

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 155

Land Disposal Restrictions Phase III--
 Emergency Extension of the K088 Capacity Variance
 62 FR 1992-1997
 January 14, 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 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART C - PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS-- SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES						
replace "January 8, 1997" with "July 8, 1997"; add "on July 8, 1997" to the last sentence after "disposal"	268.39(c)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 156

Military Munitions Rule: Hazardous Waste Identification and Management; Explosives Emergencies;
Manifest Exemption for Transport of Hazardous Waste on Right-of-Ways on Contiguous Properties

62 FR 6622-6657

February 12, 1997

(RCRA Cluster VII, 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 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL						
SUBPART B - DEFINITIONS						
DEFINITIONS						
add "explosives or munitions emergency"	260.10	20.4.1.100 NMAC	X			
add "explosives or munitions emergency response"	260.10	20.4.1.100 NMAC	X			
add "explosives or emergency response specialist"	260.10	20.4.1.100 NMAC	X			
add "military munitions"	260.10	20.4.1.100 NMAC	X			
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
DEFINITION OF SOLID WASTE						
replace "." at end of paragraph with "; or"	261.2(a)(2)(iii)	20.4.1.200 NMAC	X			
add paragraph; a military munition identified as a solid waste in § 266.202	261.2(a)(2)(iv)	20.4.1.200 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (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 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

add paragraph; persons responding to an explosives or munitions emergency not required to comply with Part 262	262.10(i)	20.4.1.300 NMAC	X			
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GENERAL REQUIREMENTS

† add paragraph; exemption for transporters of hazardous waste on a right-of-way within or along the border of contiguous property; generator/transporter requirements if discharge	262.20(f)	20.4.1.300 NMAC	X			
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PART 263 - STANDARDS APPLICABLE TO TRANSPORTERS OF HAZARDOUS WASTE

SUBPART A - GENERAL

SCOPE

add paragraph; Part 263 does not apply to transportation during an explosives or munitions emergency response	263.10(e)	20.4.1.400 NMAC	X			
add paragraph; § 266.203 identifies how this part applies to military munitions classified as solid waste	263.10(f)	20.4.1.400 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (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 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE
TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

add paragraph; immediate threat to human health, public safety, property, or the environment, from presence of military munitions or explosives	264.1(g)(8)(i)(D)	20.4.1.500 NMAC	X			
add paragraph; when an official or specialist may authorize the removal or transport of waste without meeting all RCRA requirements; recordkeeping requirement for military	264.1(g)(8)(iv)	20.4.1.500 NMAC	X			
add paragraph; requirements of storage of military munitions are in 266.205; treatment and disposal are subject to all standards in 40 CFR 260 through 270	264.1(i)	20.4.1.500 NMAC	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

replace "." after "sources" with "," and clause about military munitions	264.70	20.4.1.500 NMAC	X			
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1 SUBPART EE - HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

APPLICABILITY

subpart applies to owners and operators who store munitions and explosive hazardous wastes	264.1200	20.4.1.500 NMAC	X			
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RCRA REVISION CHECKLIST 156: Military Munitions Rule (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
DESIGN AND OPERATING STANDARDS						
storage units must meet following requirements	264.1201(a)	20.4.1.500 NMAC	X			
minimize potential for detonation or release	264.1201(a)(1)	20.4.1.500 NMAC	X			
provide primary barrier to contain waste	264.1201(a)(2)	20.4.1.500 NMAC	X			
if stored outdoors must not be in standing precipitation	264.1201(a)(3)	20.4.1.500 NMAC	X			
for liquids, provide secondary containment or vapor detection system	264.1201(a)(4)	20.4.1.500 NMAC	X			
provide monitoring and inspection procedures meeting specified requirements	264.1201(a)(5)	20.4.1.500 NMAC	X			
hazardous waste military munitions and explosives may be stored in the following	264.1201(b)	20.4.1.500 NMAC	X			
earth-covered magazines; requirements for earth-covered magazines	264.1201(b)(1)	20.4.1.500 NMAC	X			
	264.1201(b)(1)(i)	20.4.1.500 NMAC	X			
	264.1201(b)(1)(ii)	20.4.1.500 NMAC	X			
	264.1201(b)(1)(ii)(A)-(C)	20.4.1.500 NMAC	X			
	264.1201(b)(1)(iii)	20.4.1.500 NMAC	X			
above-ground magazines must be designed to minimize propagation of explosion	264.1201(b)(2)	20.4.1.500 NMAC	X			
outdoor or open storage areas must be designed to minimize propagation of explosion	264.1201(b)(3)	20.4.1.500 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (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 military munitions and explosives must be stored in accordance with Standard Operating Procedure; if procedure serves same purpose as certain Part 264 requirements, they may be used	264.1201(c)	20.4.1.500 NMAC	X			
hazardous waste military munitions and explosives must be packaged to ensure safety	264.1201(d)	20.4.1.500 NMAC	X			
hazardous waste military munitions and explosives must be inventoried annually	264.1201(e)	20.4.1.500 NMAC	X			
hazardous waste military munitions and explosives must be inspected and monitored to ensure safety and no migration	264.1201(f)	20.4.1.500 NMAC	X			
CLOSURE AND POST-CLOSURE CARE						
at closure of magazine or unit that stored hazardous waste under Subpart EE, o/o must remove or decontaminate residues, components, subsoils, structures and equipment; closure must meet 264 subparts G and H requirements, but may defer as long as munitions or explosives magazine or storage unit	264.1202(a)	20.4.1.500 NMAC	X			
if all contaminated subsoils cannot be practicably removed, o/o must close facility and perform post-closure as per 264.310	264.1202(b)	20.4.1.500 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (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 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

add paragraph; immediate threat to human health, public safety, property, or the environment, from presence of military munitions or explosives	265.1(c)(11)(i)(D)	20.4.1.600 NMAC	X			
add paragraph; when an official or specialist may authorize the removal or transport of waste without meeting all RCRA requirements; recordkeeping requirement for military	265.1(c)(11)(iv)	20.4.1.600 NMAC	X			
add paragraph; requirements of storage of military munitions are in 266.205; treatment and disposal are subject to all standards in 40 CFR 260 through 270	265.1(f)	20.4.1.600 NMAC	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

replace "." after "sources" with "," and clause about military munitions	265.70	20.4.1.600 NMAC	X			
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RCRA REVISION CHECKLIST 156: Military Munitions Rule (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

