

US EPA ARCHIVE DOCUMENT

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RCRA REVISION CHECKLIST 59

Hazardous Waste Miscellaneous Units;
Standards Applicable to Owners and Operators

54 FR 615-617

January 9, 1989

(non-HSWA Cluster IV)

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

Note: This is a correction and clarification of 52 FR 46946 (December 10, 1987) addressed by Revision Checklist 45. This present checklist has been placed in non-HSWA Cluster IV because it corrects a checklist in that cluster. Because this cluster is already closed, States need to adopt this technical correction as soon as possible.

A June 22, 1989 (54 FR 26198) final rule amended the preamble of the December 10, 1987 rule addressed by Revision Checklist 45. Because this was the only change made by this final rule, a checklist was not developed for it, nor was it incorporated into this present checklist.

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

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

change "264.194" to

"264.193(i)"; add

"264.195"

270.14(b)(5)

305.50(4) ✓

X

add reference to

264.197

270.14(b)(13)

305.50(4) ✓

X

Incorporation by Reference Form 1

RCRA Revision Checklist 45 and Revision Checklist 59

NON-HSWA Cluster V

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	EQUIVALENT	STATE ANALOG IS:	
			MORE STRINGENT	BROADER IN SCOPE
40 CFR Part 270	31 TAC §305.50(4)	X		
Part B requirements				
of §270.14(b)(5)				

Comments:

NH ✓

RCRA REVISION CHECKLIST 60

Amendment to Requirements for Hazardous Waste
Incinerator Permits
54 FR 4286-4288
January 30, 1989
(non-HSWA Cluster V)

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

In lieu of making the changes addressed by this checklist, a State may submit a certification by the State Attorney General that he/she interprets his/her State's existing regulations in the manner described in this rule. Such a simplified application is allowed because EPA is only clarifying current regulatory language, and the Agency assumes that these requirements are already in effect in most States. If a State Attorney General cannot certify that he/she interprets his/her State's existing regulations in the manner described in this rule, the State's regulations must be amended to reflect this clarification.

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

SUBPART F - SPECIAL FORMS OF PERMITS

HAZARDOUS WASTE INCINERATOR PERMITS

FEDERAL
REQUIREMENT

FEDERAL
RCRA
CITATION

ANALOGOUS
STATE
CITATION

<u>STATE ANALOG IS:</u>		
<u>EQUIV-</u>	<u>MORE</u>	<u>BROAD-</u>
<u>ALENT</u>	<u>STRIN-</u>	<u>ER IN</u>
	<u>GENI</u>	<u>SCOPE</u>

after "permit," replace
"to" with "for"; after
"incinerate," replace
"may" with "must";
after "in accordance
with," insert
"§270.19(b) and";
before "(9)" insert
"(b)"; after
"section," add clause
regarding information
in §270.19(c) and a
sentence regarding
exemption from
§264.343 and 264.345;
after "trial burn
results" add sentence
regarding submission
of trail burn
results prior to permit
issuance; in last
sentence replace "if"
with "when"; change
requirements so that
the director specifies
a time period prior to
permit issuance in
which the trial burn
must be submitted

270.62(d)

305.174 ✓

x

NH ✓

RCRA REVISION CHECKLIST 61

Changes to Interim Status Facilities for
Hazardous Waste Management Permits; Procedures
for Post-Closure Permitting

54 FR 9596-9609

March 7, 1989

(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: This rule does not impose a requirement or prohibition pursuant to HSWA. However, portions of the Federal requirements may be necessary to implement HSWA. These necessary rules will be immediately effective and administered by EPA in all States pursuant to RCRA Section 3006(g).

PART 124 - PROCEDURES FOR DECISIONMAKING

SUBPART A - GENERAL PROGRAM REQUIREMENTS

†PURPOSE AND SCOPE

add sentence to end on denial of a permit under 270.29 124.1(a)	N/A
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†ISSUANCE AND EFFECTIVE DATE OF PERMIT

add parenthetical clause on denial of permit under 270.29 124.15(a)	N/A
add parenthetical clause on denial of permit under 270.29 124.15(b)	N/A

†APPEAL OF RCRA, UIC, AND PSD PERMITS

add parenthetical clause on denial of permit under 270.29	124.19(a)	N/A
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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 sentence to end
on effect of permit
denial on post-closure

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

permit requirements	270.1(c)	N/A			
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SUBPART B - PERMIT APPLICATION

† GENERAL REQUIREMENTS

add sentence to end-- Director may deny a permit for active life without a complete permit application	270.10(c)	N/A			
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† PERMIT DENIAL

director denial of entire permit application or active life of hazardous waste facility or unit	270.29	N/A			
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SUBPART D - CHANGES TO PERMIT

† PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

make the listed changes as shown below	270.42, Appendix I	305.69(h) ✓	X		
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Amend items F(1)(a), F(1)(b), F(3), G(1)(a), G(1)(b), (G)(5)(a) and G(5)(b); add items F(1)(c), F(4)(a), F(4)(b), G(1)(e), G(5)(c), G(5)(d), H(5)(c), H(5)(d), J(6)(c) & J(6)(d) as is shown below.

SUBPART G - INTERIM STATUS

† CHANGES DURING INTERIM STATUS

add introductory paragraph addressing changes during interim status	270.72(a)				
redesignate former 270.72(a) as 270.72(a)(1); reword and include wording on newly listed or identified wastes regarding units used to handle such waste	270.72(a)(1)				
redesignate former					

FEDERAL RCRA <u>REQUIREMENT</u>	FEDERAL RCRA <u>CITATION</u>	ANALOGOUS STATE <u>CITATION</u>	<u>STATE ANALOG IS:</u>		
			<u>EQUIV-</u> <u>ALENT</u>	<u>MORE</u> <u>STRIN-</u> <u>GENT</u>	<u>BROAD-</u> <u>ER IN</u> <u>SCOPE</u>
270.72(b) as					
270.72(a)(2); slightly					
<u>reword and reorganize</u>	<u>270.72(a)(2)</u>				
redesignate this portion					
of former 270.72(b)					
regarding lack of					
capacity and reword					
<u>slightly</u>	<u>270.72(a)(2)(i)</u>				
add subsection regard-					
ing compliance with					
Federal, State, or local					
<u>requirements</u>	<u>270.72(a)(2)(ii)</u>				
redesignate former					
270.72(c) as					
270.72(a)(3); remove					
"may be made at a					
facility" after					
<u>"hazardous waste"</u>	<u>270.72(a)(3)</u>				
redesignate former					
270.72(c)(1) as					
270.72(a)(3)(i); replace					
"it is" with "the					
<u>change."</u>	<u>270.72(a)(3)(i)</u>				
redesignate former					
270.72(c)(2) as					
270.72(a)(3)(ii);					
replace "It is" with					
"The change"; remove					
parenthetical statement					
and "regulations";					
replace "local laws"					
with "local					
<u>requirement"</u>	<u>270.72(a)(3)(ii)</u>				
redesignate former					
270.72(d) as					
270.72(a)(4); remove					
"may be made" after					
"facility"; remove					
"ownership or" before					
<u>"operational control"</u>	<u>270.72(a)(4)</u>				
add new section					
allowing changes made					
in accordance with a					
corrective action order					
or a court order;					
limited to the TS or D					
of releases originating					
within facility's					

