

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 47

Identification and Listing of Hazardous Waste;

Technical Correction

53 FR 27162-27163

July 19, 1988

(HWA Cluster II)

Note: This is a technical correction to the March 24, 1986, 51 FR 10174 addressed by Revision Checklist 23. States already authorized for Revision Checklist 23's provisions should adopt these technical corrections as soon as possible. States not yet authorized for Revision Checklist 23's provisions are encouraged to adopt these technical corrections at the same time the requirements addressed by Revision Checklist 23 are adopted.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

SPECIAL REQUIREMENTS FOR HAZARDOUS WASTE GENERATED BY CONDITIONALLY EXEMPT SMALL QUANTITY GENERATORS

add comment to end

of paragraph	261.5(e)	§335.78 (e) ✓	x
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change 262.34(d)

reference to

262.34(a)	261.5(f)(2)	§335.78 (f) (2) ✓	x
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RCRA REVISION CHECKLIST 48

Farmer Exemptions; Technical Corrections

53 FR 27164-27165

July 19, 1988

(HSPA Cluster II)

This is a technical correction to the August 8, 1986, 51 FR 28664 addressed by Revision Checklist 31. This FR also makes technical corrections (i.e., to 262.51 and 262.70) to the July 8, 1987, 52 FR 25760 addressed by Revision Checklist 39; however, those errors were detected when Revision Checklist 39 was developed. As such, Revision Checklist 39 addresses these corrections and there is no need to address them in this present checklist.

States which are not authorized for Revision Checklist 31 are encouraged to adopt these present technical corrections at the same time the requirements addressed by Revision Checklist 31 are adopted. States already authorized for the provisions addressed by Revision Checklist 31 should adopt these present technical corrections as soon as possible.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF
HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change 262.51 reference to 262.70	262.10(b)	§335.61 (b)	✓	x	
change 262.51 reference to 262.70; insert "268"	262.10(d)	§335.61 (e)	✓	x	

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

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change 262.51 reference to 262.70	264.1(g)(4)	§335.41 (d) (4)	✓	x	
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RCRA REVISION CHECKLIST 48: Farmer Exemptions;
Technical Corrections (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER 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

change 262.51 reference

to 262.70	265.1(c)(8)	§335.41 (d) (4) ✓	x
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change 262.51 reference

to 262.70	268.1(c)(5)	SEE 55 FED REG 22686-Not Applicable
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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

change 262.51 reference

to 262.70	270.1(c)(2)(ii)	§335.41 (d) (4) ✓	x
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1

Technical corrections to §262.51 and §262.70 cited by this FR were previously addressed by Revision Checklist 39; thus, there is no need to address them in this checklist.

RCRA REVISION CHECKLIST 49

Identification and Listing of Hazardous Waste;
Treatability Studies Sample Exemption
53 FR 27290-27302
July 19, 1988
(Non-HSWA Cluster V)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

Note: The standards addressed by 261.4(e) and (f) are less stringent than existing Federal requirements; thus, authorized States are not required to adopt them. EPA strongly encourages States, however, to do so to facilitate evaluating remediation alternatives for CERCLA clean-ups and the RCRA Corrective Action Program. This rule will also speed research and development for treatment alternatives to land disposal and waste minimization, recycling, and reuse.

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS
†add "treatability
study"

<u>260.10</u>	<u>335.1</u>	<u>X</u>
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

†EXCLUSIONS

regulation of
treatability
study samples and
relation to quantity
determination of
261.5 and 262.34(d) 261.4(e)(1)
collection and
preparation of
sample for
transport
accumulation or
storage of sample
prior to
transport
transport of sample
to laboratory or
testing facility
introductory

261.4(e)(1) (i)	335.2(g)	X
261.4(e)(1) (ii)	335.2(g)	X
261.4(e)(1) (iii)	335.2(g)	X

