

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 84

Toxicity Characteristic; Chlorofluorocarbon Refrigerants
 56 FR 5910-5915
 February 13, 1991
 (RCRA Cluster I, HSWA Rule)

Note: This Revision Checklist addresses an interim final rule which suspends the Toxicity Characteristic (TC) rule (see 55 FR 11798, March 29, 1990, Revision Checklist 74) for certain used chlorofluorocarbon refrigerants which exhibit the toxicity characteristic and which are recycled. The exemption only applies if the refrigerants are reclaimed for reuse. This interim final rule provides for a standard which is narrower in scope than would be imposed in the final TC rule. Thus, States are not required to mandate this narrower-in-scope standard ¹, and the affected citation is designated as optional. Section 3009 of RCRA, however, provides that States may impose requirements that are broader in scope or more stringent than those imposed under Federal regulations.

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

† EXCLUSIONS

used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, provided the refrigerant is reclaimed for further use

261.4(b)(12)

20.4.1.200 NMAC

x

¹ This rule is considered "narrower-in-scope" because it narrows the wastes which are regulated, by excluding from regulation certain chlorofluorocarbon refrigerants as specified at 261.4(b)(12).