

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 142 E

Universal Waste Rule: Petition Provisions  
 to Add a New Universal Waste  
 60 FR 25492-25551  
 May 11, 1995  
 (RCRA Cluster V, non-HSWA provisions)

Note:

1) This revision checklist, addressing petitions to add additional universal wastes, is one of five checklists developed for the Universal Waste Rule. To be authorized for this checklist, a State must also be authorized for Revision Checklist 142 A.

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

PART 260--HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART C--RULEMAKING PETITIONS

† GENERAL

change "and 268" to ", 268 and 273"; insert "of this chapter" after "265"; insert "or waste-derived material" after "to exclude a waste"; add "of this chapter" after "subpart D of part 261"; add a new sentence at the end of the paragraph regarding the 260.23 provisions	260.20(a)	20.4.1.100 NMAC	X			
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† PETITIONS TO AMEND 40 CFR PART 273 TO INCLUDE ADDITIONAL HAZARDOUS WASTES

persons seeking to add a hazardous waste or a category to Part 273 universal waste provisions, may petition under 260.20, 260.23 and Part 273, Subpart G	260.23(a)	20.4.1.100 NMAC	X			
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RCRA REVISION CHECKLIST 142 E: Universal Waste Rule;  
Petition Provisions (cont'd)

SPA 16

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
what the petitioner must demonstrate to be successful; petition must include 260.20(b) information; petition must address 273.81 factors	260.23(b)	20.4.1.100 NMAC	X			
Administrator will use 273.81 factors to evaluate and decide; factors on which the decision will be based	260.23(c)	20.4.1.100 NMAC	X			
Administrator may request additional information	260.23(d)	20.4.1.100 NMAC	X			

PART 273--STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART G--PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273

† GENERAL

persons seeking to add a hazardous waste or a category, may petition under 260.20, 260.23, and Part 273, Subpart G.	273.80(a)	20.4.1.1000 NMAC	X			
what the petitioner must demonstrate to be successful; petition must include the 260.20(b) information; 273.81 factors	273.80(b)	20.4.1.1000 NMAC	X			
Administrator will use the 273.81 factors to evaluate and decide; factors on which the decision will be based	273.80(c)	20.4.1.1000 NMAC	X			

RCRA REVISION CHECKLIST 142 E: Universal Waste Rule;  
Petition Provisions (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
† FACTORS FOR PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273						
waste or waste category, as generated by a wide variety of generators, is a listed waste or, if not listed, a proportion of the waste stream exhibits one or more of the 261, Subpart C hazardous waste characteristics; how the definition of universal waste is amended when a characteristic waste is added; only that portion of the waste stream exhibiting one or more characteristics (i.e., is a hazardous waste) is subject to Part 273	273.81(a)	20.4.1.1000 NMAC	X			
waste or waste category is not exclusive to a specific industry or group of industries and is commonly generated by a wide variety of establishments	273.81(b)	20.4.1.1000 NMAC	X			
waste or waste category is generated by a large number of generators and is frequently generated in small quantities by each generator	273.81(c)	20.4.1.1000 NMAC	X			
collection systems for waste or waste category would ensure close stewardship of the waste	273.81(d)	20.4.1.1000 NMAC	X			

RCRA REVISION CHECKLIST 142 E: Universal Waste Rule;  
Petition Provisions (cont'd)

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low risk posed by accumulation and transport of waste or waste category; specific proposed management standards would be protective of human health and the environment during accumulation and transport	273.81(e)	20.4.1.1000 NMAC	X			
Part 273 regulation of waste or waste category will increase the likelihood that the waste will be diverted from non-hazardous waste management systems to recycling, treatment, or disposal in compliance with RCRA Subtitle C	273.81(f)	20.4.1.1000 NMAC	X			
Part 273 regulation will improve implementation and compliance with hazardous waste regulatory program	273.81(g)	20.4.1.1000 NMAC	X			
such other factors as may be appropriate	273.81(h)	20.4.1.1000 NMAC	X			