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
paragraph regarding provisions for exemption under (e)(1)	261.4(e)(2)	335.2(g)	X		
sample size limit by hazardous waste type for sample collector	261.4(e)(2) (i)	335.2(g)	X		
weight limit for each sample shipment	261.4(e)(2) (ii)	335.2(g)	X		
packaging require- ments for sample compliance with U.S. DOT, USPS or other for transport	261.4(e)(2) (iii)	335.2(g)	X		
information required if DOT, USPS, or other do not apply to shipment	261.4(e)(2) (iii)(B) (1)-(5)	335.2(g)	X		
laboratory or testing facility requirements	261.4(e)(2)(iv)	335.2(g)	X		
3 year maintenance of specified records	261.4(e)(2)(v)	335.2(g)	X		
records which must be maintained	261.4(e)(2)(v) (A)-(C)	335.2(g)	X		
biennial report requirements	261.4(e)(2)(vi)	335.2(g)	X		
granting of requests for additional quantities; applica- tion procedure	261.4(e)(3)	335.2(g)	X		
reason for request and additional quantity needed required	261.4(e)(3)(i)	335.2(g)	X		
documentation description of technical modifications	261.4(e)(3)(ii) (iii)	335.2(g)	X		
equipment and mechanical failure information	261.4(e)(3)(iv)	335.2(g)	X		
other information requirements for samples undergoing	261.4(e)(3)(v)	335.2(g)	X		

<u>FEDERAL REQUIREMENT</u>	<u>FEDERAL RCRA CITATION</u>	<u>ANALOGOUS STATE CITATION</u>	<u>STATE ANALOG IS:</u>		<u>BROAD- ER IN SCOPE</u>
			<u>EQUIV- ALENT</u>	<u>MORE STRIN- GENT</u>	
treatability					
studies at labs and					
<u>testing facilities</u>	<u>261.4(f)</u>	335.2(g)	X		
notification					
requirements	261.4(f)(1)	335.2(g)	X		
EPA identification					
number of laboratory					
or testing facility	261.4(f)(2)	335.2(g)	X		
single day quantity					
restrictions on					
initiation of					
treatment studies	261.4(f)(3)	335.2(g)	X		
limitations on					
storage of					
treatability					
study samples	261.4(f)(4)	335.2(g)	X		
exclusion of					
treatability					
<u>study residues</u>	<u>261.4(f)(4)(i)</u>	335.2(g)	X		
exclusion of					
added treatment					
<u>materials</u>	<u>261.4(f)(4)(ii)</u>	335.2(g)	X		
90 days/1 year					
limitations on					
duration of					
<u>exemption</u>	<u>261.4(f)(5)</u>	335.2(g)	X		
land placement and					
open burning of					
study samples not					
<u>allowed</u>	<u>261.4(f)(6)</u>	335.2(g)	X		
3 year maintenance					
and storage of					
treatability					
<u>study records</u>	<u>261.4(f)(7)</u>	335.2(g)	X		
list of specific					
information					
needed for each	261.4(f)(7)	335.2(g)	X		
<u>treatability study</u>	<u>(i)-(vii)</u>				
3 year maintenance					
of shipping records					
and treatability					
<u>study contract</u>	<u>261.4(f)(8)</u>	335.2(g)	X		
laboratory or					
treatability					
study facility					
annual report					
<u>requirement</u>	<u>261.4(f)(9)</u>	335.2(g)	X		
required annual	261.4(f)(9)	335.2(g)	X		
<u>report information</u>	<u>(i)-(vii)</u>				

FEDERAL
REQUIREMENT

FEDERAL
 RCRA
CITATION

ANALOGOUS
 STATE
CITATION

STATE ANALOG IS:
 EQUIV- MORE
ALENT STRIN-
GENT

BROAD-
 ER IN
SCOPE

hazardous waste
 determination for
 unused samples
by facility
 notification when
 facility
 discontinues
 treatability
studies

261.4(f)(10)

335.2(g)

X

261.4(f)(11)

335.2(g)

X

RCRA REVISION CHECKLIST 50

Land Disposal Restrictions for First Third
Scheduled Wastes
53 FR 31138-31222
August 17, 1988
as amended on February 27, 1989, at 54 FR 8264-8266
(HWSA Cluster II)

