

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 52

Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems

53 FR 34079-34087

September 2, 1988

(Non-HSWA Cluster V and HSWA Cluster II)

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

Note: This checklist provides additional interpretation, clarification, and correction of typographical errors for the final rule issued for hazardous waste tank systems on July 14, 1986 (Revision Checklist 28). That rule was applicable to both non-HSWA Cluster III and HSWA Cluster I. HSWA is implemented only to the extent that the regulations apply to tank systems owned or operated by small quantity generators, establish leak detection requirements for all new underground tank systems, and establish permit standards for underground tank systems that cannot be entered for inspection. They also implement RCRA insofar as they apply to certain other tank systems. In this checklist, HSWA-related regulations are preceded by an asterisk; those not preceded by an asterisk are non-HSWA regulations. This present checklist is placed in both non-HSWA Cluster V and HSWA Cluster II. As was the case for Revision Checklist 28, States are encouraged to apply for this checklist under the non-HSWA Cluster.

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM; GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

* revise "Elementary neutralization unit"	260.10	§335.1 ✓	x
* revise "Wastewater treatment unit"	260.10	§335.1 ✓	x

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

SUBPART G - CLOSURE AND POST-CLOSURE

DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS

1 add "264.197" reference	264.114	§335.152 (a) (5) ✓	x
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SUBPART J - TANK SYSTEMS

APPLICABILITY

* replace "Tanks" with "Tank systems"	264.190(a)	§335.152 (a) (8) ✓	x
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*	replace "Tanks" with "Tank systems"; replace "§264.193 of this subpart" with "§264.193(a)"	264.190(b)	§335.152 (a) (8) ✓	x
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CONTAINMENT AND DETECTION OF RELEASES

*	add "and sealless valves"	264.193(f)(3)	§335.152 (a) (8) ✓	x
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RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNIT-FOR-USE-TANK SYSTEMS

*	replace "3004(u)" in first Note with "3004(v)"	264.196	§335.152 (a) (8) ✓	x
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PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

*	redesignate current (b)(2) as (b)(3); add new paragraph (b)(2) on waste piles and surface impoundments	265.110(b)(2)	§335.112 (a) (6) ✓	x
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DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS

	add "265.197" reference	265.114	§335.112 (a) (6) ✓	x
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SUBPART J - TANK SYSTEMS

† APPLICABILITY

*	replace "Tanks... containing no" with "Tank systems... which contain no"	265.190(a)	§335.112 (a) (9) ✓	x
*	replace "Tanks" with "Tank systems"; replace "§265.193" with "§265.193(a)"	265.190(b)	§335.112 (a) (9) ✓	x

† CONTAINMENT AND DETECTION OF RELEASES

*	add "and sealless valves"	265.193(f)(3)	§335.112 (a) (9) ✓	x
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RCRA REVISION CHECKLIST 52: Hazardous Waste Management System; Standards
for Hazardous Waste Storage and Treatment Tank Systems (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
* replace "264.197(b)" reference with "265.197(b)"	265.193(g)(3) (iii)	§335.112 (a) (9) ✓	x		

RESPONSES TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE TANK SYSTEMS

* replace "3004(w)" in first Note with "3004(v)"	265.196	§335.112 (a) (9) ✓	x		
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SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN 100 AND 1,000 KG/MO THAT
ACCUMULATE HAZARDOUS WASTE IN TANKS

replace reference "265.192(c)" with "265.201(b)(3)"	265.201(c)(3)	§335.112 (a) (9) ✓	x		
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS
WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

DEFINITIONS

revise "Elementary neutralization unit"	270.2	§335.1 ✓	x		
revise "Wastewater treatment unit"	270.2	§335.1 ✓	x		

* HSWA-related regulations

1

Note the FR addressed by this checklist incorrectly omits the changes to the CFR made
by Revision Checklist 45 at 53 FR 46946 (December 10, 1987).

Incorporation by Reference Form 1

RCRA Revision Checklist: 52Cluster II

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
264.114	§335.152(a)(5)	X		
264.190, 264.193, 264.196	§335.152(a)(8)	X		
265.110, 265.114	§335.112(a)(6)	X		
265.190, 265.193, 265.196, 265.201	§335.112(a)(9)	X		

Comments:

NA ✓

RCRA REVISION CHECKLIST 53

Identification and Listing of Hazardous Waste; and
Designation, Reportable Quantities, and Notification

53 FR 35412-35421

September 13, 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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

SUBPART D - LISTS OF HAZARDOUS WASTES

HAZARDOUS WASTES FROM SPECIFIC SOURCES

add after entries for

"Iron and steel" and

before entries for

"Secondary lead," the

following:

261.32

335.1 ✓

X

Industry and EPA hazardous
waste No.