SUBPART EE - HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

APPLICABILITY

subpart applies to owners and operators who store munitions and explosive hazardous wastes	265.1200	20.4.1.600 NMAC	X			
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DESIGN AND OPERATING STANDARDS

storage units must meet following requirements	265.1201(a)	20.4.1.600 NMAC	X			
minimize potential for detonation or release	265.1201(a)(1)	20.4.1.600 NMAC	X			
provide primary barrier to contain waste	265.1201(a)(2)	20.4.1.600 NMAC	X			
if stored outdoors, must not be in standing precipitation	265.1201(a)(3)	20.4.1.600 NMAC	X			
for liquids, provide secondary containment or vapor detection system	265.1201(a)(4)	20.4.1.600 NMAC	X			
provide monitoring and inspection procedures	265.1201(a)(5)	20.4.1.600 NMAC	X			
hazardous waste military munitions and explosives may be stored in the following	265.1201(b)	20.4.1.600 NMAC	X			
add paragraph; earth-covered magazines; requirements for earth-covered magazines	265.1201(b)(1)	20.4.1.600 NMAC	X			
	265.1201(b)(1)(i)	20.4.1.600 NMAC	X			
	265.1201(b)(1)(ii)	20.4.1.600 NMAC	X			
	265.1201(b)(1)(ii)(A)-(C)	20.4.1.600 NMAC	X			
	265.1201(b)(1)(iii)	20.4.1.600 NMAC	X			
above-ground magazines must be designed to minimize propagation of explosion	265.1201(b)(2)	20.4.1.600 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
outdoor or open storage areas must be designed to minimize propagation of explosion	265.1201(b)(3)	20.4.1.600 NMAC	X			
hazardous waste military munitions and explosives must be stored in accordance with Standard Operating Procedure; if procedures serve same purpose as certain Part 265 requirements, they will be used	265.1201(c)	20.4.1.600 NMAC	X			
hazardous waste military munitions and explosives must be packaged to ensure safety	265.1201(d)	20.4.1.600 NMAC	X			
hazardous waste military munitions and explosives must be inventoried annually	265.1201(e)	20.4.1.600 NMAC	X			
hazardous waste military munitions and explosives must be inspected and monitored to ensure safety and no migration	265.1201(f)	20.4.1.600 NMAC	X			
CLOSURE AND POST-CLOSURE CARE						
at closure of magazine or unit storing hazardous waste under Subpart EE, o/o must remove or decontaminate residues, components, subsoils, and equipment and manage as a hazardous waste closure; must meet subparts 265 G and H requirements	265.1202(a)	20.4.1.600 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if all contaminated subsoils cannot be practicably removed, o/o must close facility and perform post-closure as per 264.310	265.1202(b)	20.4.1.600 NMAC	X			

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

3 SUBPARTS I - L (Reserved)

4 SUBPART M - MILITARY MUNITIONS

APPLICABILITY

subpart identifies when military munitions become a solid waste, and if they are hazardous	266.200(a)	20.4.1.700 NMAC	X			
all requirements of 40 CFR 260 through 270 apply unless otherwise specified	266.200(b)	20.4.1.700 NMAC	X			

DEFINITIONS

definitions are in addition to 260.10 definitions	266.201 intro	20.4.1.700 NMAC	X			
"active range"	266.201	20.4.1.700 NMAC	X			
"chemical agents and munitions"	266.201	20.4.1.700 NMAC	X			
"director"	266.201	20.4.1.700 NMAC	X			
"explosives or munitions emergency response specialist"	266.201	20.4.1.700 NMAC	X			
"explosives or munitions emergency"	266.201	20.4.1.700 NMAC	X			
"explosives or munitions emergency response"	266.201	20.4.1.700 NMAC	X			
"inactive range"	266.201	20.4.1.700 NMAC	X			
"military"	266.201	20.4.1.700 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"military munitions"	266.201	20.4.1.700 NMAC	X			
"military range"	266.201	20.4.1.700 NMAC	X			
"unexploded ordnance (UXO)"	266.201	20.4.1.700 NMAC	X			

DEFINITION OF SOLID WASTE

military munition is not a solid waste under listed circumstances	266.202(a)	20.4.1.700 NMAC	X			
	266.202(a)(1)	20.4.1.700 NMAC	X			
	266.202(a)(1)(i)	20.4.1.700 NMAC	X			
	266.202(a)(1)(ii)	20.4.1.700 NMAC	X			
	266.202(a)(1)(iii)	20.4.1.700 NMAC	X			
	266.202(a)(2)	20.4.1.700 NMAC	X			
unused military munition is a solid waste under listed circumstances	266.202(b)	20.4.1.700 NMAC	X			
	266.202(b)(1)	20.4.1.700 NMAC	X			
	266.202(b)(2)	20.4.1.700 NMAC	X			
	266.202(b)(3)	20.4.1.700 NMAC	X			
	266.202(b)(4)	20.4.1.700 NMAC	X			
used or fired military munition is solid waste under listed circumstances	266.202(c)	20.4.1.700 NMAC	X			
	266.202(c)(1)	20.4.1.700 NMAC	X			
	266.202(c)(2)	20.4.1.700 NMAC	X			
military munition is solid waste when it lands off-range and is not promptly taken care of; imminent and substantial threats must be addressed; action if remedial action is infeasible	266.202(d)	20.4.1.700 NMAC	X			

† STANDARDS APPLICABLE TO THE TRANSPORTATION OF SOLID WASTE MILITARY MUNITIONS

criteria for regulation of waste non-chemical military munitions in transportation	266.203(a)	20.4.1.700 NMAC	X			
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RCRA REVISION CHECKLIST 156: Military Munitions Rule (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
military munitions that are being transported and exhibit hazardous waste characteristic or are listed in Part 261 are hazardous unless all listed conditions are met	266.203(a)(1)	20.4.1.700 NMAC	X			
	266.203(a)(1)(i)	20.4.1.700 NMAC	X			
	266.203(a)(1)(ii)	20.4.1.700 NMAC	X			
	266.203(a)(1)(iii)	20.4.1.700 NMAC	X			
	266.203(a)(1)(iv)	20.4.1.700 NMAC	X			
receiving facility has 5 days to report to Director shipments not received within 45 days of shipment	266.203(a)(2)	20.4.1.700 NMAC	X			
266.203(a)(1) exemption only applies to transportation; does not affect storage, treatment or disposal	266.203(a)(3)	20.4.1.700 NMAC	X			
266.203(a)(1) exemption applies so long as all listed 266.203(a)(1) conditions are met	266.203(a)(4)	20.4.1.700 NMAC	X			
if 266.203(a)(1) exemption lost, can apply to Director for reinstatement as soon as munitions returned to 266.203(a)(1) compliance; if Director finds appropriate, may reinstate; if no action in 60 days, reinstatement deemed granted; termination of conditional exemption; Director may specify additional conditions	266.203(b)	20.4.1.700 NMAC	X			
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in FR	266.203(c)	20.4.1.700 NMAC	X			

STANDARDS APPLICABLE TO EMERGENCY RESPONSES

RCRA REVISION CHECKLIST 156: Military Munitions Rule (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
explosives and military munitions emergencies are subject to listed citations	266.204	20.4.1.700 NMAC	X			