Notes: 1) The "First Third" Scheduled Waste rule addressed by this checklist is the third in a series of rules restricting the land disposal of hazardous waste. Previous related checklists include Revision Checklists 34 and 39. The First Third Scheduled Waste rule was subsequently modified by corrections at 54 FR 18836, and 54 FR 36967 addressed by Revision Checklists 62 and 66, respectively. Also, related to this present checklist are the Second Third Scheduled Wastes (54 FR 26594, Revision Checklist 63) and the Third Third Scheduled Waste (55 FR 22520, Revision Checklist 78). Revision Checklist 78 is not yet finalized.

2) Certain sections or paragraphs of the land disposal restrictions are not delegable, specifically §§268.5, 268.42(b) and 268.44. These continue to be nondelegable. With regard to §268.6, "no-migration" petitions, EPA will continue to handle these petitions at Headquarters although States may be authorized to grant these petitions in the future.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART B - GENERAL WASTE ANALYSIS

GENERAL WASTE ANALYSIS

clarify language and
apply testing to soft
hammer wastes in
treatment surface
impoundments

264.13(b)(7)
(iii)

§335.152 (a) (1) ✓

x

apply to wastes that
do not meet treatment
standards

264.13(b)(7)
(iii)(A)

§335.152 (a) (1) ✓

x

apply to wastes for
which no treatment
standards are
established

264.13(b)(7)
(iii)(B)

§335.152 (a) (1) ✓

x

prohibited disposal
of residues under
268.32 or 3004(d)

264.13(b)(7)
(iii)(B)(1)

§335.152 (a) (1) ✓

x

prohibited disposal
of residues
under 268.33(f)

264.13(b)(7)
(iii)(B)(2)

§335.152 (a) (1) ✓

x

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

1 OPERATING RECORD

remove "or" after
268.5; add clause on
268.8 certification;
add "applicable"
before "notice
required"; change
"268.7(a)(3)"

to "268.7(a)" 264.73(b)(10) §335.152 (a) (4) x

add "and the certi-
fication and demon-
stration, if
applicable" and "or
the owner or
operator"; change

"268.7(a)(1) to
"268.7 or 268.8" 264.73(b)(11) §335.152 (a) (4) x

add 1) clause on
certification/
demonstration, and
2) "or the owner
or operator";
substitute

"268.7 or 268.8"
for "268.7(a)(1)";
change placement of
"except the manifest
number," excluding
the word "for."

264.73(b)(12) §335.152 (a) (4) x

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
add "and demonstra- tion if applicable"; move reference to generator; replace "268.7(b)(1) and (2)" and "268.7(a)(2)" with "268.7 and 268.8, whichever is applicable	264.73(b)(13)	§335.152 (a) (4) ✓	x		
change structure; add specific mention of "the generator" moving the place- ment of the refer- ence to "treater" and replacing it with "or owner or operator of a treatment facility"; replace "268.7(a)(2)" and "268.7(b)(1)" with "268.7"; add clause on certification/ demonstration	264.73(b)(14)	§335.152 (a) (4) ✓	x		
add new paragraph on off-site storage facility requirements	264.73(b)(15)	§335.152 (a) (4) ✓	x		
add new paragraph on on-site storage facility requirements	264.73(b)(16)	§335.152 (a) (4) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART B - GENERAL FACILITY STANDARDS

GENERAL WASTE ANALYSIS

clarify language and
apply testing to soft
hammer wastes in

treatment surface
impoundments

265.13(b)(7)
(iii)

§335.112 (a) (1) ✓

x

apply to wastes that
do not meet treatment
standards

265.13(b)(7)
(iii)(A)

§335.112 (a) (1) ✓

x

apply to wastes for
which no treatment
standards are
established

265.13(b)(7)
(iii)(B)

§335.112 (a) (1) ✓

x

prohibited disposal
of residues under
268.32 or 3004(d)

265.13(b)(7)
(iii)(B)(1)