Hazardous waste

Hazard

code

*	*	*	*	*	*	*
Primary copper: K064.....	Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production					(T)
Primary lead: K065.....	Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities					(T)
Primary zinc: K066.....	Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production					(T)
Primary aluminum: K088.....	Spent potliners from primary aluminum reduction					(T)
Ferroalloys:						
K090.....	Emission control dust or sludge from ferrochromiumsilicon production					(T)
K091.....	Emission control dust or sludge from ferrochromium production					(T)
*	*	*	*	*	*	*

FEDERAL
REQUIREMENT

FEDERAL
RCRA
CITATION

ANALOGOUS
STATE
CITATION

STATE ANALOG IS:		
EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add the following in
the appropriate
numerical sequence:

Appendix VII

335.1 ✓

X

EPA hazardous
waste No.

Hazardous constituents for
which listed

* * * * *

K064.....
K065.....
K066.....
K088.....
K090.....
K091.....

Lead, cadmium.
Do.
Do.
Cyanide (complexes).
Chromium.
Do.

* * * * *

Incorporation by Reference Form 1

RCRA Revision Checklist 53

NON-HSWA Cluster V

FEDERAL RCRA CITATION	STATE CITATION : INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
40 CFR Part 261.32 31 TAC §335.1 and Appendix VII		X		

Comments:

NH ✓

RCRA REVISION CHECKLIST 54

Permit Modifications for Hazardous Waste Management Facilities
53 FR 37912-37942
September 28, 1988
as amended on October 24, 1988, at 53 FR 41649
(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 this checklist are less stringent than existing Federal requirements; thus, authorized States are not required to adopt them. However, EPA strongly encourages States to adopt this permit modification rule as promulgated. If preferred, States may amend their programs to incorporate only selected portions of the rule. See 53 FR 37933-37934 for a discussion of this option.

PART 124 - PROCEDURES FOR DECISIONMAKING

SUBPART A - GENERAL PROGRAM REQUIREMENTS

† MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF PERMITS

add reference "or 270.42(c)"	124.5(c)(1)	305.62 ✓	X
add references to "Classes 1 and 2 modifications as defined in §270.42 (a) and (b)"	124.5(c)(3)	305.62	X

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

SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES

† AMENDMENT OF CONTINGENCY PLAN

remove the comment	264.54(e)	335.152(a)(3) ✓	X
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SUBPART G - CLOSURE AND POST-CLOSURE

† CLOSURE PLAN; AMENDMENT OF PLAN

add wording on "notification" and "review" to text	264.112(c)	335.152(a)(5) ✓	X
insert "notification or" prior to "request"	264.112(c)(1)	335.152(a)(5) ✓	X
insert "notification			

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
of or" prior to "request"	<u>264.112(c)(2)</u>	335.152(a)(5)	X		
† <u>POST-CLOSURE PLAN; AMENDMENT OF PLAN</u> add wording on "notification" and "review" to text	<u>264.118(d)</u>	335.152(a)(5)	X		
insert "notification or" prior to "request"	<u>264.118(d)(1)</u>	335.152(a)(5)	X		
insert "notification of or" prior to "request"	<u>264.118(d)(2)</u>	335.152(a)(5)	X		

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

SUBPART G - CLOSURE AND POST-CLOSURE

† <u>CLOSURE PLAN; AMENDMENT OF PLAN</u> revise last sentence of paragraph by deleting "major" and inserting "Class 2 or 3" preceding "modifi- cation" and delete reference to "§270.41."	<u>265.112(c)(3)</u>	335.112(a)(6)	X		
revise last sentence of paragraph by deleting "major" and inserting "Class 2 or 3" preceding "modifi- cation" and delete reference to "§270.41."	<u>265.112(c)(4)</u>	335.112(a)(6)	X		
replace "major modification" with "Class 2 or 3 modification" and delete reference to "§270.41"	<u>265.118(d)(3)</u>	335.112(a)(6)	X		
replace "major modification" with "Class 2 or 3 modification" and delete reference to "§270.41"	<u>265.118(d)(4)</u>	335.112(a)(6)	X		

FEDERAL
REQUIREMENT

FEDERAL
RCRA
CITATION

ANALOGOUS
STATE
CITATION

STATE ANALOG IS:
EQUIV- MORE
ALENT STRIN-
GENT

BROAD-
ER IN
SCOPE

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS
WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

† DEFINITIONS

add "Component"	<u>270.2</u>
add "Facility mailing list"	<u>270.2</u>
add "Functionally equivalent component"	<u>270.2</u>

† EFFECT OF A PERMIT

modification under <u>270.42</u>	<u>270.4(a)</u>
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SUBPART C - PERMIT CONDITIONS

† CONDITIONS APPLICABLE TO ALL PERMITS

add provision for <u>270.42</u>	<u>270.30(l)(2)</u>
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305.144 ✓

X

SUBPART D - CHANGES TO PERMITS

† TRANSFER OF PERMITS

renumber old 270.40 as 270.40(a); change parenthetical clauses	<u>270.40(a)</u>
ownership change procedures as Class 1 modifications	<u>270.40(b)</u>

305.64(a)

X

305.64(g)