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
<u>boundaries</u>	<u>270.72(a)(5)</u>				
redesignate former					
270.72(e) as					
270.72(b); revise first					
sentence; replace last					
sentence with list of					
changes that can be					
made if they amount to					
<u>reconstruction:</u>	<u>270.72(b)</u>				
changes solely to					
<u>comply with 265.193</u>	<u>270.72(b)(1)</u>				
changes necessary to					
satisfy standards of					
3004(o) because of					
Federal, State or local					
<u>requirements</u>	<u>270.72(b)(2)</u>				
changes necessary to					
allow continuing treat-					
ment of newly listed					
or identified wastes					
TSD'd prior to rule's					
<u>effective date</u>	<u>270.72(b)(3)</u>				
changes during closure					
in accordance with					
<u>approved closure plan</u>	<u>270.72(b)(4)</u>				
changes necessary to					
comply with interim					
status corrective action					
order or court order;					
changes limited to					
TS or D of waste					
originated within					
<u>boundary of facility</u>	<u>270.72(b)(5)</u>				
changes to treat or					
store, in tanks or					
containers, wastes					
subject to 268 or RCRA					
Section 3004 disposal					
restriction, if solely					
made for compliance					
<u>with these requirements</u>	<u>270.72(b)(6)</u>				
redesignate and revise					
<u>as 270.72(a)(3)</u>	<u>270.72(c)</u>				
redesignate and revise					
<u>as 270.72(a)(4)</u>	<u>270.72(d)</u>				
redesignate and revise					
<u>as 270.72(b)</u>	<u>270.72(e)</u>				

FEDERAL
REQUIREMENT

FEDERAL
RCRA
CITATION

ANALOGOUS
STATE
CITATION

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

[†]TERMINATION OF INTERIM STATUS

redesignate former 270.73(e) as 270.73(f); add new paragraph on termination 12 months after effective date for land disposal units operating under 270.72(a)(1), (2) or (3)	<u>270.73(e)</u>
redesignate former 270.73(e) as <u>270.73(f)</u>	<u>270.73(f)</u>
redesignate former 270.73(f) as <u>270.73(g)</u>	<u>270.73(g)2</u>

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).

2

Note in line 2 there is a typographical error--"or" should be "of."

RCRA REVISION CHECKLIST 62

Land Disposal Restrictions Amendments to
First Third Scheduled Wastes54 FR 18836-18838

May 2, 1989

(HWSA Cluster II)

This checklist amends the First Third Scheduled Waste requirements made to Part 268 by Revision Checklist 50 (53 FR 31138, August 17, 1988). Revision Checklist 66 (54 FR 36968, September 6, 1989) corrects the cross references in 268.33(a) to certain revisions made by this present checklist. Also, EPA rescheduled all K015 and K063 nonwastewaters to the Third Third as part of the May 2 rule addressed by Revision Checklist 62. Revision Checklist 66 removes these wastes from 268.33(a). States are encouraged to adopt the corrections addressed by both Revision Checklists 62 and 66 at the same time the provisions addressed by Revision Checklist 50 are adopted. States already authorized for the Revision Checklist 50 provisions are encouraged to adopt the amendments and corrections addressed by Revision Checklists 62 and 66 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 268 - LAND DISPOSAL RESTRICTIONS

SUBPART D - TREATMENT STANDARDS

TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS

revise Table CCW as

shown below

268.43(a)

§335.431 (c) ✓

x

Incorporation by Reference form 1

RCRA Revision Checklist 62Cluster II

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
268.12	\$335.431 (c)	X		
268.43	\$335.431	X		

Comments:

RCRA REVISION CHECKLIST 63

Land Disposal Restrictions for Second Third Scheduled Wastes

54 FR 26594-26652

June 23, 1989

(HWA Cluster II)

Notes: 1) This is the fifth in a series of checklists (i.e., Revision Checklists 34, 39, 50 and 62) addressing the land disposal restrictions. The delegability of sections in 268 was not changed by this present final rule. EPA still retains the authority for "no migration" petitions, but States may be authorized to grant these petitions in the future. Additional changes were made to the land disposal restrictions at 54 FR 36967 (September 6, 1989) and at 55 FR 22520 (June 1, 1990). Revision Checklists (numbers 66 and 78) for these two rules are not yet available.

2) This checklist may be subject to change in the future. EPA's State Programs Branch is currently discussing the relationship of hazardous waste injection issues to the State authorization program. In question are the changes made to 40 CFR Part 148 by the final rule addressed by this checklist and whether they should be included in the checklist. This present checklist does not include these changes.

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

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS - SECOND THIRD WASTES

effective June 8, 1989

prohibition from land
disposal of specific

261.31, 261.32 and

261.33 wastes

268.34(a)

§335.431 (c)

x

effective June 8, 1989

prohibition of land
disposal, except

underground injection

pursuant to 148.14(f)

and 148.15(d), certain

261.32 wastes

268.34(b)

§335.431 (c)

x

effective June 8, 1989

prohibition from land
disposal of F006,

F008, F009, F011 &

F012

268.34(c)