§335.112 (a) (1) ✓

x

prohibited disposal
of residues under
268.33(f)

265.13(b)(7)
(iii)(B)(2)

§335.112 (a) (1) ✓

x

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

1 OPERATING RECORD

after 268.5 replace

1) "or" with

"monitoring data

required pursuant

to" and 2) "pur-

suant to" with

"under"; insert

clause on certifi-

cation after

"268.8"; add

"applicable"

before "notice";

replace "268.7(a)(3)"

with "268.7(a)"

265.73(b)(8)

§335.112 (a) (4)

x

add 1) "a copy of"

before "the notice,"

2) "and the certi-

fication and

demonstration if

applicable" after

"the notice" and 3)

"or the owner or

operator" after

"generator"; replace

"268.7(a)(1)" with

"268.7 or 268.8"

265.73(b)(9)

§335.112 (a) (4)

x

add 1) clause on

certification/

demonstration,

after "notice" and

2) "or the owner or

operator" after

"generator"; move

manifest number

clause; substitute

"268.7 or 268.8"

for "268.7(a)(1)"

265.73(b)(10)

§335.112 (a) (4)

x

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
add 1) "a copy of" before "notice" and 2) "and demon- stration if applicable" after "certification"; restructure para- graph and move reference to generator; replace "268.7(b)" and "268.7(a)(2)" with "268.7 or 268.8"	265.73(b)(11)	§335.112 (a) (4) ✓	x		
restructure para- graph moving clause on manifest number and placement of "treatment facility"; add 1) "owner or operator of a" before "treatment facility" and 2) "and the certifica- tion and demonstra- tion if applicable" before "required"; replace "268.7(a)(2)" and "268.7(b)(2)" with "268.7 or 268.8";	265.73(b)(12)	§335.112 (a) (4) ✓	x		
add new paragraph on requirements for off-site storage facilities	265.73(b)(13)	§335.112 (a) (4) ✓	x		
add new paragraph on requirements for on-site storage facilities	265.74(b)(14)	§335.112 (a) (4) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

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

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

add language to
reflect that products
for general public's
use are not subject
to regulation if they
meet treatment
requirements of 268
Subpart D or prohibi-
tion levels of 268.32
or 3004(d) where no
treatment standards;
zinc-containing
fertilizers using
K061 not subject to
this requirement

266.20(b)

§335.211 (b)

x

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

2 PURPOSE, SCOPE, AND APPLICABILITY

remove old
268.1(c)(3);
redesignate
268.1(c)(4) as
268.1(c)(3)
redesignate old
268.1(c)(5) as
268.1(c)(4)
and revise

268.1(c)(3)

§335.431 (c)

x

268.1(c)(4)

§335.431 (c)

x

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
add new 268.1(c)(5)-- landfills/surface impoundments, in compliance with 268.8 with respect to wastes not subject to specific treatment standards or prohibitions	268.1(c)(5)	§335.431 (c) ✓	x		
add new paragraph preserving waiver availability under 121(d)(4)	268.1(d)	§335.431 (c) ✓	x		
TREATMENT SURFACE IMPOUNDMENT EXEMPTION					
clarify language and revise to apply to soft hammer wastes to treatment surface impoundments that meet a list of conditions:	268.4(a)(2)	§335.431 (c) ✓	x		
sampling and testing requirements for wastes with and without treatment standards; super- natant and sludge samples tested separately	268.4(a)(2)(i)	§335.431 (c) ✓	x		
annual removal of specific residues; residues subject to valid certifica- tion; flow-through standard of removal for supernatant	268.4(a)(2)(ii)	§335.431 (c) ✓	x		
requirements for subsequent manage- ment of treatment residues in another impoundment pro- hibited unless certification under 268.8 and standards of 268.8(a) are met	268.4(a)(2)(iii)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
recordkeeping requirements must be specified in the facility's waste analysis plan	268.4(a)(2)(iv)	§335.431 (c) ✓	x		
3 WASTE ANALYSIS AND RECORDKEEPING					
clarify language and provide exception to section 268.43 testing requirements	268.7(a)	§335.431 (c) ✓	x		
remove the clause after "treatment standards" which ends with "exceeds" and insert "set forth in Subpart D of this part or exceeds"; insert "or storage" after "treatment"; remove "of this part" after "268.32" and "section" before "3004(d)"	268.7(a)(1)	§335.431 (c) ✓	x		
insert "treatment storage, or" before "land disposal facility"; insert "levels" after "prohibition"; remove "of this part" after "268.32" and "section" before "3004(d)"	268.7(a)(2)	§335.431 (c) ✓	x		
remove "an extension under §268.1(c)(3)"; insert "with each shipment of waste" after "Subpart C"; replace "forward" with "submit"; remove "with the waste" and "land disposal"; add new notice requirements for facility receiving the waste	268.7(a)(3)	§335.431 (c) ✓	x		
EPA hazardous					