X

† MODIFICATION OR REVOCATION AND REISSUANCE OF PERMITS

remove "Major" from section heading; remove reference to 270.42; request of permittee, approval/ <u>denial under 270.42</u>	<u>270.41</u>
insert "by statute, through" before "promulgation"; insert "new or" <u>before "amended"</u>	<u>270.41(a)(3)</u>
remove (a)(5) and	

N/A

305.62(d)(3) ✓

X

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
redesignate existing <u>(a)(6) as (a)(5)</u>	<u>270.41(a)(5)</u>	<u>305.62(e)</u> ✓	X		
† <u>PERMIT MODIFICATION AT THE REQUEST OF THE PERMITEE</u>					
revise section heading; remove <u>introductory material</u>	<u>270.42</u>	<u>305.69</u> ✓	X		
putting into effect Class 1 modifications as listed in <u>Appendix I</u>	<u>270.42(a)(1)</u>	<u>305.69(a)</u> ✓	X		
notification of <u>Director by permittee</u>	<u>270.42(a)(1)(i)</u>	<u>305.69(a)(1)(A)</u> ✓	X		
to whom notice of modification must be <u>sent and when</u>	<u>270.42(a)(1)(ii)</u>	<u>305.69(a)(1)(B)</u> ✓	X		
rejection of modifica- <u>tion by Director</u>	<u>270.42(a)(1)(iii)</u>	<u>305.69(a)(1)(C)</u> ✓	X		
modifications requiring <u>prior written approval</u>	<u>270.42(a)(2)</u>	<u>305.69(a)(2)</u> ✓	X		
Class 2 procedures instead of Class 1 <u>procedures</u>	<u>270.42(a)(3)</u>	<u>305.69(a)(3)</u> ✓	X		
heading for "Class <u>2 modifications</u> "	<u>270.42(b)</u>	<u>305.69(b)</u> ✓	X		
Class 2 modifications as listed in <u>Appendix I</u>	<u>270.42(b)(1)</u>	<u>305.69(b)(1)</u> ✓	X		
description of <u>exact changes</u>	<u>270.42(b)(1)(i)</u>	<u>305.69(b)(1)(A)</u> ✓	X		
identification of <u>Class 2 modification</u>	<u>270.42(b)(1)(ii)</u>	<u>305.69(b)(1)(B)</u> ✓	X		
why modification is <u>needed</u>	<u>270.42(b)(1)(iii)</u>	<u>305.69(b)(1)(C)</u> ✓	X		
provision of applicable <u>information</u>	<u>270.42(b)(1)(iv)</u>	<u>305.69(b)(1)(D)</u> ✓	X		
to whom notice must <u>be sent and when</u>	<u>270.42(b)(2)</u>	<u>305.69(b)(2)</u> ✓	X		
announcement of a 60-day comment <u>period</u>	<u>270.42(b)(2)(i)</u>	<u>305.69(b)(2)(A)</u> ✓	X		
announcement of where and when public <u>meeting will be held</u>	<u>270.42(b)(2)(ii)</u>	<u>305.69(b)(2)(B)</u> ✓	X		
name and phone number of permittee's <u>contact person</u>	<u>270.42(b)(2)(iii)</u>	<u>305.69(b)(2)(C)</u> ✓	X		
name and phone number of Agency <u>contact person</u>	<u>270.42(b)(2)(iv)</u>	<u>305.69(b)(2)(E)</u> ✓	X		
location for viewing <u>modification request</u>	<u>270.42(b)(2)(v)</u>	<u>305.69(b)(2)(F)</u> ✓	X		

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
availability of permittee's <u>compliance history</u>	<u>270.42(b)(2)(vi)</u>	305.69(b)(2)(G) ✓	X		
placement of modifica- tion request copy in vicinity of facility for <u>public accessibility</u>	<u>270.42(b)(3)</u>	305.69(b)(3) ✓	X		
when and where permittee must hold <u>a public meeting</u>	<u>270.42(b)(4)</u>	305.69(b)(4) ✓	X		
public comment <u>period</u>	<u>270.42(b)(5)</u>	305.69(b)(5) ✓	X		
requirements after receipt of modification <u>request</u>	<u>270.42(b)(6)(i)</u>	305.69(b)(6) ✓	X		
approve request, with <u>or without changes</u>	<u>270.42(b)(6)(i)(A)</u>	305.69(b)(6)(A) ✓	X		
<u>deny request</u>	<u>270.42(b)(6)(i)(B)</u>	305.69(b)(6)(B) ✓	X		
determine if Class 3 modification pro- <u>cedures are needed:</u>	<u>270.42(b)(6)(i)(C)</u>	305.69(b)(6)(C) ✓	X		
significant public <u>concern</u>	<u>270.42(b)(6)(i)(C)(1)</u>	305.69(b)(6)(C)(i) ✓	X		
complex nature of <u>changes</u>	<u>270.42(b)(6)(i)(C)(2)</u>	305.69(b)(6)(C)(ii) ✓	X		
approve as temporary <u>authorization</u>	<u>270.42(b)(6)(i)(D)</u>	305.69(b)(6)(D) ✓	X		
notify permittee that decision will be made <u>in 30 days</u>	<u>270.42(b)(6)(i)(E)</u>	305.69(b)(6)(E) ✓	X		
requirements if decision is extended <u>for 30 days:</u>	<u>270.42(b)(6)(ii)</u>	305.69(b)(7) ✓	X		
approve request, with <u>or without changes</u>	<u>270.42(b)(6)(ii)(A)</u>	305.69(b)(7)(A) ✓	X		
<u>deny request</u>	<u>270.42(b)(6)(ii)(B)</u>	305.69(b)(7)(B) ✓	X		
determine if Class 3 modification pro- <u>cedures are needed:</u>	<u>270.42(b)(6)(ii)(C)</u>	305.69(b)(7)(C) ✓	X		
significant public <u>concern</u>	<u>270.42(b)(6)(ii)(C)</u> <u>(1)</u>	305.69(b)(7)(C)(i) ✓	X		
complex nature of <u>changes</u>	<u>270.42(b)(6)(ii)(C)</u> <u>(2)</u>	305.69(b)(7)(C)(ii) ✓	X		
approve as temporary <u>authorization</u>	<u>270.42(b)(6)(ii)(D)</u>	305.69(b)(7)(D) ✓	X		
temporary or auto- matic authorization following failure to <u>make decision</u>	<u>270.42(b)(6)(iii)</u>	305.69(b)(8) ✓	X		

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
requirements of permittee under temporary or auto- matic authorization	<u>270.42(b)(6)(iv)(A)</u>	305.69(b)(9) ✓	X		
temporary authoriza- tion to conduct activities as in modification request	<u>270.42(b)(6)(iv)(A)</u> <u>(1)</u>	305.69(b)(9)(A) ✓	X		
unless final approval or denial, authorization for life of permit deferment of permanent authoriza- tion if failure to notify public	<u>270.42(b)(6)(iv)(A)</u> <u>(2)</u>	305.69(b)(9)(B) ✓	X		
if no final approval or denial or reclassifi- cation, authority to conduct activities as described in modifica- tion request for life of permit unless later modification	<u>270.42(b)(6)(iv)(B)</u>	305.69(b)(10) ✓	X		
consideration and response to all significant comments	<u>270.42(b)(6)(v)</u>	305.69(b)(11) ✓	X		
extension of time periods for final approval, denial or reclassification as Class 3	<u>270.42(b)(6)(vi)</u>	305.69(b)(12) ✓	X		
reasons to deny or change Class 2 permit modification terms	<u>270.42(b)(6)(vii)</u>	305.69(b)(13) ✓	X		
request is incomplete	<u>270.42(b)(7)</u>	305.69(b)(14) ✓	X		
noncompliance with appropriate requirements	<u>270.42(b)(7)(i)</u>	305.69(b)(14)(A) ✓	X		
failure to protect human health and environment	<u>270.42(b)(7)(ii)</u>	305.69(b)(14)(B) ✓	X		
commencement of construction under Class 2	<u>270.42(b)(7)(iii)</u>	305.69(b)(14)(C) ✓	X		
heading for "Class 3 modifications"	<u>270.42(b)(8)</u>	305.69(b)(15) ✓	X		
requirements for Class 3 modifications	<u>270.42(c)</u>	305.69(c) ✓	X		
listed Appendix I description of	<u>270.42(c)(1)</u>	305.69(c)(1) ✓	X		

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
<u>exact changes</u>	<u>270.42(c)(1)(i)</u>	305.69(c)(1)(A) ✓	X		
identification of Class 3					
<u>modification</u>	<u>270.42(c)(1)(ii)</u>	305.69(c)(1)(B) ✓	X		
why modification is needed	<u>270.42(c)(1)(iii)</u>	305.69(c)(1)(C) ✓	X		
provision of appli- cable information	<u>270.42(c)(1)(iv)</u>	305.69(c)(1)(D) ✓	X		
to whom and when notice must be sent	<u>270.42(c)(2)</u>	305.69(c)(2) ✓	X		
announcement of a 60-day comment period	<u>270.42(c)(2)(i)</u>	305.69(c)(2)(A) ✓	X		
announcement of when and where public meeting will be held	<u>270.42(c)(2)(ii)</u>	305.69(c)(2)(B) ✓	X		
name and phone number of permittee's contact person	<u>270.42(c)(2)(iii)</u>	305.69(c)(2)(C) ✓	X		
name and phone number of Agency contact person	<u>270.42(c)(2)(iv)</u>	305.69(c)(2)(D) ✓	X		
location for viewing modification request	<u>270.42(c)(2)(v)</u>	305.69(c)(2)(E) ✓	X		
availability of permittee's com- pliance history	<u>270.42(c)(2)(vi)</u>	305.69(c)(2)(F) ✓	X		
placement of modifica- tion request copy in vicinity of facility for public accessibility	<u>270.42(c)(3)</u>	305.69(c)(3) ✓	X		
when and where permittee must hold a public meeting	<u>270.42(c)(4)</u>	305.69(c)(4) ✓	X		
public comment period	<u>270.42(c)(5)</u>	305.69(c)(5) ✓	X		
grant or deny modifi- cation request after public comment period; consider and respond to all significant written comments	<u>270.42(c)(6)</u>	305.69(c)(6) ✓	X		
heading for "Other modifications"	<u>270.42(d)</u>	305.69(d) ✓	X		
other modifications not explicitly listed in Appendix I	<u>270.42(d)(1)</u>	305.69(d)(1) ✓	X		
determination of appropriate class:	<u>270.42(d)(2)</u>	305.69(d)(2) ✓	X		