§335.431 (c)

x

RCRA REVISION CHECKLIST 63: Land Disposal Restrictions
for Second 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
effective July 8, 1989, F007 prohibited from land disposal except underground injection pursuant to 148.14(f)	268.34(c)(1)	§335.431 (c) ✓	x		
July 8, 1989 until December 8, 1989, F011 & F012 prohibited from land disposal pursuant to 268.41 & 268.43 treatment standards for F007, F008 & F009 nonwaste- waters; effective December 8, 1989, F011 & F012 prohibited from land disposal pursuant to 268.41 & 268.43 treat- ment standards for F011 & F012	268.34(c)(2)	§335.431 (c) ✓	x		
effective June 8, 1991 wastes, specified by section with Subpart D treatment standard based on incineration and which are contam- inated soil and debris are prohibited from land disposal	268.34(d)	§335.431 (c) ✓	x		
requirements for landfill or surface impoundment disposal of wastes included in 268.34(c) & (d) between June 8, 1989 and June 8, 1991; applies to F007, F008, F009, F011 & F012 only between June 8, 1989 and July 8, 1989	268.34(e)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 63: Land Disposal Restrictions
for Second 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 the requirements of 268.34(a)-(d) do not apply	268.34(f)	§335.431 (c) ✓	x		
meet applicable 268 Subpart D standards	268.34(f)(1)	§335.431 (c) ✓	x		
granted an exemption pursuant to a 268.6 petition for the wastes and units covered by the exemption	268.34(f)(2)	§335.431 (c) ✓	x		
268.34(a),(b) & (c) do not apply if granted extension under 268.5 for wastes covered by extension	268.34(g)	§335.431 (c) ✓	x		
between June 8, 1989 & May 8, 1990, prohibition from land disposal in landfills or surface impoundments of 268.11 wastes for which Subpart D treat- ment standards are not applicable, including California list wastes subject to prohibitions under 3004(d) or 268.32; exceptions under 268.8	268.34(h)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 63: Land Disposal Restrictions
for Second 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
initial generator testing to determine if a 268.10, 268.11 and 268.12 waste exceeds applicable 268.41 & 268.43 treatment standards; land disposal prohibited if constituents exceed Subpart D levels--all 268 requirements apply	268.34(i)	§335.431 (c) ✓	x		

SUBPART D - TREATMENT STANDARDS

TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT

Table CCWE: remove
"Cyanides (Total)***
Reserved" from the
F006 nonwastewaters
subtable; add the
subtables shown below
in alphabetical/
numerical order by
EPA Hazardous Waste
Number

268.41(a) §335.431 (c) ✓ x

TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES

incineration or burning
of the nonwastewater
form of specified
wastes listed in
268.10, 268.11 &
268.12

268.42(a)(3) §335.431 (c) ✓ x

treatment by carbon
adsorption, incineration
or pretreatment
followed by carbon
adsorption of the
wastewater form of
specified wastes listed
in 268.10, 268.11 &

RCRA REVISION CHECKLIST 63: Land Disposal Restrictions
for Second 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
268.12	268.42(a)(4)	§335.431 (c) ✓	x		
<u>TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS</u>					
add new sentence on the basis for the wastewater and nonwastewater treat- ment standards in Table CCW; Table CCW, as shown below and on pp. 26649- 26652: 1) revise the following subtables-- F006 nonwastewaters, K024 wastewaters and nonwastewaters; - 2) remove K004 and K008 from the subtable for No Land Disposal; 3) add subtables in alphabetical/numerical order by EPA hazardous waste number, and 4) add K005 and K007 to the subtable for No Land Disposal	268.43(a)	§335.431 (c)	x		
meet lowest constituent treatment standard when mix wastes with differing treatment standards for a constituent of concern	268.43(b)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 64

Delay of Closure Period for Hazardous Waste
Management Facilities54 FR 33376-33398

August 14, 1989

(Non-HSWA Cluster VI)

The June 26, 1990 (55 FR 25975) notice corrected the May 2, 1986 (51 FR 16422; Revision Checklist 24) final rule which erroneously designated the amendments to 40 CFR 264.113 and 265.113 as less stringent. The June 26, 1990 notice also explains that States must adopt the May 2, 1986 amendments to 40 CFR 264.113 and 265.113 prior to or simultaneous with receiving authorization for the Delay of Closure provisions addressed by Revision Checklist 64. While this checklist's provisions are optional, States choosing not to adopt them must still adopt the May 2, 1986 amendments to 40 CFR 264.113 and 265.113 because they are required changes. See the amended version of Revision Checklist 24 for further information.

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 FACILITY STANDARDS

† GENERAL WASTE ANALYSIS

insert ", or non-
hazardous wastes if
applicable under
264.113(d)" after

"hazardous wastes"	264.13(a)(1)	335.152(a)(1)	X
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insert ", or non-
hazardous wastes if
applicable under
264.113(d)" after

"hazardous wastes"	264.13(a)(3)(i)	335.152(a)(1)	X
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add ", or non-
hazardous waste if
applicable under
264.113(d)" after

"hazardous waste"	264.13(b)(1)	335.152(a)(1)	X
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SUBPART G - CLOSURE AND POST-CLOSURE

† CLOSURE PLAN; AMENDMENT OF PLAN

place "(i)" after

"either:" and re-

designate as below:

264.112(d)(2)	335.152(a)(5)	X
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Incorporation by Reference Form 1

RCRA Revision Checklist 63Cluster II

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	EQUIVALENT	STATE ANALOG IS:	
			MORE STRINGENT	BROADER IN SCOPE
268.41-268.43	§335.431(c)	X		
268.33	§335.431(c)	X		
268.12	§335.431(c)	X		

Comments:

redesignate the remainder of the old 264.112(d)(2) as 264.112(d)(2)(i); remove ", and will continue to take,"

after "he has taken"	264.112(d)(2)(i)	335.152(a)(5)	X
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add new subparagraph on the receipt of final volume of non-hazardous wastes by units meeting 264.113(d) requirements; extension by Regional Administrator

264.112(d)(2)(ii)	335.152(a)(5)	X
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† CLOSURE; TIME ALLOWED FOR CLOSURE

after "hazardous wastes" add language regarding the final volume of non-hazardous wastes and owner/operator compliance with

264.113(d)&(e)	264.113(a)	335.152(a)(5)	X
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after "hazardous wastes" add language regarding capacity to receive non-hazardous waste and owner/operator compliance with

264.113(d)&(e)	264.113(a)(1)(ii)(A)	335.152(a)(5)	X
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after "hazardous wastes" add language regarding the final volume of non-hazardous wastes and owner/operator in compliance with

264.113(d)&(e)	264.113(b)	335.152(a)(5)	X
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after "hazardous wastes" add language regarding capacity to receive non-hazardous wastes and owner/operator compliance

with 264.113(d)&(e)	264.113(b)(1)(ii)(A)	335.152(a)(5)	X
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replace reference to "(a) and (b)" with