† STANDARDS APPLICABLE TO THE STORAGE OF SOLID WASTE MILITARY MUNITIONS

criteria for regulation of storage	266.205(a)	20.4.1.700 NMAC	X			
waste military munitions in storage that exhibit hazardous waste characteristic or listed in Part 261 are hazardous waste unless listed conditions met	266.205(a)(1)	20.4.1.700 NMAC	X			
	266.205(a)(1)(i)	20.4.1.700 NMAC	X			
	266.205(a)(1)(ii)	20.4.1.700 NMAC	X			
	266.205(a)(1)(iii)	20.4.1.700 NMAC	X			
	266.205(a)(1)(iv)	20.4.1.700 NMAC	X			
	266.205(a)(1)(v)	20.4.1.700 NMAC	X			
	266.205(a)(1)(vi)	20.4.1.700 NMAC	X			
	266.205(a)(1)(vii)	20.4.1.700 NMAC	X			
266.205(a)(1) exemption only applies to storage; does not affect transportation, treatment or disposal	266.205(a)(2)	20.4.1.700 NMAC	X			
266.205(a)(1) exemption applies so long as all listed 266.205(a)(1) conditions met	266.205(a)(3)	20.4.1.700 NMAC	X			
o/o must notify Director when 266.205(a)(1)(iv) storage is no longer used	266.205(b)	20.4.1.700 NMAC	X			
what DOD shipping controls are applicable; amendments to DOD controls are effective on date published in FR	266.205(c)	20.4.1.700 NMAC	X			
waste chemical munitions	266.205(d)	20.4.1.700 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
chemical agents or chemical military munitions that exhibit hazardous characteristic or listed in Part 261 are hazardous and subject to RCRA Subtitle C	266.205(d)(1)	20.4.1.700 NMAC	X			
hazardous waste chemical agents or chemical munitions not subject to 268.50	266.205(d)(2)	20.4.1.700 NMAC	X			
DDESB storage standards which are applicable; any amendments are effective on date published in FR	266.205(e)	20.4.1.700 NMAC	X			

STANDARDS APPLICABLE TO THE TREATMENT AND DISPOSAL OF WASTE MILITARY MUNITIONS

treatment and disposal of hazardous waste military munitions subject to Parts 260 through 270	266.206	20.4.1.700 NMAC	X			
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

add paragraph; immediate threat to human health, public safety, property, or environment from military munitions or other explosive material/device	270.1(c)(3)(i)(D)	20.4.1.700 NMAC	X			
emergency response recordkeeping requirement for military unit	270.1(c)(3)(iii)	20.4.1.700 NMAC	X			

RCRA REVISION CHECKLIST 156: Military Munitions Rule (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 D - CHANGES TO PERMITS

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

redesignate (h) as (i) and add new paragraph at (h); if listed conditions met, permittee may accept military munitions even when permit conditions bar acceptance of off-site wastes	270.42(h)	20.4.1.700 NMAC	X			
	270.42(h)(1)	20.4.1.700 NMAC	X			
	270.42(h)(2)	20.4.1.700 NMAC	X			
	270.42(h)(3)	20.4.1.700 NMAC	X			
redesignated text at (h) as (i)	270.42(i)	20.4.1.700 NMAC	X			

- 1 A new Subpart EE (§§ 264.1200 through 264.1202) was added to Part 264 by Revision Checklist 156.
- 2 A new Subpart EE (§§ 265.1200 through 265.1202) was added to Part 265 by Revision Checklist 156.
- 3 Revision Checklist 156 reserved Subparts I-L of Part 266.
- 4 Revision Checklist 156 added a new Subpart M to Part 266 (§§ 266.200 through 266.206).

RCRA REVISION CHECKLIST 157

Land Disposal Restrictions Phase IV--
 Treatment Standards for Wood Preserving Wastes, Paperwork Reduction and Streamlining,
 Exemptions From RCRA for Certain Processed Materials; and Miscellaneous Hazardous Waste
 Provisions
 62 FR 25998-26040
 May 12, 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 A -- GENERAL

† PURPOSE AND SCOPE

add new paragraph; definition "Excluded scrap metal"	261.1(c)(9)	20.4.1.200 NMAC	X			
add new paragraph; definition "Processed scrap metal"	261.1(c)(10)	20.4.1.200 NMAC	X			
add new paragraph; definition "Home scrap metal"	261.1(c)(11)	20.4.1.200 NMAC	X			
add new paragraph; definition "Prompt scrap metal"	261.1(c)(12)	20.4.1.200 NMAC	X			

† DEFINITION OF SOLID WASTE

revise table 1; add after entry for scrap metal "other than excluded scrap metal (see 261.1(c)(9))" also add "and 'processed scrap metal'" after "scrap metal" in Note.	261.2(c)/Table 1	20.4.1.200 NMAC	X			
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RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

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

† EXCLUSIONS

add paragraph; excluded scrap metal being recycled	261.4(a)(13)	20.4.1.200 NMAC	X			
add paragraph; shredded circuit boards being recycled provided that they are:	261.4(a)(14)	20.4.1.200 NMAC	X			
add paragraph; stored in containers sufficient to prevent release, and	261.4(a)(14)(i)	20.4.1.200 NMAC	X			
add paragraph; free of mercury switches, mercury relays and nickel cadmium batteries and lithium batteries	261.4(a)(14)(ii)	20.4.1.200 NMAC	X			

† REQUIREMENTS FOR RECYCLABLE MATERIALS

scrap metal; add "that is not excluded under 261.4(a)(13)"	261.6(a)(3)(ii)	20.4.1.200 NMAC	X			
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PART 268 -- LAND DISPOSAL RESTRICTIONS

SUBPART A -- GENERAL

PURPOSE, SCOPE AND APPLICABILITY

no change	268.1(e)intro - (e)(3)	20.4.1.800 NMAC	X			
revise paragraph; <i>de minimis</i> losses of characteristic wastes to wastewaters are not considered prohibited wastes and definition of " <i>de minimis</i> losses"	268.1(e)(4)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

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

TREATMENT SURFACE IMPOUNDMENT EXEMPTION

completely revise subparagraph; sampling and testing and recordkeeping provisions of 264.13 and 265.13 of this chapter apply	268.4(a)(2)(iv)	20.4.1.800 NMAC	X			
remove "and submits a copy of the waste analysis plan under §268.4(a)(2)"	268.4(a)(4)	20.4.1.800 NMAC	X			