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
waste number	268.7(a)(3)(i)	§335.431 (c) ✓	x		
treatment standards and applicable 268.32 or 3004(d)					
prohibition	268.7(a)(3)(ii)	§335.431 (c) ✓	x		
manifest number					
of shipment	268.7(a)(3)(iii)	§335.431 (c) ✓	x		
waste analysis data	268.7(a)(3)(iv)	§335.431 (c) ✓	x		
date waste is subject to prohibition	268.7(a)(3)(v)	§335.431 (c) ✓	x		
redesignate old 268.7(a)(4) as 268.7(a)(5); add new paragraph 268.7(a)(4) requires generator notification for 268.33(f) only					
prohibited wastes	268.7(a)(4)	§335.431 (c) ✓	x		
EPA hazardous waste number	268.7(a)(4)(i)	§335.431 (c) ✓	x		
applicable 268.33(f)					
prohibitions	268.7(a)(4)(ii)	§335.431 (c) ✓	x		
manifest number					
of shipment	268.7(a)(4)(iii)	§335.431 (c) ✓	x		
waste analysis data	268.7(a)(4)(iv)	§335.431 (c) ✓	x		
add new requirement for retention of waste analysis data on-site in files	268.7(a)(5)	§335.431 (c) ✓	x		
add five-year reten- tion period for notices, certifica- tions, demonstra- tions, etc. produced relative to 268.7; extensions during enforcement actions	268.7(a)(6)	§335.431 (c) ✓	x		
clarify language and applicability of testing requirements	268.7(b)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
redesignate old 268.7(b)(1) as 268.7(b)(4); add new paragraph 268.7(b)(1) derived from old 268.7(b) on testing when standards are expressed as concentrations in waste extract	268.7(b)(1)	§335.431 (c) ✓	x		
redesignate old 268.7(b)(2) as 268.7(b)(5); add new paragraph 268.7(b)(2) derived in part from old 268.7(b) on testing of 268.32 or 3004(d) prohibited wastes not subject to Subpart D treatment standards	268.7(b)(2)	§335.431 (c) ✓	x		
add new paragraph on testing for wastes with treatment standards expressed as concentrations in waste	268.7(b)(3)	§335.431 (c) ✓	x		
old 268.7(b)(1) redesignated as 268.7(b)(4)	268.7(b)(4)	§335.431 (c) ✓	x		
old 268.7(b)(2) redesignated as 268.7(b)(5)	268.7(b)(5)	§335.431 (c) ✓	x		
add new paragraph for compliance with generator notice/certification requirements if waste sent off-site	268.7(b)(6)	§335.431 (c) ✓	x		
notification with each shipment for waste subject to 268.33(f), but not subject to 268.32	268.7(b)(7)	§335.431 (c) ✓	x		
EPA hazardous waste number applicable 268.33(f)	268.7(b)(7)(i)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
prohibitions	268.7(b)(7)(ii)	§335.431 (c) ✓	x		
manifest number of waste shipment	268.7(b)(7)(iii)	§335.431 (c) ✓	x		
waste analysis data	268.7(b)(7)(iv)	§335.431 (c) ✓	x		
no 268.7(b)(4) notification for recyclable materials used in a manner constituting disposal and subject to 266.20(b); 268.7(b)(5) certification and 268.7(b)(4) notice to Regional Administra- tor; records of recipients of waste derived products	268.7(b)(8)	§335.431 (c) ✓	x		
clarify language	268.7(c)	§335.431 (c) ✓	x		
have copies of notice under 268.7(a) or (b) and certifica- tions in 268.8 if applicable	268.7(c)(1)	§335.431 (c) ✓	x		
retain rest of old 268.7(c), starting with "test the waste," and designate as 268.7(c)(2)	268.7(c)(2)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
waste subject to 268.33(f) prohibi- tions, but not 268.32 prohibitions or sub- ject to certification prior to disposal in landfill or surface impoundment unit and disposal is in accordance with 268.5(h)(2); same for wastes subject to 268.33(f) and 3004(d) prohibitions or codified 268.32 prohibitions	268.7(c)(3)	§335.431 (c) ✓	x		
<u>LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS</u>					
disposal of 268.33(f) prohibited wastes in landfills or surface impoundments in compliance with 268.5(h)(2) if requirements of 268.8 are met	268.8(a)	§335.431 (c) ✓	x		
good faith generator effort to contract with treatment and recovery facilities providing greatest environmental benefit	268.8(a)(1)	§335.431 (c) ✓	x		
demonstration and certification submitted to Regional Adminis- trator that 268.8(a)(1) require- ments have been met	268.8(a)(2)	§335.431 (c) ✓	x		
explanation and certification when no practically available treatment can be found	268.8(a)(2)(i)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
contracting and certification when practically available treatments are found	268.8(a)(2)(ii)	§335.431 (c) ✓	x		
copy of demonstration and certification sent to receiving facilities for shipments of waste with no practically available treatment; certification only for subsequent shipments; generator recordkeeping and five year retention	268.8(a)(3)	§335.431 (c) ✓	x		
generator copy of demonstration and certification sent to receiving facilities for shipments of wastes with practically available treatment; certification only for subsequent shipments; generator record-keeping and five year retention	268.8(a)(4)	§335.431 (c) ✓	x		
additional information for certification if requested by Regional Administrator	268.8(b)	§335.431 (c) ✓	x		
notification when change in conditions forming basis of certification	268.8(b)(1)	§335.431 (c) ✓	x		
invalidation when Regional Administrator finds practically available treatment method or a method yielding greater environmental benefit than certified	268.8(b)(2)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
when certification is invalidated, generator must cease shipment, communicate with facilities receiving waste, and keep records of communication	268.8(b)(3)	§335.431 (c) ✓	x		
receiving treatment, recovery or storage facilities keep copy of generator's demonstra- tion and certification	268.8(c)	§335.431 (c) ✓	x		
receiving treatment, storage or recovery facility certify waste treated according to generators' demonstration	268.8(c)(1)	§335.431 (c) ✓	x		
receiving treatment, recovery or storage facility must send generator demonstra- tion/certification and 268.8(c)(1) certification to facility receiving waste or treatment residues	268.8(c)(2)	§335.431 (c) ✓	x		
4 disposal facility must assure certification prior to disposal in landfill or surface impoundment unit and units in accordance with 268.5(h)(2) for wastes prohibited under 268.33(f)	268.8(d)	§335.431 (c) ✓	x		
wastes may be disposed in landfill or surface impound- ment meeting 268.5(h)(2) if certified and treated	268.8(e)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