"(a)(1) and (b)(1)"	264.113(c)	335.152(a)(5)	X
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replace first reference to "(a)" with "(a)(1)"

264.113(c)(1)	335.152(a)(5)	X
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RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

<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>	
replace first reference to "(b)" with "(b)(1)"; exception if owner/ operator subject to 264.113(d) deadlines	264.113(c)(2)	335.152(a)(5)	X		
add new paragraph regarding receipt of non-hazardous waste; conditions which must be met:	264.113(d)	335.152(a)(5)	X		
permit modification request meeting 270 and 124 requirements demonstrating:	264.113(d)(1)	335.152(a)(5)	X		
has existing design capacity to receive non-hazardous wastes	264.113(d)(1)(i)	335.152(a)(5)	X		
likely to receive non- hazardous wastes within one year after final receipt of hazardous wastes	264.113(d)(1)(ii)	335.152(a)(5)	X		
not incompatible with remaining wastes or with design and operating requirements	264.113(d)(1)(iii)	335.152(a)(5)	X		
closure of hazardous waste unit incom- patible with continued operation	264.113(d)(1)(iv)	335.152(a)(5)	X		
operate in compliance with all applicable permit requirements	264.113(d)(1)(v)	335.152(a)(5)	X		
what the request to modify the permit should include	264.113(d)(2)	335.152(a)(5)	X		
permit modification request includes re- visions to account for non-hazardous waste receipt after final volume of hazardous wastes	264.113(d)(3)	335.152(a)(5)	X		
submission to Regional Administrator	264.113(d)(4)	335.152(a)(5)	X		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

<u>FEDERAL REQUIREMENT</u>	<u>FEDERAL RCRA CITATION</u>	<u>ANALOGOUS STATE CITATION</u>	<u>STATE ANALOG IS:</u>		
			<u>EQUIV- ALENT</u>	<u>MORE STRIN- GENT</u>	<u>BROAD- ER IN SCOPE</u>
special requirements for surface impound- ments not in com- pliance with liner and leachate collection system requirements	264.113(e)	335.152(a)(5)	X		
permit modification request:	264.113(e)(1)	335.152(a)(5)	X		
contingent corrective measures plan	264.113(e)(1)(i)	335.152(a)(5)	X		
hazardous waste removal plan	264.113(e)(1)(ii)	335.152(a)(5)	X		
removal of all hazard- ous wastes including liquids and sludges to extent practicable	264.113(e)(2)	335.152(a)(5)	X		
when removal takes longer than 90 days; extension by Regional Administrator	264.113(e)(3)	335.152(a)(5)	X		
actions if detect a statistically significant release:	264.113(e)(4)	335.152(a)(5)	X		
corrective measures in accordance with plan required by 264.113(e)(1)	264.113(e)(4)(i)	335.152(a)(5)	X		
conditions under which wastes may continue to be received	264.113(e)(4)(ii)	335.152(a)(5)	X		
corrective measures in less than one year if necessary to protect human health and environment	264.113(e)(4)(iii)	335.152(a)(5)	X		
semi-annual reports	264.113(e)(5)	335.152(a)(5)	X		
conditions under which Regional Administrator may require closure	264.113(e)(6)	335.152(a)(5)	X		
if fail to implement corrective measures or no substantial progress, the Regional Administrator shall:	264.113(e)(7)	335.152(a)(5)	X		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

<u>FEDERAL REQUIREMENT</u>	<u>FEDERAL RCRA CITATION</u>	<u>ANALOGOUS STATE CITATION</u>	<u>STATE ANALOG IS:</u>		
			<u>EQUIV- ALENT</u>	<u>MORE STRIN- GENT</u>	<u>BROAD- ER IN SCOPE</u>
notify in writing that closure required according to 264.113(a) and (b) deadlines	264.113(e)(7)(i)	335.152(a)(5)	X		
newspaper notice; opportunity for public comment	264.113(e)(7)(ii)	335.152(a)(5)	X		
Regional Administrator actions when no written comments are received	264.113(e)(7)(iii)	335.152(a)(5)	X		
Regional Administrator actions when written comments are received	264.113(e)(7)(iv)	335.152(a)(5)	X		
no administrative appeal	264.113(e)(7)(v)	335.152(a)(5)	X		

SUBPART H - FINANCIAL REQUIREMENTS

† COST ESTIMATE FOR CLOSURE					
after "hazardous wastes" insert ", or non-hazardous wastes if applicable under 264.113(d),"	264.142(a)(3)	335.152(a)(6)	X		
after "hazardous wastes" insert ", or non-hazardous wastes if applicable under 264.113(d),"	264.142(a)(4)	335.152(a)(6)	X		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (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

after "hazardous
wastes" add ", or non-
hazardous wastes if
applicable under

265.113(d),"	265.13(a)(1)	335.112(a)(1)	X
--------------	--------------	---------------	---

after "hazardous
wastes" add ", or non-
hazardous wastes if
applicable under

265.113(d),"	265.13(a)(3)(i)	335.112(a)(1)	X
--------------	-----------------	---------------	---

after "hazardous waste"
add ", or non-
hazardous waste if
applicable under

265.113(d),"	265.13(b)(1)	335.112(a)(1)	X
--------------	--------------	---------------	---

SUBPART G - CLOSURE AND POST-CLOSURE

† CLOSURE PLAN; AMENDMENT OF PLAN

add "(i)" after "either:"
and redesignate re-
mainder of paragraph

as below	265.112(d)(2)	335.112(a)(6)	X
----------	---------------	---------------	---

redesignate remainder
of old 265.112(d)(2) as

265.112(d)(2)(i)	265.112(d)(2)(i)	335.112(a)(6)	X
------------------	------------------	---------------	---

add new subparagraph
on receipt of final
volume of non-
hazardous wastes by
units meeting

265.113(d) require-
ments; extension by

Regional Administrator	265.112(d)(2)(ii)	335.112(a)(6)	X
------------------------	-------------------	---------------	---