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
changes that necessitate Class 1 <u>modifications</u>	<u>270.42(d)(2)(i)</u>	305.69(d)(2)(A) ✓	X		
changes that necessitate Class 2 <u>modifications</u>	<u>270.42(d)(2)(ii)</u>	305.69(d)(2)(A) ✓	X		
variations in types and quantities of <u>wastes managed</u>	<u>270.42(d)(2)(ii)(A)</u>	305.69(d)(2)(B)(i) ✓	X		
technological <u>advancements</u>	<u>270.42(d)(2)(ii)(B)</u>	305.69(d)(2)(B)(ii) ✓	X		
changes necessary to comply with new <u>regulations</u>	<u>270.42(d)(2)(ii)(C)</u>	305.69(d)(2)(B)(iii)	X		
Class 3 modifica- tions description heading for " <u>Tempo- rary authorizations</u> "	270.42(d)(2)(iii)	305.69(d)(2)(C) ✓	X		
granting of tempo- <u>rary authorizations</u>	<u>270.42(e)</u>	305.69(e) ✓	X		
request for tempo- <u>rary authorization:</u>	<u>270.42(e)(1)</u>	305.69(e)(1) ✓	X		
Class 2 modification <u>meeting criteria</u>	<u>270.42(e)(2)(i)</u>	305.69(e)(2) ✓	X		
Class 3 modification meeting criteria and providing improved management or <u>treatment</u>	<u>270.42(e)(2)(i)(A)</u>	305.69(e)(2)(A) ✓	X		
what temporary authorization request <u>must include</u>	<u>270.42(e)(2)(i)(B)</u>	305.69(e)(2)(B) ✓	X		
description of <u>activities</u>	<u>270.42(e)(2)(ii)</u>	305.69(e)(3) ✓	X		
why temporary autho- <u>rization is necessary</u>	<u>270.42(e)(2)(ii)(A)</u>	305.69(e)(3)(A) ✓	X		
sufficient information <u>to ensure compliance</u>	<u>270.42(e)(2)(ii)(B)</u>	305.69(e)(3)(B) ✓	X		
to whom notice must <u>be sent</u>	<u>270.42(e)(2)(ii)(C)</u>	305.69(e)(3)(C) ✓	X		
approve or deny temporary authoriza- <u>tion quickly:</u>	<u>270.42(e)(2)(iii)</u>	305.69(e)(4) ✓	X		
authorized activities in compliance with <u>Part 264</u>	<u>270.42(e)(3)</u>	305.69(e)(5) ✓	X		
necessity of temporary authorization to <u>achieve an objective:</u>	<u>270.42(e)(3)(i)</u>	305.69(e)(5)(A) ✓	X		
facilitate closure or corrective action	<u>270.42(e)(3)(ii)</u>	305.69(e)(5)(B) ✓	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>	
<u>activities</u>	<u>270.42(e)(3)(ii)(A)</u>	305.69(e)(5)(B)(i) ✓	X		
allow treatment or storage in tanks or containers of					
<u>restricted wastes</u>	<u>270.42(e)(3)(ii)(B)</u>	305.69(e)(5)(B)(ii) ✓	X		
prevent disruption of <u>ongoing activities</u>	<u>270.42(e)(3)(ii)(C)</u>	305.69(e)(5)(B)(iii) ✓	X		
respond to sudden changes in types or quantities of wastes <u>managed</u>	<u>270.42(e)(3)(ii)(D)</u>	305.69(e)(5)(B)(iv) ✓	X		
protection of human health and <u>environment</u>	<u>270.42(e)(3)(ii)(E)</u>	305.69(e)(5)(B)(v) ✓	X		
reissuance of temporary authoriza- <u>tion for Class 2 or 3</u>	<u>270.42(e)(4)</u>	305.69(e)(6) ✓	X		
reissuance of Class 2 in accordance with <u>specific paragraphs</u>	<u>270.42(e)(4)(i)</u>	305.69(e)(6)(A) ✓	X		
reissuance of Class 3 in accordance with <u>specific paragraph</u>	<u>270.42(e)(4)(ii)</u>	305.69(e)(6)(B) ✓	X		
heading for "Public notice and appeals of permit modification <u>decisions</u> "	<u>270.42(f)</u>	305.69(f) ✓	X		
when and to whom notification of grant, denial or automatic authoriza- tion decisions must <u>be sent</u>	<u>270.42(f)(1)</u>	305.69(f)(1) ✓	X		
appeal of grant or <u>denial decision</u>	<u>270.42(f)(2)</u>	305.69(f)(2) ✓	X		
appeal of automatic <u>authorization</u>	<u>270.42(f)(3)</u>	305.69(f)(2) ✓	X		
heading for "Newly listed or identified wastes"	270.42(g)	305.69(g) ✓	X		
continued authority to manage wastes <u>listed in Part 261:</u>	<u>270.42(g)(1)</u>	305.69(g)(1) ✓	X		
in existence as a hazardous waste facility on effective date of final rule listing or <u>identifying waste</u>	<u>270.42(g)(1)(i)</u>	305.69(g)(1)(A) ✓	X		
submit Class 1 <u>modification request</u>	<u>270.42(g)(1)(ii)</u>	305.69(g)(1)(B) ✓	X		