5 WASTE SPECIFIC PROHIBITIONS - SOLVENT WASTES

repromulgate require-
ment to treat to
applicable standard
unless restricted
solvent falls into
treatability group
for which EPA has
determined no

capacity exists

268.30(a)

§335.431 (c) ✓

x

remove final clause
starting with "not
subject to..." and
ending with "November
8, 1988"

268.30(a)(2)

§335.431 (c) ✓

x

change hyphenation;
add "; or" at end of
paragraph

268.30(a)(3)

§335.431 (c) ✓

x

change first "(2), and
(3)" to "(2), (3), and
(4)"; remove second
sentence concerning
disposal in landfills
prior to November

8, 1988

268.30(b)

§335.431 (c) ✓

x

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
redesignate old 268.30(c) as 268.30(d); add new paragraph 268.30(c) prohibiting after November 8, 1990 land disposal of F001- F005 solvent waste contaminated soil and debris (and their treatment residues) resulting from CERCLA action or RCRA corrective action; permitting disposal in landfill or surface impoundment unit in compliance with 268.5(h)(2) prior to November 8, 1990	268.30(c)	§335.431 (c) ✓	x		
old 268.30(c) is new 268.30(d); revise "(a) and (b)" to read "(a), (b), and (c)"; 268.30(d)(1)- (3) are the same as the old 268.30(c)(1)- (3) except in (3) add "and units" after "wastes"	268.30(d)	§335.431 (c) ✓	x		
6 WASTE SPECIFIC PROHIBITIONS--DIOXIN-CONTAINING WASTES					
add phrase "unless the following condition applies:"	268.31(a)	§335.431 (c) ✓	x		
contaminated soil and debris waste resulting from response action under CERCLA or from a RCRA corrective action	268.31(a)(1)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
redesignate old 268.31(b) as 268.31(d); new paragraph 268.31(b) prohibiting land disposal of F020-F023 & F026-F028 dioxin- containing wastes after November 8, 1990	268.31(b)	§335.431 (c) ✓	x		
change years to "1988" and "1990," respectively; insert "(1)" after "(a)"; replace "the facility" with "such unit"	268.31(c)	§335.431 (c) ✓	x		
old 268.31(b) is new 268.31(d); in introductory sentence insert "and (b)" after "(a)"; 268.31(d)(1)-(3) are the same as old 268.31(b)(1)-(3) except in (3) change "extension from" to "extension to"	268.31(d)	§335.431 (c) ✓	x		
<u>WASTE SPECIFIC PROHIBITIONS - CALIFORNIA LIST WASTES</u>					
revise variance dates to reflect that the require- ments of (a) and (e) do not apply until:	268.32(d)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
revise language and change date to July 8, 1989; insert "not" before "resulting from a response..."; insert "(CERCLA)" after "Liability Act"; add sentence about disposal between July 8, 1987 and July 8, 1989 permitted in landfill or surface impoundment in compliance with <u>268.5(h)(2)</u>	268.32(d)(1)	§335.431 (c) ✓	x		
change date to November 8, 1990, wastes from a CERCLA action or RCRA correc- tive action; disposal between November 8 1988 and November 8, 1990 permitted in landfill or surface impoundment in compliance with <u>268.5(h)(2)</u>	268.32(d)(2)	§335.431 (c) ✓	x		
7 change date to November 8, 1988	268.32(e)	§335.431 (c) ✓	x		
add clause on not including wastes described in <u>268.32(d)</u>	268.32(e)(2)	§335.431 (c) ✓	x		
change "July 8, 1989" to "November 8, 1988"; replace "described" with "included" and "the facility" with "such disposal"	268.32(f)	§335.431 (c) ✓	x		
insert ",(d)," after "(a)"	268.32(g)	§335.431 (c) ✓	x		
insert ",(d)," after "(a)(3)"	268.32(h)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
WASTE SPECIFIC PROHIBITIONS - FIRST THIRD WASTES					
specific wastes prohibited from land disposal effective August 8, 1988	268.33(a)	§335.431 (c) ✓	x		
land disposal prohibition of K061 waste containing 15% or greater of zinc pursuant to 268.41 treatment standard for K061 containing less than 15% zinc	268.33(a)(1)	§335.431 (c) ✓	x		
wastes--K048, K049, K050, K051, K052, K061 (contain 5% or greater zinc), K071--prohibited from land disposal effective August 8, 1990	268.33(b)	§335.431 (c) ✓	x		
effective August 8, 1990, land disposal prohibition of wastes specified in 268.10 having a treatment standard in 268, based on incineration and which are contaminated soil and debris, Subpart D	268.33(c)	§335.431 (c) ✓	x		
between November 8, 1988 and August 8, 1990, landfill or surface impoundment disposal permitted if in compliance with 268.5(h)(2) of wastes included under 268(b) & (c)	268.33(d)	§335.431 (c) ✓	x		
requirements of 268(a)-(d) do not apply when:	268.33(e)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
waste meets applicable 268, Subpart D standards	268.33(e)(1)	§335.431 (c) ✓	x		
granted an exemption from prohibition for wastes and units under 268.6	268.33(e)(2)	§335.431 (c) ✓	x		
granted an extension to an effective date for wastes under 268.5	268.33(e)(3)	§335.431 (c) ✓	x		
prohibition of landfill or surface impoundment disposal of wastes specified in 268.10 for which treatment standards do not apply (other than 268.32 or section 3004(d) prohibitions) unless 268.8 demonstration and certification	268.33(f)	§335.431 (c) ✓	x		
for a waste listed in 268.10, initial generator testing to determine exceedance of 268.41 & 268.43 treatment standards and prohibition from land disposal if exceed standards	268.33(g)	§335.431 (c) ✓	x		