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
† CLOSURE; TIME ALLOWED FOR CLOSURE					
after "hazardous wastes" add language regarding the final volume non-hazardous wastes and owner/ operator compliance with 265.113(d)&(e)	265.113(a)	335.112(a)(6)	X		
after "hazardous wastes" add language regarding the capacity to receive non- hazardous wastes and owner/operator compliance with 265.113(d)&(e)	265.113(a)(1)(ii)(A)	335.112(a)(6)	X		
after "hazardous wastes" add language regarding the final volume of non- hazardous wastes and owner/operator com- pliance with 265.113(d)&(e)	265.113(b)	335.112(a)(6)	X		
after "hazardous wastes" add language regarding the capacity to receive non- hazardous wastes and owner/operator com- pliance with 265.113(d)&(e)	265.113(b)(1)(ii)(A)	335.112(a)(6)	X		
replace references to "(a) and (b)" with "(a)(1) and (b)(1)"	265.113(c)	335.112(a)(6)	X		
replace first reference to "(a)" with "(a)(1)"	265.113(c)(1)	335.112(a)(6)	X		
replace first reference to "(b)" with "(b)(1)"; add exception if owner/operator subject to 265.113(d) deadlines	265.113(c)(2)	335.112(a)(6)	X		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

<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>	
add new paragraph regarding receipt of non-hazardous wastes; conditions which must be met:	265.113(d)	335.112(a)(6)	X		
submits an amended Part B application or a Part B application if not previously required demonstrating:	265.113(d)(1)	335.112(a)(6)	X		
has existing design capacity to receive non-hazardous wastes	265.113(d)(1)(i)	335.112(a)(6)	X		
likely to receive non- hazardous wastes within one year after final receipt of hazardous wastes	265.113(d)(1)(ii)	335.112(a)(6)	X		
not incompatible with remaining wastes or with design and operating requirements	265.113(d)(1)(iii)	335.112(a)(6)	X		
closure of hazardous waste unit incompat- ible with continued operation	265.113(d)(1)(iv)	335.112(a)(6)	X		
operate in compliance with all applicable interim states requirements	265.113(d)(1)(v)	335.112(a)(6)	X		
what the Part B application should include	265.113(d)(2)	335.112(a)(6)	X		
Part B modification is amended to account for non-hazardous waste receipt after final volume of hazardous waste	265.113(d)(3)	335.112(a)(6)	X		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
submission to					
Regional Administrator	265.113(d)(4)	335.112(a)(6)	X		
special requirements					
for surface impound-					
ments not in com-					
pliance with liner and					
leachate collection					
system requirements	265.113(e)	335.112(a)(6)	X		
submit with the Part B					
application:	265.113(e)(1)	335.112(a)(6)	X		
contingent corrective					
measures plan	265.113(e)(1)(i)	335.112(a)(6)	X		
hazardous waste					
removal plan	265.113(e)(1)(ii)	335.112(a)(6)	X		
removal of all					
hazardous wastes					
including liquids and					
sludges to extent					
practicable	265.113(e)(2)	335.112(a)(6)	X		
when removal must					
take place; extension					
by Regional					
Administrator	265.113(e)(3)	335.112(a)(6)	X		
actions if detect a					
statistically significant					
release:	265.113(e)(4)	335.112(a)(6)	X		
corrective measures in					
accordance with plan					
required by					
265.113(e)(1)	265.113(e)(4)(i)	335.112(a)(6)	X		
conditions under which					
wastes may continue					
to be received	265.113(e)(4)(ii)	335.112(a)(6)	X		
corrective measures					
in less than one year					
or cease receipt of					
wastes until imple-					
mented if necessary					
to protect human					
health and					
environment	265.113(e)(4)(iii)	335.112(a)(6)	X		
semi-annual					
reports	265.113(e)(5)	335.112(a)(6)	X		
conditions under which					
Regional Administrator					
may require closure	265.113(e)(6)	335.112(a)(6)	X		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		BROAD- ER IN SCOPE
			EQUIV- ALENT	MORE STRIN- GENT	
if fail to implement corrective measures or no substantial progress, the Regional Administrator shall:	265.113(e)(7)	335.112(a)(6)	X		
notify in writing that closure required according to 265.113(a) and (b)	265.113(e)(7)(i)	335.112(a)(6)	X		
newspaper notice: opportunity for public comment	265.113(e)(7)(ii)	335.112(a)(6)	X		
Regional Administrator actions when no written comments are received	265.113(e)(7)(iii)	335.112(a)(6)	X		
Regional Administrator actions when written comments are received	265.113(e)(7)(iv)	335.112(a)(6)	X		
no administrative appeal	265.113(e)(7)(v)	335.112(a)(6)	X		

SUBPART H - FINANCIAL REQUIREMENTS

† COST ESTIMATE FOR CLOSURE

after "hazardous wastes" add ", or non- hazardous wastes if applicable under 265.113(d)"	265.142(a)(3)	335.112(a)(7)	X		
after "hazardous wastes" add ", or non- hazardous wastes if applicable under 265.113(d)"	265.142(a)(4)	335.112(a)(7)	X		

RCRA REVISION CHECKLIST 64: Delay of Closure Period for
Hazardous Waste Management Facilities (cont'd)

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

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

SUBPART D - CHANGES TO PERMIT

† PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

add D.1.f. to		305.69(h),	
Appendix I	270.42, Appendix I	Appendix I, D.1.f	X

Modifications					Class
	*	*	*	*	*
D.	*	*	*		
1.	*	*	*		
f.	Extension of the closure period to allow a landfill, surface impoundment or land treatment unit to receive non-hazardous wastes after final receipt of hazardous wastes under § 264.113(d) and (e).....				2
	*	*	*	*	*

Incorporation by Reference Form 1

RCRA Revision Checklist 64

Cluster Non-HSWA VI

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
264.13	335.152(a)(1)	X		
264.112(d)(2)	335.152(a)(5)	X		
264.113	335.152(a)(5)	X		
264.142(a)(3) & (4)	335.152(a)(6)	X		
265.13	335.112(a)(1)	X		
265.112(d)(2)	335.112(a)(6)	X		
265.113	335.112(a)(6)	X		
265.142(a)(3) & (4)	335.112(a)(7)	X		

Comments:

RCRA REVISION CHECKLIST 65

Mining Waste Exclusion I

54 FR 36592-36642

September 1, 1989

(Non-HSWA Cluster VI)

This present checklist is titled "Mining Waste Exclusion I" indicating that it is the first of two amendments to this exclusion. The second amendment occurred at 55 FR 2322 on January 23, 1990 and is addressed by Revision Checklist 71 - Mining Waste Exclusion II. This latter checklist will be made available through SPA 9.