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
in compliance with <u>265 standards</u> for Class 2 or 3 modifications, submit complete modification request within 180 <u>days</u>	<u>270.42(g)(1)(iii)</u>	305.69(g)(1)(C) ✓	X		
certification that land disposal units are in compliance within 12 <u>months</u>	<u>270.42(g)(1)(iv)</u>	305.69(g)(1)(D) —	X		
expansions are not under 25 percent capacity limit for Class <u>2 modifications</u>	<u>270.42(g)(1)(v)</u>	305.69(g)(1)(E) ✓	X		
maintenance and notice of updated list of permit <u>modifications</u>	<u>270.42(g)(2)</u>	305.69(g)(2) ✓	X		
	<u>270.42(h)</u>	Texas Open Records Act §3(a), §§305.69(a)(1)(B), (a)(3), (b)(2), (c)(2), §§305.100 and 305.102	X		
remove 270.42(i) <u>through 270.42(o)</u> add Appendix I; classification <u>of modifications</u>	<u>270.42(i)-(o)</u>	305.62(e)(2)(C)(iv) ✓ -(xi) deleted ✓	X		
	270.42, <u>Appendix I</u>	305.69(h) ✓ 305.69(h)F.5..	X		
					X

SUBPART F - SPECIAL FORMS OF PERMITS

† HAZARDOUS WASTE INCINERATOR PERMITS

revise last sentence by omitting <u>parenthetical phrase</u>	<u>270.62(a)</u>	305.171 —	X		
revise last sentence by omitting "as a <u>minor modification</u> "	<u>270.62(b)(10)</u>	305.172(10) ✓	X		

† PERMITS FOR LAND TREATMENT DEMONSTRATIONS USING FIELD TEST OR LABORATORY ANALYSES

remove "as a minor modification"; add a new sentence on second phase of <u>permit</u>	<u>270.63(d)(1)</u>	305.184(1) ✓	X		
remove phrase on <u>minor modifications</u>	<u>270.63(d)(2)</u>	305.184(2) ✓	X		

FEDERAL
REQUIREMENT

FEDERAL
RCRA
CITATION

ANALOGOUS
STATE
CITATION

STATE ANALOG IS:
EQUIV- MORE
ALENT STRIN-
GENT

BROAD-
ER IN
SCOPE

remove paragraph

270.63(d)(3)

305.184(3)

X

NH ✓

RCRA REVISION CHECKLIST 55

Statistical Methods for Evaluating Ground-Water Monitoring
Data from Hazardous Waste Facilities

53 FR 39720-39731

October 11, 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

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

SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

REQUIRED PROGRAMS

definition of
"detected" as in

<u>264.98(f)</u>	<u>264.91(a)(1)</u>	335.157(a)(1) ✓	X
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definition of
"exceeded" as in

<u>264.99(d)</u>	<u>264.91(a)(2)</u>	335.157(a)(2) ✓	X
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GROUND-WATER PROTECTION STANDARD

replace "entering"
after 264.93 with
"detected in"; in
the last clause

replace everything
after "constituents
have" with "been
detected in the
ground water."

<u>264.92</u>	335.158 ✓	X
---------------	-----------	---

remove "and" from
end of paragraph

<u>264.97(a)(1)</u>	335.163(1)(A) —	X
---------------------	-----------------	---

redesignate
264.97(g)(3) as
264.97(a)(1)(i);
sampling of wells
not hydraulically
upgradient

<u>264.97(a)(1)(i)</u>	335.163(1)(A)(i) ✓	X
------------------------	--------------------	---

old 264.97(g)(3)(i)
becomes

264.97(a)(1)(i)(A);
insert "hydraulic-
ly" preceding "up-
gradient"; replace
"or" at end of

<u>264.97(a)(1)(i)(A)</u>	335.163(1)(A)(i)	X
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old 264.97(g)(3)(ii)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
becomes					
264.97(a)(1)(i)(B); add "; and " to end of paragraph	264.97(a)(1)(i) (B)	335.163(1)(A)(ii) ✓	X		
contamination detec- tion when migration to uppermost aquifer	264.97(a)(3)	335.163(1)(C) ✓	X		
detection monitoring --sampling procedure, number and kinds of samples, sample size	264.97(g)	335.163(7) ✓	X		
sequencing of at least four samples; requirements of interval between	264.97(g)(1)	335.163(7)(A) ✓	X		
alternate sampling procedure	264.97(g)(2)	335.163(7)(B) ✓	X		
redesignate as					
264.97(a)(1)(i)	264.97(g)(3);	See:			
specify statistical evaluation methods for ground-water data and specify in permit; requirements for use of listed methods:	Redesignated as 264.97(a)(1)(i)	335.163(1)(A)(i) ✓			
parametric ANOVA	264.97(h)	335.163(8) ✓	X		
followed by multiple comparisons					
procedures	264.97(h)(1)	335.163(8)(A) ✓	X		
ANOVA based on ranks followed by multiple comparisons					
procedures	264.97(h)(2)	335.163(8)(B) ✓	X		
tolerance or predic- tion interval					
procedure	264.97(h)(3)	335.163(8)(C) ✓	X		
control chart					
approach	264.97(h)(4)	335.163(8)(D) ✓	X		
another statistical method approved by the Regional Administrator	264.97(h)(5)	335.163(8)(E) ✓	X		
performance standards for statistical methods chosen under					
264.97(h);	264.97(i)	335.163(9) ✓	X		
appropriate for dis-					

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
tribution of chemical parameters or hazard- ous constituents; transformed or dis- <u>tribution-free test</u>	<u>264.97(i)(1)</u>	335.163(9)(A) ✓	X		
individual well comparison--0.01 Type I error; multiple compari- sons--0.05 Type I error, but maintain 0.01 Type I error <u>for individual wells</u>	<u>264.97(i)(2)</u>	335.163(9)(B) ✓	X		
for control chart approach, what must be approved by Re- <u>gional Administrator</u>	<u>264.97(i)(3)</u>	335.163(9)(C) ✓	X		
for tolerance or prediction interval, what must be approved by Regional <u>Administrator</u>	<u>264.97(i)(4)</u>	335.163(9)(D) ✓	X		
account for data below detection limit and require- <u>ments</u>	<u>264.97(i)(5)</u>	335.163(9)(E) ✓	X		
procedures to correct or control for seasonal and <u>spatial variability</u>	<u>264.97(i)(6)</u>	335.163(9)(F) ✓	X		
maintenance of ground-water monitoring data in facility operating record; when data <u>must be reviewed</u>	<u>264.97(j)</u>	335.163(10) ✓	X		
<u>DETECTION MONITORING PROGRAM</u>					
ground-water monitor- ing program for each chemical parameter and hazardous con- stituent; record of ground-water <u>analytical data</u>	<u>264.98(c)</u>	335.164(3) ✓	X		
Regional Administra- tor specifies fre- quency of samples and tests; four					

	FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
				EQUIV- ALENT	MORE STRIN- GENT	
	samples per well <u>semi-annually</u>	<u>264.98(d)</u>	335.164(4) ✓	X		
	determine if statistically sig- nificant evidence <u>of contamination</u>	<u>264.98(f)</u>	335.164(6) ✓	X		
	methods which can <u>be used</u>	<u>264.98(f)(1)</u>	335.164(6)(A) ✓	X		
	determine evidence of contamination at each monitoring well at compliance point; time period deter- mined by Regional <u>Administrator</u>	<u>264.98(f)(2)</u>	335.164(6)(B) ✓	X		
	what owner/operator must do if sta- tistically significant evidence of <u>contamination</u>	<u>264.98(g)</u>	335.164(7) ✓	X		
	notification of Regional <u>Administrator</u>	<u>264.98(g)(1)</u>	335.164(7)(A) ✓	X		
	immediate determina- tion if Appendix IX constituents are <u>in ground water</u>	<u>264.98(g)(2)</u>	335.164(7)(B) ✓	X		
	for constituents found, resample in one month; if con- firmed, form basis of compliance moni- toring; no resample-- initial analysis <u>is basis</u>	<u>264.98(g)(3)</u>	335.164(7)(C) ✓	X		
	application for <u>permit modification</u>	<u>264.98(g)(4)</u>	335.164(7)(D) ✓	X		
2	Appendix IX constituent <u>concentration</u>	<u>264.98(g)(4)(i)</u>	335.164(7)(D)(i) ✓	X		
	proposed changes to ground-water <u>monitoring system</u>	<u>264.98(g)(4)</u> <u>(ii)</u>	335.164(7)(D)(ii) ✓	X		
	proposed additions <u>or changes</u>	<u>264.98(g)(4)</u> <u>(iii)</u>	335.164(7)(D)(iii) ✓	X		
	proposed concentra- tion limit or notice of intent for alternate	<u>264.98(g)(4)</u>	335.164(7)(D)(iv) ✓	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>	
<u>concentration limit</u>	(iv)				
what must be sub- mitted within 180 days	<u>264.98(g)(5)</u>	335.164(7)(E) ✓	X		
data to justify alternate concen- tration limit	<u>264.98(g)(5)(i)</u>	335.164(7)(E)(i) ✓	X		
engineering feasibility plan for corrective action	<u>264.98(g)(5)(ii)</u>	335.164(7)(E)(ii) ✓	X		
concentration of 264.98(g)(2) con- stituents does not exceed values of	264.98(g)(5)(ii)	335.164(7)(E)(ii)(I) ✓	X		
<u>Table 1, 264.94</u>	<u>(A)</u>				
alternate concen- tration limit	264.98(g)(5)(ii)	335.164(7)(E)(ii)(II) ✓	X		
<u>(B)</u>					
demonstration that a source other than regulated unit caused contamination	<u>264.98(g)(6)</u>	335.164(7)(F) ✓	X		
notify Regional Administrator of intent to submit demonstration	<u>264.98(g)(6)(i)</u>	335.164(7)(F)(i) ✓	X		
report demonstrating that another source caused contamination or error in sampling, analysis or					
<u>evaluation</u>	<u>264.98(g)(6)(ii)</u>	335.164(7)(F)(ii) ✓	X		
application for permit modification	<u>264.98(g)(6)(iii)</u>	335.164(7)(F)(iii) ✓	X		
continue to monitor	264.98(g)(6)(iv)	335.164(7)(F)(iv) ✓	X		
what must be done if detection monitoring program no longer satisfies					
<u>requirements</u>	<u>264.98(h)</u>	335.164(8) ✓	X		
<u>delete paragraph</u>	<u>264.98(i)</u>	N/A			
<u>delete paragraph</u>	<u>264.98(j)</u>	N/A			
<u>delete paragraph</u>	<u>264.98(k)</u>	N/A			

COMPLIANCE MONITORING PROGRAM
Regional Admin-

[illegible]

<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>	
remove old 264.99(h) and redesignate old 264.99(i) as 264.99(h); revise new 264.99(h)-- change "(h)" to "(d)"; replace "the ground-water protec- tion standard" with "any concentration limits under 264.94 are"; insert "or <u>she</u> " after "he" redesignate old 264.99(j) as 264.99(i); revise new 264.99(i)-- change "(h)" to "(d)"; replace "protection standard" with "concentration limits under this section are"; insert "or she" after "he"; revise rest of paragraph after "regulated unit caused" retaining clause "In making <u>demonstration...</u> "	<u>264.99(h)</u>	335.165(8) ✓	X		
redesignate old 264.99(k) as 264.99(j) redesignate as 264.99(j) so that 264.99(k) no <u>longer exists</u>	<u>264.99(i)</u>	335.165(9) ✓	X		
	<u>264.99(j)</u>	335.165(10) ✓	X		
	<u>264.99(k)</u>	<u>335.165(10)</u> ✓	<u>X</u>		
<u>remove paragraph</u>	<u>264.99(l)</u>	N/A			

NH ✓

RCRA REVISION CHECKLIST 56

Identification and Listing of Hazardous Waste; Removal of
Iron Dextran from the List of Hazardous Wastes

53 FR 43878-43881

October 31, 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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF

†	<u>remove listing</u>	<u>261.33(f)</u>	335.1 ✓	X
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The following waste has been removed from the 261.33(f) list:

"U139...9004-66-4...Iron dextran"

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

†	<u>remove listing</u>	<u>Appendix VIII</u>	335.1 ✓	X
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The following waste has been removed from Appendix VIII:

"Iron dextran...Same...9004-66-4"

Incorporation by Reference Form 1

RCRA Revision Checklist 56

NON-HSWA Cluster V

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
40 CFR Part 261	§335.1	X		
§261.33(f) and Appendix VIII				

Comments:

NA ✓

RCRA REVISION CHECKLIST 57

Identification and Listing of Hazardous Waste; Removal of
Strontium Sulfide from the List of Hazardous Wastes

53 FR 43881-43884

October 31, 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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART D - LISTS OF HAZARDOUS WASTES

† DISCARDED COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SPILL RESIDUES THEREOF

<u>remove listing</u>	<u>261.33(e)</u>	335.1 ✓	X
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The following waste has been removed from the 261.33(e) list:

"P107...1314-96-1...Strontium sulfide"

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

<u>remove listing</u>	<u>Appendix VIII</u>	335.1 ✓	X
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The following waste has been removed from Appendix VIII:

"Strontium sulfide...Same...1314-96-1"

Incorporation by Reference Form 1

RCRA Revision Checklist 57

NON-HSWA cluster V

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	EQUIVALENT	STATE ANALOG IS:	
			MORE STRINGENT	BROADER IN SCOPE
40 CFR Part 261				
\$261.33(e) and Appendix VII	\$335.1	x		

Comments: