLS						
SPECIAL REQUIREMENTS FOR BULK AND CONTAINERIZED LIQUIDS						
change "Wastes" to Waste"; after "Physical/Chemical Methods", change the period to a comma; remove brackets from "[EPA Publication No. SW-846]"; remove "No."; add ", as incorporated by reference in § 260.11 of this chapter" at end of sentence	265.314(d)	20NMAC4.1.600	X			

RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (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 A - GENERAL						
WASTE ANALYSIS AND RECORDKEEPING						
1 add comma after first "§ 268.32"; replace "test method described in part 261, appendix II" with reference to the TCLP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"; remove "of this chapter" after "subpart C"; replace "test method described in appendix IX of this part" with reference to the EP toxicity test in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"; change "his" to "this" before "waste displays"; remove "of this part" after "§ 268.2"	268.7(a)	20NMAC4.1.800	X			

## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
SUBPART D - TREATMENT STANDARDS						
APPLICABILITY OF TREATMENT STANDARDS						
replace "the test method in appendix II of part 261" with "Method 1311, the Toxicity Characteristic Leaching Procedure"; replace "the test method in 40 CFR part 261, appendix II, or the test method in appendix IX of this part" with reference to Methods 1310 and 1311; add sentence, at end of paragraph, regarding Methods 1310 and 1311 in "Test Methods for Evaluating Solid Waste, Physical/ Chemical Methods"	268.40(a)	20NMAC4.1.800	X			
TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT						
replace "the test method in appendix I of this part" with "Method 1311, the Toxicity Characteristic Leaching Procedure,"; add sentence regarding Method 1311 in "Test Methods for Evaluating Solid Waste, Physical/ Chemical Methods" at end of paragraph	268.41(a)	20NMAC4.1.800	X			

RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

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

APPENDIX I TO PART 268

TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP)

replace note regarding TCLP in Appendix II of part 261 with note regarding TCLP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	268 Appendix I	20NMAC4.1.800	X			
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APPENDIX IX TO PART 268

EXTRACTION PROCEDURE (EP) TOXICITY TEST METHOD AND STRUCTURAL INTEGRITY TEST (METHOD 1310)

replace EP Toxicity Test method with note regarding EP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	268 Appendix IX	20NMAC4.1.800	X			
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

REFERENCES

replace information on "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" with reference to 260.11	270.6(a)	20NMAC4.1.900	X			
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RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
SUBPART B - PERMIT APPLICATION						
SPECIFIC PART B INFORMATION REQUIREMENTS FOR INCINERATORS						
in the last sentence, change "methods for the evaluation of" to "Methods for Evaluating"; add a comma after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6 and referenced in 40 CFR part 261, appendix III)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.19(c)(1)(iii)	20NMAC4.1.900	X			
change "the Evaluation of" to "Evaluating"; add a comma after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.19(c)(1)(iv)	20NMAC4.1.900	X			

RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
SUBPART F - SPECIAL FORMS OF PERMITS						
HAZARDOUS WASTE INCINERATOR PERMITS						
in the last sentence, change "the Evaluation of" to "Evaluating"; add a comma after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.62(b)(2)(i)(C)	20NMAC4.1.900	X			
change "the Evaluation of" to "Evaluating"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.62(b)(2)(i)(D)	20NMAC4.1.900	X			

## RCRA REVISION CHECKLIST 126: Testing and Monitoring Activities (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRAIN - GENT	MORE STRAIN - GENT	BROADER IN SCOPE
PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE						
in the last sentence, insert "waste" before "analysis"; add opening quotation mark before "Test"; add comma and closing quotation mark after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.66(c)(2)(i)	20NMAC4.1.900	X			
add opening quotation mark before "Test Methods"; add comma and closing quotation mark after "Physical/Chemical Methods"; replace "(incorporated by reference, see § 270.6)" with "EPA Publication SW-846, as incorporated by reference in § 260.11 of this chapter and § 270.6"	270.66(c)(2)(ii)	20NMAC4.1.900	X			

1/ The September 19 (59 FR 47980) rule indicates that it was not EPA's intention to remove the subparagraphs of 268.7(a) as the August 31, 1993 rule (58 FR 46040) implied. The provisions have remained in affect continuously in the form published in the CFR revised as of July 1, 1993.

Message for the Bulletin Board about Revision Checklist 126

The Federal Register article (59 FR 47980; September 19, 1994) that has been available on the BBS for Revision Checklist 137 has been added to Revision Checklist 126. The rule at 59 FR 47980 makes it clear that it was not EPA's intention to remove the subparagraphs of 268.7(a) as the August 31, 1993 rule (58 FR 46040) addressed by Revision Checklist 126 could be interpreted as doing. Because these subparagraphs should not have been removed, EPA feels that it is more efficient to include this correction with Checklist 126 rather than make it a separate checklist. Additionally, the Revision Checklist 126 which has been available on the BBS did not indicate that the 268.7(a)(1)-(10) should be removed. Thus, if you have used that version of the Checklist 126, you would have handled the 268.7(a) changes as the September 19th rule indicates. The revised Checklist 126 will thus, be identical to the previous version except:

- the September 19th, 1994 rule at 59 FR 47980 will be added to the title, and
- the 268.7(a) entry will be footnoted indicating that the September 19th rule states that 268.7(a)(1)-(10) should not be removed.

The placement of the 59 FR 47980 rule with Checklist 126 has the additional effect that the 59 FR 47982 rule currently numbered as Checklist 138 has been renumbered as Checklist 137. If you have any concerns or questions about these changes, please leave a message for the Systems Operator or call Ginny Phillips at (703) 308-8761.