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 A - GENERAL

add exception for mixture of a 261.4(b)(7) waste and a solid waste exhibiting a Subpart C characteristic unless resultant mixture meets certain charac- teristic conditions; mixture is hazardous relative to the EP toxicity characteristic	261.3(a)(2)(i)	335.1	X		
add "of this part" after "Subpart D"; add language excepting mixtures of hazardous waste and solid waste excluded under 261.4(b)(7) and the mixture no longer exhibits hazardous characteristics for which the hazardous waste was listed in Subpart D	261.3(a)(2)(iii)	335.1	X		

1	define beneficiation; replace the last three words of the para- graph, "does not include", with "includes only"	261.4(b)(7)	335.1	X
	solid wastes, from ore and mineral processing, that are re- tained within exclusion	261.4(b)(7)(i)(A)-(E)	335.1	X
	solid wastes from ore and mineral process- ing that are condi- tionally retained within the exclusion	261.4(b)(7)(ii)(A)-(T)	335.1	X

1 See subsequent technical correction to the definition of "beneficiation" as addressed by Revision Checklist 71 (55 FR 2322, January 23, 1990).

Incorporation by Reference Form 1

RCRA Revision Checklist 65

Cluster Non-HSWA VI

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
261.3(a)(2)	335.1	X		
261.4(b)(7)	335.1	X		

Comments:

RCRA REVISION CHECKLIST 66

Land Disposal Restrictions; Correction to
the First Third Scheduled Wastes

54 FR 36967

September 6, 1989

as amended on June 13, 1990, at 55 FR 23935
(HSA Cluster II)

Note: This is a correction and clarification of 53 FR 31138 (August 17, 1988) and 54 FR 18836 (May 2, 1989) addressed by Revision Checklists 50 and 62 which address the First Third Scheduled Wastes. As such, States which are not yet authorized for these checklists are encouraged to apply for this present checklist at the same time the provisions addressed by Revision Checklists 50 and 62 are applied for. States already authorized for Revision Checklists 50 and 62 requirements are encouraged to adopt the corrections addressed by this present checklist as quickly as possible.

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

_delete the word
"constituent" from the
parenthetical phrase
following "recyclable
material"; add sentence
exempting from
regulation commercial
fertilizers produced
for the general
public's use that
contain recyclable
materials

266.20(b)

§335.211 (b) ✓

x

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

substitute "restricted"

for "prohibited"

268.1(c)

§335.431 (c) ✓

x

remove paragraph

268.1(c)(3)

§335.431 (c) ✓

x

remove paragraph

268.1(c)(4)

§335.431 (c) ✓

x

wastes which are not
subject to any
provisions of
Part 268

268.1(e)

§335.431 (c) ✓

x

wastes generated by
generators of less than
100 kg of hazardous
waste and less than
1 kg of acute

hazardous waste

268.1(e)(1)

§335.431 (c) ✓

x

waste pesticides

pursuant to 262.70

268.1(e)(2)

§335.431 (c) ✓

x

wastes identified or
listed as hazardous
after November 8,
1984 for which EPA
has not promulgated
land disposal
prohibitions or
treatment standards

268.1(e)(3)

§335.431 (c) ✓

x

WASTE ANALYSIS

add language to
indicate that
exemption from
prohibition is not
limited to extensions
under 268.5,
exemptions under
268.6 or a nationwide
capacity variance
under Subpart C

268.7(a)(3)

§335.431 (c) ✓

x

RCRA REVISION CHECKLIST 66: Land Disposal Restrictions; Correction to
the 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
after "268.33(f)" add parenthetical state- ment including wastes disposed of in units other than landfills or surface impoundments	268.7(a)(4)	§335.431 (c) ✓	x		
after "266.20(b)" insert "regarding treatment standards and prohibition levels,"; insert "i.e.," preceding "the recycler"	268.7(b)(8)	§335.431 (c) ✓	x		
disposal of recyclable material subject to 266.20(b)	268.7(c)(4)	§335.431 (c) ✓	x		
LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS					
specific requirements for generator if no practically available treatment for waste:	268.8(a)(2)	§335.431 (c) ✓	x		
prior to initial ship- ment, demonstration/ certification to Regional Administrator	268.8(a)(2)(i)	§335.431 (c) ✓	x		
demonstration and certification with initial shipment; certification with subsequent shipments; recordkeeping and record retention	268.8(a)(2)(ii)	§335.431 (c) ✓	x		
requirements for generator if there are practically available treatments for waste:	268.8(a)(3)	§335.431 (c) ✓	x		
prior to initial shipment, demonstra- tion/certification to Regional Administrator	268.8(a)(3)(i)	§335.431 (c) ✓	x		

RCRA REVISION CHECKLIST 66: Land Disposal Restrictions; Correction to
the 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
1 demonstration and certification with initial shipment; certification with subsequent shipments; recordkeeping and retention	268.8(a)(3)(ii)	§335.431 (c) ✓	x		
add language requiring submission of new demonstration and certification to the receiving facility	268.8(b)(1)	§335.431 (c) ✓	x		
insert ", for each initial shipment of waste," between "must" and "send"; add "(i) or 268.8(a)(3)(i)" after "268.8(a)(2)"; add sentence to end requiring submission of certification with subsequent shipments	268.8(c)(2)	§335.431 (c) ✓	x		
change "263.33(f)" to "268.33(f)"	268.8(d)	§335.431 (c) ✓	x		

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS--CALIFORNIA LIST WASTES

replace "such disposal" with "such unit"	268.32(f)	§335.431 (c) ✓	x		
--	-----------	----------------	---	--	--

RCRA REVISION CHECKLIST 66: Land Disposal Restrictions; Correction to
the 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					
change "K004 (nonwastewater)" to "K004 wastes specified in 268.43(a)"; change "K008 (nonwaste- waters)" to "K008 wastes specified in 268.43(a)"; remove "K015 wastewaters"; change "K021 (nonwastewater)" to "K021 wastes specified in 268.43(a)"; add "nonwastewaters specified in 268.43(a)" following "K025"; remove "K083 (nonwastewaters)"; add "nonwastewaters specified in 268.43(a)" following "K100"; add "(wastewater), K101 (nonwastewater, low arsenic subcategory - less than 1% total arsenic)." following "K101"; add "(wastewater), K102 (nonwastewater, low arsenic subcategory - less than 1% total arsenic)." following "K102"	268.33(a)	§335.431 (c) ✓	x		
replace "are not applicable" with "have not been promulgated"; replace "unless the wastes are the subject of a valid demonstra- tion and certification pursuant" with "unless a demonstration and certification have been submitted"	268.33(f)	§335.431 (c) ✓		x	
replace "extract or the					

RCRA REVISION CHECKLIST 66: Land Disposal Restrictions; Correction to
the 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" with "extract or the waste, or the generator may use knowledge of the waste"	268.33(g)	§335.431 (c) ✓			x

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITIONS ON STORAGE OF RESTRICTED WASTES

reword paragraph regarding exemptions from land disposal prohibitions	268.50(d)	§335.431 (c) ✓			x
--	-----------	----------------	--	--	---

¹ An error in the September 6, 1989 rule (54 FR 36967) makes it appear that the revisions to 268.8(a) include the removal of 268.8(a)(4). This was not the Agency's intent and 268.8(a)(4) remains in the Federal code as introduced by Revision Checklist 50.