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

replace "this subpart" with "§268.41"; remove "without further treatment"	268.40(a)	§335.431 (c) ✓	x		
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RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
land disposal of a restricted waste identified in 268.43 only if below listed constituent concentrations	268.40(c)	§335.431 (c) ✓	x		

TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT

in Table CCWE

remove entry

specified below;

add subtables to

Table CCWE in

numerical order as

specified below

268.41(a)

§335.431 (c) ✓

x

Delete the following entry:

	Concentration (in mg/l)	
	Wastewaters containing spent solvents	All other spent solvent wastes
F001-F005 spent solvents		
Methylene chloride (from the pharmaceutical industry).....		12.7
.96		

Add the following subtables to Table CCWE in numerical order by EPA Hazardous Waste Number:

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

add ability to

incinerate in boilers

and industrial

furnaces after "265,

Subpart O"

268.42(a)(2)

§335.431 (c) ✓

x

TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS

introductory para-

graph for Table CCW

explaining table:

268.43(a)

§335.431 (c) ✓

x

Add new Table CCW as shown below. Subtables are arranged in numerical order by EPA Hazardous Waste Number. Additionally there is a listing after the subtables of "K" wastes which are prohibited from land disposal.

RCRA REVISION CHECKLIST 50: Land Disposal Restrictions for
First Third Scheduled Wastes (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
treatment standard for combinations of wastes with different treatment standards, must meet lowest standard	268.43(b)	§335.431 (c) ✓		x	

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITIONS ON STORAGE OF RESTRICTED WASTES

add to end of para-
graph "or a valid
certification
under 268.8"

268.50(d) §335.431 (c) ✓ x

- 1 In this section, the language is clarified and requirements are added to reflect soft hammer certification and retention of records and to apply to storage facilities.
- 2 Revise this section to reflect soft hammer wastes.
- 3 In this section, apply testing and recordkeeping analyses to First Third wastes and storage facilities and add notification requirements for soft hammer wastes.
- 4 Note that 268.8(d) has a typographical error. The reference to 263.33(f) should be 268.33(f).
- 5 Note that while 268.30(a)(introduction), 268.30(a)(1), and 268.30(a)(4) appear in the FR addressed by this checklist, they have not been changed by this FR. As such, 268.30(a)(1) and 268.30(a)(4) were not included in this checklist. An entry for the 268.30(a) introduction was included, however, to help clarify the modifications to 268.30(a).
- 6 For this section, revise applicability from facility-wide to unit and reschedule CERCLA and RCRA corrective action soil and debris dioxin-containing wastes prohibition from land disposal.
- 7 Note that the FR addressed by this checklist did not change 268.32(e)(1) even though it appears in the FR. Consequently, 268.32(e)(1) was not included in this checklist.