1 TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES

redesignate old 268.7(a) as 268.7(a)(1); requirements for generators	268.7(a)intro	20.4.1.800 NMAC	X			
old 268.7(a) is new 268.7(a)(1); completely revise paragraph; generator of hazardous waste must determine if it has to be treated before it can be land disposed; this is done by determining if the waste meets treatment standards in 268.40 or 268.45; determination can be made in two ways: test the waste; or use knowledge of the waste; for testing, method 1311 is used and land treatment methods of 268.40 and 268.42 may apply; if characteristic waste, generators must comply with 268.9	268.7(a)(1)	20.4.1.800 NMAC	X			
REMOVED	268.7(a)(1)(i)-(v)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
revise paragraph; if waste does not meet treatment standard, one-time notice with initial shipment of waste to each treatment or storage facility receiving waste; the generator must place a copy in the file; notice must include information in 268.7(a)(2) column of 268.7(a)(4) table; no further notice is necessary unless waste or facility change	268.7(a)(2)	20.4.1.800 NMAC	X			
REMOVED	268.7(a)(2)(i)(A)-(D)	20.4.1.800 NMAC	X			
REMOVED	268.7(a)(2)(ii)	20.4.1.800 NMAC	X			
completely revise subparagraph; if waste meets treatment standard at original point of generation	268.7(a)(3)	20.4.1.800 NMAC	X			
completely revise subparagraph; with initial shipment of waste, generator must send one-time written notice to each treatment/storage/ disposal facility receiving waste, and place a copy in the file; notice must include information in the 268.7(a)(3) column of 268.7(a)(4) table; certification statement	268.7(a)(3)(i)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
completely revise subparagraph; if waste changes, generator must send new notice and certification to receiving facility and place a copy in their files; generators of hazardous debris excluded from definition of hazardous waste under 261.3(f) are not subject to these requirements	268.7(a)(3)(ii)	20.4.1.800 NMAC	X			
REMOVED	268.7(a)(3)(iii)-(vii)	20.4.1.800 NMAC	X			
insert new 268.7(a)(4) and redesignate old 268.7(a)(4) as 268.7(a)(5); completely revise subparagraph; certain exemptions from the requirement that hazardous wastes meet treatment standards before land disposed include but are not limited to case-by-case extensions under 268.5, disposal in a no-migration unit under 268.6 or national capacity variance or case by case capacity variance under subpart C; with initial shipment, generator must send one-time written notice to each land disposal facility for exempted waste; notice must include information in 268.7(a)(4) column of 268.7(a)(4) table; changed waste requires further notice	268.7(a)(4)	20.4.1.800 NMAC	X			
add table	268.7(a)(4)/table	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
old 268.7(a)(4) is new 268.7(a)(5); add "and treating" after "managing"; remove ", and is treating such waste in such tank, containers or containment buildings"; add "LDR" before "treatment standards"; replace "under subpart D of this part" with "found at 268.40"; replace "the generator" with "they" after "describes the procedures"	268.7(a)(5)	20.4.1.800 NMAC	X			
redesignate old 268.7(a)(4)(i) as 268.7(a)(5)(i); replace "Part" with "part"	268.7(a)(5)(i)	20.4.1.800 NMAC	X			
redesignate 268.7(a)(4)(ii) as 268.7(a)(5)(ii); completely revise subparagraph; plan must be kept on-site and made available to inspectors	268.7(a)(5)(ii)	20.4.1.800 NMAC	X			
redesignate old 268.7(a)(4)(iii) as 268.7(a)(5)(iii); replace "268.7(a)(2)" with "268.7(a)(3)"	268.7(a)(5)(iii)	20.4.1.800 NMAC	X			
redesignate old 268.7(a)(5) as 268.7(a)(6); replace "whether the" with "that the"; replace "described in Appendix I of this part" with wording referencing method 1311, SW-846 and 260.11	268.7(a)(6)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
redesignate old 268.7(a)(6) as 268.7(a)(7); insert parenthetic phrase addressing characteristic waste subject to CWA	268.7(a)(7)	20.4.1.800 NMAC	X			
redesignate old 268.7(a)(7) as 268.7(a)(8); replace the two occurrences of "five years" with "three years"	268.7(a)(8)	20.4.1.800 NMAC	X			
†★,2 redesignate old 268.7(a)(8) as 268.7(a)(9); completely revise subparagraph and place certification in new 268.7(a)(9)(i); if generator is managing lab packs containing hazardous waste and wishes to use alternative treatment method in 268.42(c):	268.7(a)(9)	20.4.1.800 NMAC	X			
†★,2 add new subparagraph; with initial shipment of waste, generator must submit notice with information in the 268.7(a)(9) column of the 268.7(a)(4) table; certification must be placed in files; replace old certification with new certification	268.7(a)(9)(i)	20.4.1.800 NMAC	X			
†★,2 add new subparagraph; no further notification is necessary until wastes or receiving facility change in which case new notice and certification must be sent and copy placed in files	268.7(a)(9)(ii)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†★,2 add new subparagraph; if lab pack contains characteristic hazardous wastes (D001-D043), underlying hazardous constituents need not be determined	268.7(a)(9)(iii)	20.4.1.800 NMAC	X			
†★,2 add new subparagraph; generator must also comply with requirements in 268.7(a)(6) and (a)(7)	268.7(a)(9)(iv)	20.4.1.800 NMAC	X			
no change	268.7(a)(10)	20.4.1.800 NMAC	X			
insert "40 CFR" before "264.13" and "265.13"; insert "(for permitted TSDs)" after "264.13"; insert "(for interim status facilities)" after "265.13"	268.7(b)	20.4.1.800 NMAC	X			
revise subparagraph; for wastes with treatment standards expressed as concentrations in waste extract, owner or operator must test extract of treatment residues using test method 1311 to assure that treatment residues extract meet applicable treatment standards	268.7(b)(1)	20.4.1.800 NMAC	X			
remove old 268.7(b)(2); redesignate old 268.7(b)(3) as 268.7(b)(2); remove "(268.43)"; replace "the treatment residues" with "they" after "to assure"	268.7(b)(2)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
redesignate old 268.7(b)(4) as 268.7(b)(3); completely revise paragraph; one- time notice must be sent with initial shipment of waste to land disposal facility; copy of notice must be placed in facility's file	268.7(b)(3)intro	20.4.1.800 NMAC	X			
redesignate old 268.7(b)(4)(i) as 268.7(b)(3)(i); completely revise subparagraph; no further notification is necessary until waste or receiving facility change in which case new notice must be sent and copy placed in facility's file	268.7(b)(3)(i)	20.4.1.800 NMAC	X			
redesignate old 268.7(b)(4)(ii) as 268.7(b)(3)(ii); completely revise subparagraph; the one-time notice must include these requirements; remove old 268.7(b)(4)(iii) and (iv)	268.7(b)(3)(ii)	20.4.1.800 NMAC	X			
add table	268.7(b)(3)(ii)/table	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
3 redesignate old 268.7(b)(5) as 268.7(b)(4); completely revise subparagraph; treatment facility must submit a one-time certification signed by an authorized representative with initial shipment of waste or treatment residue of restricted waste to land disposal facility; certification	268.7(b)(4)	20.4.1.800 NMAC	X			
3 redesignate old 268.7(b)(5)(i) as 268.7(b)(4)(i); completely revise subparagraph; copy of the certification must be placed in treatment facility's on-site files; if waste or treatment residue changes, new notice must be sent and copy placed in files	268.7(b)(4)(i)	20.4.1.800 NMAC	X			
3 redesignate old 268.7(b)(5)(ii) as 268.7(b)(4)(ii); completely revise subparagraph; debris excluded from definition of hazardous waste in 261.3(e) is subject to notification and certification requirements of 268.7(d)	268.7(b)(4)(ii)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
3 redesignate old 268.7(b)(5)(iii) as 268.7(b)(4)(iii); completely revise subparagraph; for wastes with organic constituents having treatment standards expressed as concentration levels, if compliance with treatment standards is based in whole or in part on analytical detection limit alternative specified in 268.40(d), certification, signed by authorized representative; certification statement	268.7(b)(4)(iii)	20.4.1.800 NMAC	X			
3 remove	268.7(b)(4)(iv)-(v)	20.4.1.800 NMAC	X			
redesignate old 268.7(b)(6) as 268.7(b)(5); compliance with generator notice and certification requirements if waste sent offsite	268.7(b)(5)	20.4.1.800 NMAC	X			
redesignate old 268.7(b)(7) as 268.7(b)(6); notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); with each shipment 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administrator; records of recipients of waste-derived products	268.7(b)(6)	20.4.1.800 NMAC	X			
delete ", and the certification specified in 268.8 if applicable."	268.7(c)(1)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "method described in Appendix I of this part or using any method required by generators under 268.32 of this part" with the wording referencing method 1311 SW-846 and 260.11	268.7(c)(2)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC						
revise paragraph; initial generator of solid waste must determine each EPA Hazardous Waste Number in order to determine treatment standards under subpart D; for 268, waste will carry the waste code for any applicable listed waste; where waste exhibits characteristic, it will carry one or more of the characteristic waste codes, except when treatment standard operates in lieu of treatment standard for characteristic waste, as specified 268.9(b); if generator determines that waste displays hazardous characteristic, generator must determine defined hazardous constituent except for certain D001 wastes	268.9(a)	20.4.1.800 NMAC	X			
replace "Hazardous Waste Number(s)" with "hazardous waste code(s)"; replace "in D001 and D002 wastes prohibited under §268.37 or D0012-D0043 wastes under §268.38" with a phrase and sentence renaming listing requirement if all underlying hazardous constituents will be treated and monitored	268.9(d)(1)(ii)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART C -- PROHIBITIONS ON LAND DISPOSAL						
WASTE SPECIFIC PROHIBITIONS -- WOOD PRESERVING WASTES						
completely revise paragraph; effective August 11, 1997, the following wastes are prohibited from land disposal: F032, F034, F035	268.30(a)	20.4.1.800 NMAC	X			
REMOVED	268.30(a)(1)-(4)	20.4.1.800 NMAC	X			
completely revise paragraph; effective May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive wastes mixed with F032, F034, F035 are prohibited from land disposal	268.30(b)	20.4.1.800 NMAC	X			
completely revise paragraph; between May 12, 1997 and May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive waste mixed with F032, F034, F035 may be disposed in a landfill or surface impoundment only if 268.5(h)(2) requirements are met	268.30(c)	20.4.1.800 NMAC	X			
completely revise paragraph; requirements of 268.30 (a) and (b) do not apply if:	268.30(d)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
insert "applicable treatment" before "standards"; replace "of Subpart D" with "specified in Subpart D"; remove "or" at end of paragraph	268.30(d)(1)	20.4.1.800 NMAC	X			
remove "or" at end of paragraph	268.30(d)(2)	20.4.1.800 NMAC	X			
redesignate old 268.30(d)(3) as new 268.30(d)(4); add new 268.30(d)(3); the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	268.30(d)(3)	20.4.1.800 NMAC	X			
old 268.30(d)(3) is new 268.30(d)(4); persons have been granted an extension to effective date of prohibition pursuant to 268.5 with respect to wastes covered by extension	268.30(d)(4)	20.4.1.800 NMAC	X			

RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

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; to determine whether a hazardous waste identified in 268.40 exceeds applicable treatment standards, initial generator must test a sample of waste extract or entire waste; if waste contains constituents in excess of applicable treatment levels of 268.48, waste is prohibited from land disposal and all requirements of 268 are applicable unless otherwise specified	268.30(e)	20.4.1.800 NMAC	X			
REMOVED AND RESERVED	268.32 - 268.36	20.4.1.800 NMAC	X			

SUBPART D-- TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

add entries for F032, F034 and F035; revise entries for D001 and F024 as per 62 FR 26023-26025	268.40/ Table of Treatment Standards for Hazardous Wastes	20.4.1.800 NMAC	X			
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TREATMENT STANDARDS EXPRESSED AS SPECIFIC TECHNOLOGIES

add entry for "POLYM" as per 62 FR 26025	268.42/ Table 1	20.4.1.800 NMAC	X			
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VARIANCE FROM A TREATMENT STANDARD

4 revise paragraph; the following facilities are excluded from the treatment standards under 268.40 and are subject to the following constituent concentrations:	268.44(o)	20.4.1.800 NMAC	X			
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RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
revise title of table to read "Table--Wastes Excluded from the Treatment Standards Under §268.40"	268.44(o)/ Table 1	20.4.1.800 NMAC	X			

APPENDIX I, II, III and X TO PART 268

REMOVED AND RESERVED	268 Appendices I, II, III and X	20.4.1.800 NMAC	X			
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APPENDIX VI TO PART 268

RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN
SECTION 268.42

revise introduction to appendix; treatment standard for many characteristic wastes is stated in 268.40; characteristic wastes that are not managed in a facility must be treated not only by "deactivating" but also to achieve UTS for underlying constituents; the appendix presents a partial list that may help meet treatment standards; use of these treatment standards is not mandatory	268 Appendix VI	20.4.1.800 NMAC	X			
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APPENDIX VII TO PART 268

LDR EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES

revise tables 1 and 2 as shown in 62 FR 26025- 26037	268 Appendix VII	20.4.1.800 NMAC	X			
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RCRA REVISION CHECKLIST 157:
Land Disposal Restrictions Phase IV

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

APPENDIX VIII TO PART 268

5 NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

revise table as shown in 62 <u>FR</u> 26037-26039	268 Appendix VIII	20.4.1.800 NMAC	X			
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APPENDIX X TO PART 268

RECORDKEEPING, NOTIFICATION, AND/OR CERTIFICATION REQUIREMENTS

removed and reserved	268 Appendix X	20.4.1.800 NMAC	X			
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† Optional.

†★ Conditionally optional. While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditionally optional.

1 This section heading has been revised. The former heading read "Waste analysis and recordkeeping".

2 If a State has chosen to adopt the lab pack option (see Revision Checklist 78), then it must make the revisions specified in this checklist for this provision. If the lab pack option has not been adopted, these revisions are not required. As a reminder, the requirements for the lab pack options are 264.316(f), 265.316(f), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), Appendix IV and V to Part 268.

3 Subparagraphs 268.7(b)(5)-(b)(5)(v) were redesignated and revised by Revision Checklist 157 as 268.7(b)(4)-(b)(4)(iii).

4 Note that 268.44(o) was added to the Federal code by a March 25, 1991 rule at 56 FR 12351. The provision contains a variance from the treatment standards under 268.43(a) that only affects two facilities located in Chicago, Illinois. The March 25, 1991 rule also added and reserved paragraphs 268.44(m) and (n). Due to the limited applicability of this variance, no revision checklist was necessary for this rule. Revision Checklist 157 made changes to 268.44(o) and is included in this checklist for completeness. However, States would likely not want to include 268.44(m)-(o) in their code, unless the variance is extended to a facility in that particular State.

5 Note that there is an error at 62 FR 26037. The title for Appendix VIII should be listed as "National Capacity LDR Variances for UIC Wastes" but is incorrectly listed in the Federal Register as "LDR Effective Dates of Surface Disposed Prohibited Hazardous Wastes".

RCRA REVISION CHECKLIST 158

Testing and Monitoring Activities Amendment III
 62 FR 32452-32463
 June 13, 1997
 (RCRA Cluster VII, 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 260 -- HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B -- DEFINITIONS

REFERENCES

no change	260.11(a) intro	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester" from a 260.11(a) undesignated entry to 260.11(a)(1)	260.11(a)(1)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Test Methods for Flash Point by Pensky-Martens Closed Tester" from a 260.11(a) undesignated entry to 260.11(a)(2)	260.11(a)(2)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Method for Analysis of Reformed Gas by Gas Chromatography" from a 260.11(a) undesignated entry to 260.11(a)(3)	260.11(a)(3)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Test Method for Heat Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method)" from a 260.11(a) undesignated entry to 260.11(a)(4)	260.11(a)(4)	20.4.1.100 NMAC	X			

RCRA REVISION CHECKLIST 158: Hazardous Waste
Management System; Testing and Monitoring Activities

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
redesignate "ASTM Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis" from a 260.11(a) undesignated entry to 260.11(a)(5)	260.11(a)(5)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Practices for General Techniques of Infrared Quantitative Analysis" from a 260.11(a) undesignated entry to 260.11(a)(6)	260.11(a)(6)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Practices for Packed Column Gas Chromatography" from a 260.11(a) undesignated entry to 260.11(a)(7)	260.11(a)(7)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography" from a 260.11(a) undesignated entry to 260.11(a)(8)	260.11(a)(8)	20.4.1.100 NMAC	X			
remove entry for "ASTM Standard Test Method for Vapor Pressure--Temperature Relationship..." (this is a duplicate entry)	No designation					
redesignate "APTI Course 415: Control of Gaseous Emissions" from a 260.11(a) undesignated entry to 260.11(a)(9)	260.11(a)(9)	20.4.1.100 NMAC	X			
redesignate "Flammable and Combustible Liquids Code" from a 260.11(a) undesignated entry to 260.11(a)(10)	260.11(a)(10)	20.4.1.100 NMAC	X			

RCRA REVISION CHECKLIST 158: Hazardous Waste
Management System; Testing and Monitoring Activities

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
redesignate "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" from a 260.11(a) undesignated entry to 260.11(a)(11); remove "and" before the first "IIB"; insert "and III (December 1996)" after "(August 1993)"; replace the second "and IIB" with "IIB, and III"; insert new sentence regarding copies of the third edition	260.11(a)(11)	20.4.1.100 NMAC	X			
redesignate "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised" from a 260.11(a) undesignated entry to 260.11(a)(12)	260.11(a)(12)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analysis of Metals" from a 260.11(a) undesignated entry to 260.11(a)(13)	260.11(a)(13)	20.4.1.100 NMAC	X			
redesignate "API Publication 2517, Third Edition" from a 260.11(a) undesignated entry to 260.11(a)(14)	260.11(a)(14)	20.4.1.100 NMAC	X			
redesignate "ASTM Standard Test Method for Vapor Pressure -- Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope" from a 260.11(a) undesignated entry to 260.11(a)(15)	260.11(a)(15)	20.4.1.100 NMAC	X			

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

**RCRA REVISION CHECKLIST 158: Hazardous Waste
Management System; Testing and Monitoring Activities**

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

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	264.1034(d)(1)(iii)	20.4.1.500 NMAC	X			
replace "Method 8240" with "Method 8260 of SW-846 (incorporated by reference under §260.11)"	264.1034(f)	20.4.1.500 NMAC	X			

SUBPART BB -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	264.1063(d)(2)	20.4.1.500 NMAC	X			
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PART 264 -- APPENDIX IX

GROUNDWATER MONITORING LIST

replace "EPA Report SW-846" with "the EPA publication, SW-846"; replace "third edition, November 1986" with "Third Edition"; replace "agency" with "Agency"; remove "CAUTION: . . ." and all text after; add explanation of replacement of "packed column gas chromatography methods" with "capillary column GC methods"	264 Appendix IX, footnote 5	20.4.1.500 NMAC	X			
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**PART 265 -- INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART AA -- AIR EMISSION STANDARDS FOR PROCESS VENTS

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	265.1034(d)(1)(iii)	20.4.1.600 NMAC	X			
replace "8240 can" with "8260 of SW-846 (incorporated by reference under §260.11) may"	265.1034(f)	20.4.1.600 NMAC	X			

SUBPART BB -- AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

RCRA REVISION CHECKLIST 158: Hazardous Waste
Management System; Testing and Monitoring Activities

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

TEST METHODS AND PROCEDURES

replace "8240" with "8260"	265.1063(d)(2)	20.4.1.600 NMAC	X			
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**PART 266 -- STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND
SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES**

**1 SUBPART H -- HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES
(EFFECTIVE AUGUST 21, 1991)**

STANDARDS TO CONTROL ORGANIC EMISSIONS

replace "Method 23" and all text after with "Method 0023A, Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans Emissions from Stationary Sources, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter."	266.104(e)(1)	20.4.1.700 NMAC	X			
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STANDARDS TO CONTROL METALS EMISSIONS

replace "the Multiple Methods Train" and all text after with "Method 0060, Determinations of Metals in Stack Emissions, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter."	266.106(g)(1)	20.4.1.700 NMAC	X			
replace "appendix IX of this part" with "Method 0061, Determination of Hexavalent Chromium Emissions from Stationary Sources, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter"	266.106(g)(2)	20.4.1.700 NMAC	X			

STANDARDS TO CONTROL HYDROGEN CHLORIDE (HCl) AND CHLORINE GAS (Cl²) EMISSIONS

**RCRA REVISION CHECKLIST 158: Hazardous Waste
Management System; Testing and Monitoring Activities**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
replace "appendix IX of this part" with "Methods 0050 or 0051, EPA Publication SW-846, as incorporated by reference in §260.11 of this chapter"	266.107(f)	20.4.1.700 NMAC	X			

PART 266 -- APPENDIX IX

METHODS MANUAL FOR COMPLIANCE WITH THE BIF REGULATIONS

SAMPLING AND ANALYTICAL METHODS

add new note right under title addressing sampling and analytical methods to BIF manual	Appendix IX, Section 3.0, Note	20.4.1.700 NMAC	X			
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¹ Note this title was changed by adding "(Effective August 21, 1991)" to it.

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	20.4.1.200 NMAC	X			
--	--------------	-----------------	---	--	--	--

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)
	*	*	*	*	*	*	*	*	*	*	*	*	

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 RESIDUES, AND SPILL RESIDUES THEREOF						
revise table by removing in their entirety the entries listed below:	261.33(f)	20.4.1.200 NMAC	X			
H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester, (U365) Bis(dimethylthiocarbamoyl) sulfide, (U401) Bis (pentamethylene)thiuram tetrasulfide, (U400) Butylate, (U392)						
Continued...						

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
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)						
Zinc, bis(diethylcarbamodithioato-S,S')-, (U407)						

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 261 -- APPENDIX VII						
BASIS FOR LISTING HAZARDOUS WASTE						
remove entire entry for EPA hazardous waste number K160	261 Appendix VII	20.4.1.200 NMAC	X			
PART 261 -- APPENDIX VIII						
HAZARDOUS CONSTITUENTS						
remove entries "Potassium hydroxymethyl-n-methyl-dithiocarbamate" and "Tetrabutylthiuram monosulfide" and revise as shown in following table:	261 Appendix VIII	20.4.1.200 NMAC	X			

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	
* * *	* * *	* * *	* * *

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
Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.			
Metam Sodium	Carbamodithioic acid, methyl-, monosodium salt.	137-42-8				
* * *	* * *	*	*	*	*	*
Molinate	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 orthoioselenious 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				
* * *	* * *	*	*	*	*	*

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 WASTES						
replace "K156-K161" with "K156-K159 and K161"; replace "U277-U280" with "U278-U280"; replace "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)	20.4.1.800 NMAC	X			
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)	20.4.1.800 NMAC	X			
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	20.4.1.800 NMAC	X			

¹ Note 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						
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)	20.4.1.800 NMAC	X			

- 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)	20.4.1.800 NMAC	X			
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	20.4.1.800 NMAC	X			

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	20.4.1.800 NMAC	X			
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)	20.4.1.800 NMAC	X			

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	20.4.1.800 NMAC	X			
add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or	268.44(a)(2)(i)	20.4.1.800 NMAC	X			
add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation	268.44(a)(2)(ii)	20.4.1.800 NMAC	X			

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	20.4.1.800 NMAC	X			

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)	20.4.1.800 NMAC	X			
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	20.4.1.800 NMAC	X			
add new subparagraph; treatment to specified level or by specified method is technically inappropriate; or	268.44(h)(2)(i)	20.4.1.800 NMAC	X			
add new subparagraph; for remediation waste only, treatment is environmentally inappropriate because it would discourage aggressive remediation	268.44(h)(2)(ii)	20.4.1.800 NMAC	X			

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; public notice and opportunity for comment must be provided before granting or denying petition	268.44(h)(3)	20.4.1.800 NMAC	X			
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)	20.4.1.800 NMAC	X			
remove	268.44(p)	20.4.1.800 NMAC	X			

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)	20.4.1.500 NMAC	X			
SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING						
OPERATING RECORD						
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)	20.4.1.500 NMAC	X			

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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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
1 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)	20.4.1.500 NMAC	X			
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	20.4.1.500 NMAC	X			
STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES						
redesignate paragraph (a)(2) as (a)(2)(i), except for last sentence	264.1033(a)(2)(i)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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 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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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)	20.4.1.500 NMAC	X			
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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; 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)	20.4.1.500 NMAC	X			
remove "a period of"; insert comma after "identified"	264.1050(f)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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 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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
ALTERNATIVE STANDARDS FOR VALVES IN GAS/VAPOR SERVICE OR IN LIGHT LIQUID SERVICE: SKIP PERIOD LEAK DETECTION AND REPAIR						
insert "(i.e., monitor for leaks once every six months)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(2)	20.4.1.500 NMAC	X			

**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 "(i.e., monitor for leaks once every year)" before "for the valves"; insert "of this subpart" at end	264.1062(b)(3)	20.4.1.500 NMAC	X			

RECORDKEEPING REQUIREMENTS

delete "a period of"; insert "calendar" following "per"	264.1064(g)(6)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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

APPLICABILITY

replace "October 6, 1996" and "this date" with "December 6, 1996"	264.1080(b)(1)	20.4.1.500 NMAC	X			
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RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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 "or surface impoundment" following "tank"	264.1082(c)(3)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
STANDARDS: TANKS						
insert ", and any manifold system associated with the fixed roof," before "shall be"	264.1084(c)(2)(iii)	20.4.1.500 NMAC	X			

**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
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
replace "perimeter" with "diameter"	264.1084(f)(3)(i)(D)(4)	20.4.1.500 NMAC	X			

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 "this subpart" with "this section"	264.1084(f)(3)(iii)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1084(j)(2)(iii)	20.4.1.500 NMAC	X			

STANDARDS: SURFACE IMPOUNDMENTS

replace "sections" with "section"	264.1085(b)(2)	20.4.1.500 NMAC	X			
replace "for and designing" with "of construction and designing"	264.1085(d)(1)(iii)	20.4.1.500 NMAC	X			
insert "the" before "surface impoundment"	264.1085(d)(2)(i)(B)	20.4.1.500 NMAC	X			
add new paragraph; hazardous waste meets requirements of 264.1082(c)(4)	264.1085(e)(2)(iii)	20.4.1.500 NMAC	X			

STANDARDS: CONTAINERS

replace "it" with "the container"; insert comma after "integrity"; replace comma after "permeability" with ";	264.1086(c)(2)	20.4.1.500 NMAC	X			
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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 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)	20.4.1.500 NMAC	X			
replace "a submerged-fill" with "A submerged-fill"	264.1086(d)(2)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
completely revise paragraph; to determine compliance with 264.1086(d)(1)(ii), use procedure specified in 264.1083(d)	264.1086(g)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
insert "closed-vent system and" before the first occurrence of "control device"	264.1087(c)(7)	20.4.1.500 NMAC	X			

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
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)	20.4.1.500 NMAC	X			
delete “, the following information”; replace “provisions” with “requirements”	264.1089(b)(1)(ii)(B)	20.4.1.500 NMAC	X			
replace “or containers” with “and containers”; replace “(c)(2)” with “§§ 264.1082(c)(2)(i) through (c)(2)(vi)”	264.1089(f)(1)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			
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)	20.4.1.500 NMAC	X			

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:			
			EQUV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
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)	20.4.1.500 NMAC	X			

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)	20.4.1.600 NMAC	X			
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SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

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)	20.4.1.600 NMAC	X			
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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)	20.4.1.600 NMAC	X			
2 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)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
replace both occurrences of "oC" with "°C"	265.1033(f)(2)(vi)(B)	20.4.1.600 NMAC	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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 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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers: Clarification and Technical Amendment(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
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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

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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

RECORDKEEPING REQUIREMENTS

delete "a period of"	265.1064(g)(6)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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 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)	20.4.1.600 NMAC	X			
replace "October 6, 1996" with "December 6, 1996"	265.1080(c)	20.4.1.600 NMAC	X			

DEFINITIONS

revise "In light material service"; replace "the vapor" with "The vapor"	265.1081	20.4.1.600 NMAC	X			
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SCHEDULE FOR IMPLEMENTATION OF AIR EMISSION STANDARDS

replace "October 6, 1996" with "December 6, 1996"	265.1082(a)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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; 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)	20.4.1.600 NMAC	X			
add "and waste management units, and complete modifications of production or treatment processes" after "equipment"	265.1082(a)(2)(i)	20.4.1.600 NMAC	X			

RCRA REVISION CHECKLIST 163: Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Clarification and Technical Amendment(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
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)	20.4.1.600 NMAC	X			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iii)	20.4.1.600 NMAC	X			
replace "October 6, 1996" with "December 6, 1996"	265.1082(a)(2)(iv)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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 "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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(ii)	20.4.1.600 NMAC	X			
insert "of this part" after "§ 265.73"	265.1082(b)(2)(iii)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
insert comma between "control equipment" and "and"	265.1082(d)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
replace "C" with "C ₁ "	265.1083(c)(2)(i)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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 "or surface impoundment" after "tank"	265.1083(c)(3)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
replace "8260(B) or 8270(C)" with "8260 or 8270"	265.1084(a)(3)(iii)	20.4.1.600 NMAC	X			
no change	265.1084(a)(3)(iii)(A)	20.4.1.600 NMAC	X			
replace both occurrences of "8260(B)" with "8260"	265.1084(a)(3)(iii)(F)	20.4.1.600 NMAC	X			
replace both occurrences of "8270(C)" with "8270"	265.1084(a)(3)(iii)(G)	20.4.1.600 NMAC	X			

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 “, introduction, and analysis” after “preparation”	265.1084(a)(3)(iii)(G)(I)	20.4.1.600 NMAC	X			
redesignate all except title as 265.1084(a)(3)(iv)(A)	265.1084(a)(3)(iv)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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
3 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)	20.4.1.600 NMAC	X			
replace both occurrences of "8260(B)" with "8260"	265.1084(b)(3)(iii)(F)	20.4.1.600 NMAC	X			
replace both occurrences of "8270(C)" with "8270"	265.1084(b)(3)(iii)(G)	20.4.1.600 NMAC	X			

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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
revised by placing "MR = E _b - E _a " before "Where:"	265.1084(b)(8)(iii)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
replace "in air" with "or n-hexane and air"; add "methane or n-hexane" at end of paragraph	265.1084(d)(5)(ii)	20.4.1.600 NMAC	X			

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: TANKS						
insert “, and any manifold system associated with the fixed roof,” following “fixed roof”	265.1085(c)(2)(iii)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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; 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)	20.4.1.600 NMAC	X			
replace "perimeter" with "diameter"; replace "are then are" with "are then"	265.1085(f)(3)(i)(D)(4)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1085(j)(2)(iii)	20.4.1.600 NMAC	X			

STANDARDS: SURFACE IMPOUNDMENTS

replace "provisions" with "requirements"; replace "this sections" with "this section"	265.1086(b)(2)	20.4.1.600 NMAC	X			
replace "materials for" with "materials of construction"	265.1086(d)(1)(iii)	20.4.1.600 NMAC	X			
insert "the" before "surface impoundment"	265.1086(d)(2)(i)(B)	20.4.1.600 NMAC	X			
add new paragraph; hazardous waste meets requirements of 265.1083(c)(4)	265.1086(e)(2)(iii)	20.4.1.600 NMAC	X			

STANDARDS: CONTAINERS

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 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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			
completely revise paragraph; to determine compliance with 265.1087(d)(1)(ii), procedure specified in 265.1084(d) shall be used	265.1087(g)	20.4.1.600 NMAC	X			

STANDARDS: CLOSED-VENT SYSTEMS AND CONTROL DEVICES

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)	20.4.1.600 NMAC	X			
insert "closed-vent system and" between "The" and "control"	265.1088(c)(7)	20.4.1.600 NMAC	X			

RECORDKEEPING REQUIREMENTS

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 "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)	20.4.1.600 NMAC	X			
delete ", the following information"; replace "the location" with "The location"	265.1090(b)(1)(ii)(B)	20.4.1.600 NMAC	X			
4 replace "or (c)(2)" with "§ 265.1083(c)(2)(i) through (c)(2)(vi)"	265.1090(f)(1)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

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; 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)	20.4.1.600 NMAC	X			
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)	20.4.1.600 NMAC	X			

PART 265 APPENDICES

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

revised to read as follows:

Appendix VI to Part 265--Compounds With Henry's Law Constant Less Than 0.1 Y/X

Compound name	CAS No.
Acetaldol	107-89-1
Acetamide	60-35-5
2-Acetylaminofluorene	53-96-3
3-Acetyl-5-hydroxypiperidine.	
3-Acetyl piperidine	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.

**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
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
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

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			
Cresol (mixed isomers)			1319-77-3			
4-Cumylphenol			27576-86			

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			
N,N'-Diethylpropionamide			15299-99-7			
Dimethoate			60-51-5			

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			
Ethylene glycol monomethyl ether (methyl Cellosolve)			109-86-4			
Ethylene glycol monophenyl ether (phenyl Cellosolve)			122-99-6			

**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.			
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			
Indeno (1,2,3-cd) pyrene			193-39-5			
Lead acetate			301-04-2			

**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			
Monomethylformamide (N-methylformamide)			123-39-7			
Nabam			142-59-6			

**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			
p-Phenylene diamine			106-50-3			
Phenyl mercuric acetate			62-38-4			

**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			
Thiofanox			39196-18-4			
Thiosemicarbazide			79-19-6			
Compound name			CAS No.			

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
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)	20.4.1.900 NMAC	X			
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- 1 Revision Checklist 163 (62 FR 64657; December 8, 1997) added a new paragraph at 264.1030(e). On October 8, 1997, paragraph 264.1030(d) was added to the Federal Code. 264.1030(d) does not appear on this Revision Checklist because it is not needed for state authorization (Project XL).
- 2 Note the December 8, 1997 rule (62 FR 64636) added paragraph 265.1030(d). 265.1030(c) does not appear on this Revision Checklist because it is not needed for state authorization (Project XL).
- 3 At (b)(3)(iii) there is a typographical error. The internal reference to "(b)(4)(iii)" should be "(a)(4)(iii)".
- 4 At 265.1090(f)(1) there is a typographical error. The reference to "265.1084(c)(2)(i)" should be "265.1083(c)(2)(i)".

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

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)	20.4.1.200 NMAC	X			
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