² See technical correction at 55 FR 23935, June 13, 1990.

Incorporation by Reference Form 1

RCRA Revision Checklist 66Cluster II

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	EQUIVALENT	STATE ANALOG IS:	
			MORE STRINGENT	BROADER IN SCOPE
268.1, 268.5 - 268.8	§335.431(c)	X		
268.32 - 268.34	§335.431(c)	X		
268.44	§335.431(c)	X		
268.50	§335.431(c)	X		

Comments:

RCRA REVISION CHECKLIST 67

Testing and Monitoring Activities

54 FR 40260-40269

September 29, 1989

(Non-HSWA Cluster VI)

Technical corrections were made to this rule at 55 FR 8948 (March 9, 1990). These corrections are addressed by Revision Checklist 73 which will be made available through SPA 9. States are encouraged to adopt the technical corrections at the same time that the Revision Checklist 67 provisions are adopted.

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

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

change last clause
of sentence regarding
the Second Edition into
a sentence combining
it with the price
information

260.11(a)

335.2(j)

X

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

APPENDIX III - CHEMICAL ANALYSIS TEST METHODS

revise Table 2 as
shown, replacing First
Edition information
with Third Edition
information

Appendix III

335.29

X

revise Table 3, as
shown, replacing First
Edition information
with Third Edition
information

Appendix III

335.29

X

Incorporation by Reference Form 1

RCRA Revision Checklist 67

Cluster Non-HSWA VI

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	EQUIVALENT	STATE ANALOG IS:	
			MORE STRINGENT	BROADER IN SCOPE
260.11(a)	335.112 & 335.152	X		
261 Appendix III	335.29	X		

Comments:

RCRA REVISION CHECKLIST 68

Reportable Quantity Adjustment Methyl Bromide Production Wastes

54 FR 41402-41408

October 6, 1989

(HWA Cluster II)

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

HAZARDOUS WASTES FROM SPECIFIC SOURCES

add K131 and K132

to the subgroup

"Pesticides"

261.32

§361.003 (15), §335.1 ✓

x

APPENDIX III - CHEMICAL ANALYSIS TEST METHODS

add, in alphabetic

order, to Table 1,

two compounds and

methods for their

analysis

Appendix III

§335.29 ✓

x

APPENDIX VII - BASIS FOR LISTING HAZARDOUS WASTE

add, in numeric order,

entries for K131 and

K132

Appendix VII

§335.29 ✓

x

Incorporation by Reference Form 1

RCRA Revision Checklist 68

Cluster II

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	EQUIVALENT	STATE ANALOG IS:	
			MORE STRINGENT	BROADER IN SCOPE
Part 261 Appendix III	§335.29	X		
Part 261 Appendix VII	§335.29	X		

Comments:

RCRA REVISION CHECKLIST 69

Reportable Quantity Adjustment

54 FR 50968-50979

December 11, 1989

(HSA Cluster II)

Note: On January 8, 1991, an amendment to the preamble of the December 11, 1989 rule was published in the Federal Register (56 FR 643). This amendment elaborates upon the Agency's current position regarding the weight-of-evidence classification of tetrachloroethylene (perchloroethylene). It does not affect the listing of Waste No. F025 nor the identification of tetrachloroethylene (perchloroethylene) as a hazardous constituent of F025, both of which are addressed by this checklist.

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

HAZARDOUS WASTES FROM NONSPECIFIC SOURCES

revise listing

for F024

261.31

§361.003 (15), §335.1 ✓

x

add F025 listing

261.31

§361.003 (15), §335.1 ✓

x

APPENDIX VII - BASIS FOR LISTING HAZARDOUS WASTE

add F025 entry

Appendix VII

§335.29 ✓

x

APPENDIX VIII - HAZARDOUS CONSTITUENTS

add compound

Appendix VIII

§335.29 ✓

x

Incorporation by Reference Form 1

RCRA Revision Checklist 69Cluster II

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	EQUIVALENT	STATE ANALOG IS:	
			MORE STRINGENT	BROADER IN SCOPE
Part 261 Appendix VIII	§335.29	x		
261.31-261.32	§361.003(15),	x		
	§335.1			

Comments:

RCRA REVISION CHECKLIST 70

Changes to Part 124 Not Accounted for by Present Checklists

48 FR 14146-14295, April 1, 198348 FR 30113-30115, June 30, 198353 FR 28118-28157, July 26, 198853 FR 37396-37414, September 26, 198854 FR 246-258, January 4, 1989

(Non-HSWA Cluster VI)

Note: Part 124 was affected by the deconsolidation of EPA's Consolidated Permit Regulations (48 FR 14146, April 1, 1983). In reprinting the Part 124 in the FR, a number of typographical errors and inadvertent omissions of paragraphs were made. On June 30, 1983 (48 FR 30113) and on January 4, 1989 (54 FR 246), these errors were corrected so that most of Part 124 again reads as it was originally printed in the July 1, 1982 CFR. Of the changes made by the April 1, 1983 article, only those which were not negated by the June 30, 1983 or January 4, 1989 articles are included in this checklist. Similarly, only those changes made by the June 30, 1983 or January 4, 1989 notices which are not merely corrections of errors in the April 1, 1983 article have been included in this checklist.

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

PART 124 - PROCEDURES FOR DECISION MAKING

SUBPART A - GENERAL PROGRAM REQUIREMENTS

APPLICATION FOR A PERMIT

	124.3(a)	305.42	X	
	124.3(a)(1)	305.42	X	
		281.22(b), Texas Solid Waste Disposal Act CH. 361.066,		
1	change cross- references regarding RCRA permits	124.3(a)(2)	361.068	X
		124.3(a)(3)	305.44	X

MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF PERMITS

	124.5(a)	305.62	X	
1,2	change cross- references regarding RCRA	124.5(c)(1) & (3)	305.62	X
		124.5(d)	305.66	X

DRAFT PERMITS

1	change cross-references regarding RCRA permits	124.6(d)(1)-(3)	305.122(a) 305.124 305.125 305.44 305.123 305.127(1)(B),(2), & (3) 305.128 TSWDA 361.032	X
1	change "§ 122.28" to "Section 270.30"	124.6(d)(4)(i)	305.141-146 305.121-125 305.127-128	X

PUBLIC NOTICE OF PERMIT ACTIONS AND PUBLIC COMMENT PERIOD

3	delete "and other appropriate government agencies"; add "(Indian Tribes)" after "States"; add parenthetical statement regarding Indian Tribes treated as States	124.10(c)(1)(iii)	305.103 305.100 305.102 305.101	X
4	redesignate old 124.10(c)(1)(viii)(A)-(C) as 124.10(c)(1)(ix)(A)-(C)	124.10(c)(1)(ix)	305.103	X
4,5	redesignate old 124.10(c)(1)(ix)(A) and (B) as 124.10(c)(1)(x)(A) and (B); delete "For RCRA permits only"	124.10(c)(1)(x)	305.103	X

PUBLIC HEARINGS

6	insert ", " after "whenever"	124.12(a)(2)	305.105	X
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¹ 48 FR 14146-14295, April 1, 1983.

² Checklist 54 made additional changes to 124.5(c)(1) and (3) at 53 FR 37410 (September 28, 1988). State which have adopted the provisions addressed by that checklist should have already made those changes. States which have not adopted the provisions addressed by that checklist should refer to that checklist when revising this section of code.

³ 53 FR 37396-37414, September 26, 1988.

⁴ 53 FR 28118-28157, July 26, 1988.

⁵ 48 FR 30113-30115, June 30, 1983.

⁶ 54 FR 246-258, January 4, 1989.

DRAFT

RCRA REVISION CHECKLIST 71

Mining Waste Exclusion II

55 FR 2322-2354

January 23, 1990

(Non-HSWA Cluster VI)

This is the second revision to the mining waste exclusion. The first occurred at 54 FR 36592 (September 1, 1989) and is addressed by Revision Checklist 65.

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

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

1 revise "designated facility"	260.10	335.1	x		
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

"§261.4(b)(7)" replaces "this paragraph" twice; "roasting, autoclaving, and/or chlorination" replaces "roasting"; insert "(and/or auto- claving and/or chlori- nation)" after "roasting" within existing paren- thetical clause; semi- colons replace a number of commas; significant revisions to last sentence which introduces list of wastes	261.4(b)(7)	335.1	x		
	261.4(b)(7)(i)	335.1	x		
	261.4(b)(7)(ii)	335.1	x		

	261.4(b)(7)(iii)	335.1	x
	261.4(b)(7)(iv)	335.1	x
	261.4(b)(7)(v)	335.1	x
	261.4(b)(7)(vi)	335.1	x
	261.4(b)(7)(vii)	335.1	x
	261.4(b)(7)(viii)	335.1	x
	261.4(b)(7)(ix)	335.1	x
	261.4(b)(7)(x)	335.1	x
	261.4(b)(7)(xi)	335.1	x
	261.4(b)(7)(xii)	335.1	x
	261.4(b)(7)(xiii)	335.1	x
	261.4(b)(7)(xiv)	335.1	x
	261.4(b)(7)(xv)	335.1	x
revisions to list of excluded wastes;	261.4(b)(7)(xvi)	335.1	x
(i)(A)-(E) and			
(ii)(A)-(T) are replaced	261.4(b)(7)(xvii)	335.1	x
by (i)-(xx), with			
deletion of five	261.4(b)(7)(xviii)	335.1	x
conditionally retained			
wastes and some	261.4(b)(7)(xix)	335.1	x
revisions in wording			
for retained wastes	261.4(b)(7)(xx)	335.1	x

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART B - THE MANIFEST

USE OF THE MANIFEST

add new paragraph
stating requirements
when shipping
hazardous waste to a
designated facility in
an authorized State
which has not yet
obtained authorization
to regulate that

particular waste as
hazardous

262.23(e)

335.10(a)(6)

x

1.

Note that this definition in the Federal Register (55 FR 2353, January 23, 1990) and in the July 1, 1990 CFR contains a typographical error. The reference to 260.20 should be 262.20.

Incorporation by Reference Form 1

RCRA Revision Checklist 71

Cluster NONHSWA VI

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
260.10	335.1	X		
261.4(b)(7)	335.1	X		
261.4(b)(7)(i)-(xx)	335.1	X		

Comments:

Incorporation by Reference Form 1

RCRA Revision Checklist 72

Cluster NONHWSA VI

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
261.31	335.1	X		

Comments:

8/6/91

DRAFT

RCRA REVISION CHECKLIST 73

Testing and Monitoring Activities; Technical Corrections

55 FR 8948-8950

March 9, 1990

(Non-HSWA Cluster VI)

This checklist contains technical corrections to the final rule addressed by Revision Checklist 67 (54 FR 40260; September 29, 1989). States are encouraged to adopt the corrections addressed by this present checklist at the same time that the Revision Checklist 67 provisions are adopted.

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

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

REFERENCES

add a list of the
47 analytical testing
methods incorporated
by reference

260.11(a)	335.2(j)	x
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

APPENDIX III TO PART 261

CHEMICAL ANALYSIS TEST METHODS

revise Footnote "a"

of Table 2	Appendix III/Table 2	335.29(3)	x
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revise Methods 7081

and 7420 in Table 3	Appendix III/Table 3	335.29(3)	x
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revise Footnote "a"

of Table 3	Appendix III/Table 3	335.29(3)	x
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Incorporation by Reference Form 1

RCRA Revision Checklist 73

Cluster NONHSWA VI

FEDERAL RCRA CITATION	STATE CITATION INCORPORATING BY REFERENCE	STATE ANALOG IS:		
		EQUIVALENT	MORE STRINGENT	BROADER IN SCOPE
260.11(a)	335.2(j)	X		
261/APP.III/Table 2	335.29(3)	X		
261/APP.III/Table 3	335.29(3)	X		

Comments: