

US EPA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 92

Wood Preserving Listings; Technical Corrections

56 FR 30192-30198

July 1, 1991

(RCRA Cluster II, HSWA and Non-HSWA provisions)

Notes: 1) The rule addressed by this checklist makes technical corrections to the Wood Preserving listing rule (55 FR 50450; December 6, 1990; Revision Checklist 82). States are strongly encouraged to adopt these technical corrections at the same time the Revision Checklist 82 provisions are adopted. Those States that have already adopted the Revision Checklist 82 provisions should adopt Revision Checklist 92 as soon as possible.

2) Note that on June 13, 1991 (56 FR 27332), an administrative stay was published affecting the December 6, 1990 (55 FR 50450; Revision Checklist 82) final rule. Because the Federal code was changed, a checklist was developed, Revision Checklist 91. The changes addressed by that checklist are all optional.

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

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

redesignate

261.4(a)(9) as

261.4(a)(9)(i); delete

"used and are" after

"been"; insert "are"

before "reused";

replace closing

"." with "; and"

261.4(a)(9)(i)

335.1

x

add new paragraph

excluding waste-

waters from the wood

preserving process

that have been

reclaimed and are

reused to treat wood

261.4(a)(9)(ii)

335.1

x

SUBPART D - LISTS OF HAZARDOUS WASTES

RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
<u>DELETION OF CERTAIN HAZARDOUS WASTE CODES FOLLOWING EQUIPMENT CLEANING AND REPLACEMENT</u>					
generators must either clean or replace all specified process equipment that may have come into contact with chlorophenolic formulations or constituents	261.35(b)	335.1	x		
generators shall do one of the following:	261.35(b)(1)	335.1	x		
prepare and follow an equipment cleaning plan; clean equipment in accordance with 261.35	261.35(b)(1)(i)	335.1	x		
prepare and follow an equipment replacement plan; replace equipment in accordance with 261.35	261.35(b)(1)(ii)	335.1	x		
document cleaning and replacement in accordance with 261.35, carried out after termination of use of chlorophenolic preservations	261.35(b)(1)(iii)	335.1	x		
cleaning requirements	261.35(b)(2)	335.1	x		
prepare and sign a written equipment cleaning plan that describes:	261.35(b)(2)(i)	335.1	x		
equipment to be cleaned	261.35(b)(2)(i)(A)	335.1	x		
how equipment will be cleaned	261.35(b)(2)(i)(B)	335.1	x		
solvent to be					

RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
used in cleaning	261.35(b)(2)(i)(C)	335.1	x		
how solvent rinses					
will be tested	261.35(b)(2)(i)(D)	335.1	x		
how cleaning residues					
will be disposed	261.35(b)(2)(i)(E)	335.1	x		
equipment must be					
cleaned as follows:	261.35(b)(2)(ii)	335.1	x		
remove all visible					
residues from process					
equipment	261.35(b)(2)(ii)(A)	335.1	x		
rinse with appropriate					
solvent until no dioxin					
or dibenzofuran					
detection in final					
solvent rinse	261.35(b)(2)(ii)(B)	335.1	x		
analytical					
requirements	261.35(b)(2)(iii)	335.1	x		
test rinses as per					
SW-846, Method 8290	261.35(b)(2)(iii)(A)	335.1	x		
"not detected"					
defined	261.35(b)(2)(iii)(B)	335.1	x		
generator manages					
cleaning process					
residues as					
F032 waste	261.35(b)(2)(iv)	335.1	x		
replacement					
requirements	261.35(b)(3)	335.1	x		
prepare and sign					
written equipment					
replacement plan					
that describes:	261.35(b)(3)(i)	335.1	x		
equipment					
to be replaced	261.35(b)(3)(i)(A)	335.1	x		
how equipment will					
be replaced	261.35(b)(3)(i)(B)	335.1	x		
how equipment will					
be disposed	261.35(b)(3)(i)(C)	335.1	x		
generator must					
manage discarded					
equipment as					
F032 waste	261.35(b)(3)(ii)	335.1	x		

RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
documentation requirements	261.35(b)(4)	335.1	x		
document previous equipment cleaning and/or replacement performed in accordance with 261.35 and occurred after cessation of chlorophenolic preservative use	261.35(b)(4)(i)	335.1	x		

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

the waste is placed:	262.34(a)(1)	335.69(a)(1)	x		
in containers and generator complies with Subpart I of Part 265; and/or	262.34(a)(1)(i)	335.69(a)(1)(A)	x		
in tanks and generator complies with Subpart J of Part 265, except 265.197(c) and 265.200; and/or	262.34(a)(1)(ii)	335.69(a)(1)(B)	x		
on drip pads and generator complies with Subpart W of Part 265 and maintains following records:	262.34(a)(1)(iii)	335.69(a)(1)(C)	x		
description of pro-					

RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
cedures to ensure all wastes are removed from drip pad and associated collection system at least once every 90 days	262.34(a)(1)(iii)(A)	335.69(a)(1)(C)	x		
documentation of each waste removal, inclu- ding quantity, date and time of removal; generator exempt from Subparts G and H of Part 265, except 265.111 and 265.114	262.34(a)(1)(iii)(B)	335.69(a)(1)(C)	x		
3 remove 262.34(a)(2) as added by 55 FR 50450; redesignate 262.34(a)(3) as 262.34(a)(2)	262.34(a)(2)	335.69(a)(2)	x		
redesignate 262.34(a)(4) as 262.34(a)(3)	262.34(a)(3)	335.69(a)(3)	x		
redesignate 262.34(a)(5) as 262.34(a)(4)	262.34(a)(4)	335.69(a)(4)		x	

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

SUBPART W - DRIP PADS

APPLICABILITY

insert ", precipitation,
and/or surface water
run-on" after
"drippage"
change "§264.572(e)
or §264.572(f)"

264.570(a)	335.152(a)(15)	x
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RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)

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

to "§264.573(e)
or §264.573(f)"

264.570(b)

335.152(a)(15)

x

ASSESSMENT OF EXISTING DRIP PAD INTEGRITY

change "264.572(b)"

to "264.573(b)" and

"264.572" to

"264.573" each time

they appear in this

paragraph

264.571(a)

335.152(a)(15)

x

change "264.572(b)"

to "264.573(b)"; add a

comma after "subpart"

in first sentence;

change "264.572" to

"264.573"

264.571(b)

335.152(a)(15)

x

change "264.572" to

"264.573" in first and

last sentences; delete

"as" after "deadline";

change "264.572(b)"

to "264.573(b)";

264.571(b)(3)

335.152(a)(15)

x

insert "upgrades"

after "all"

264.571(c)

335.152(a)(15)

x

change "264.572(m)"

to "264.573(m)";

change "264.574" to

"264.575"

264.571(d)

335.152(a)(15)

x

DESIGN AND INSTALLATION OF NEW DRIP PADS

redesignate

Section 264.575 as

Section 264.572;

change "264.572,

264.573 and 264.574"

to "264.573, 264.574

and 264.575"

264.572

335.152(a)(15)

x

DESIGN AND OPERATING REQUIREMENTS

redesignate old

Section 264.572 as

RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
Section 264.573	264.573	335.152(a)(15)	x		
delete "of installation, and the stress"	264.573(a)(5)	335.152(a)(15)	x		
change "A drip pad" to "A new drip pad or an existing drip pad, after the deadline established in §264.571(b) of this subpart."	264.573(b)	335.152(a)(15)	x		
remove "and" after the ending semicolon	264.573(b)(2)(i)(B)	335.152(a)(15)	x		
change the "." at the end of the requirement to "; and"	264.573(b)(2)(ii)	335.152(a)(15)	x		
replace "run-on" with "run-off"; delete ", or the drip pad is protected by a struc- ture or cover, as described in §264.570(b) of this subpart"	264.573(e)	335.152(a)(15)	x		
replace "could lead to" with "may have caused"	264.573(m)	335.152(a)(15)	x		
replace "has led or could lead to" with "may have caused or has caused"	264.573(m)(1)	335.152(a)(15)	x		
replace "(m)(3)" with "(m)(1)(iv)"	264.573(m)(3)	335.152(a)(15)	x		
INSPECTIONS					
redesignate old Section 264.573 as Section 264.574	264.574	335.152(a)(15)	x		
change "264.572" to "264.573"; insert a comma between					

**RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
"installation" and "liners" in last sentence	264.574(a)	335.152(a)(15)	x		

CLOSURE

redesignate old Section 264.574 as Section 264.575	264.575	335.152(a)(15)	x		
change "practically" after "contaminated subsoils can be" to "practicably"; change "for the purposes of closure" to "for the purpose of closure"	264.575(b)	335.152(a)(15)	x		
change "264.572(b)(1)" to "264.573(b)(1)"	264.575(c)(1)	335.152(a)(15)	x		

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

SUBPART W - DRIP PADS

APPLICABILITY

insert ", precipitation, and/or surface water run-on" after "dripping"	265.440(a)	335.112(a)(18)	x		
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DESIGN AND OPERATING REQUIREMENTS

redesignate
265.443(b)(2)(ii) as
265.443(b)(2)(iii); add
new paragraph
265.443(b)(2)(ii)
regarding design and
operation to function

**RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRIN- GENT	BROAD- ER IN SCOPE
without clogging through scheduled drip pad closure	265.443(b)(2)(ii)	335.112(a)(18)	x		
redesignate 265.443(b)(2)(ii) as 265.443(b)(2)(iii)	265.443(b)(2)(iii)	335.112(a)(18)	x		
replace "could lead to" with "may have caused"	265.443(m)	335.112(a)(18)	x		
replace "has led or could lead to" with "may have caused or has caused"	265.443(m)(1)	335.112(a)(18)	x		
change the internal reference "265.443(m)(3)" to "265.443(m)(1)(iv)"	265.443(m)(3)	335.112(a)(18)	x		

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

SUBPART B - PERMIT APPLICATION

SPECIAL PART B INFORMATION REQUIREMENTS FOR DRIP PADS

7 redesignate the
Section 270.22
introduced at
55 FR 50450 as

Section 270.26	270.26	305.50(4)(A)	x		
change "264.572" to "264.573"	270.26(c)	305.50(4)(A)	x		
change "264.572" to "264.573"	270.26(c)(14)	305.50(4)(A)	x		
change "264.571" to "264.573"	270.26(c)(15)	305.50(4)(A)	x		
change "264.573(a)" to "264.575(a)"	270.26(c)(16)	305.50(4)(A)	x		

RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)

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

- ¹ Revision Checklist 82 originally introduced §261.35 into the code. This technical correction makes extensive formatting and wording changes to 261.35(b). Thus, the Federal requirement description summarizes the requirements rather than the changes.
- ² Although the Federal Register for this technical correction contains the text of the introductory paragraph of §262.34, i.e., 262.34(a), no revisions were made to this paragraph and, as such, it has not been included in this checklist. Also, as this technical correction makes extensive changes to this section of code, the Federal requirement description summarizes the requirements rather than the changes.
- ³ By redesignating 262.34(a)(3) as 262.34(a)(2), the text of the previous 262.34(a)(2) is effectively deleted. However, it is noted that most of that previous text has been incorporated into 262.34(a)(1) at 262.34(a)(1)(iii) and (iii)(A)-(B), also through this technical correction notice to the wood preserving listing rule.
- ⁴ The entire text of Subpart W of Part 264 was printed in the Federal Register for this checklist. This was done to demonstrate the numeration of each citation following the redesignation of sections to correspond with the order of the sections in Subpart W of Part 265. Numerous paragraphs within the redesignated sections have had no revisions made to them; these paragraphs have not been included in this checklist. Paragraphs that contain revisions, whether revisions to the wording of the paragraphs or to internal references within the paragraphs because of the renumbering, are addressed by this checklist.
- ⁵ Note that a typographical error occurs in the text of 264.571(b) in the Federal Register for this checklist; "in sufficient detail" should not be changed to "insufficient detail."
- ⁶ Note that a typographical error occurs in the text of 264.571(b)(3) in the Federal Register for this checklist; "leak detection systems" should not be changed to "lead detection systems."
- ⁷ Note that the Boilers and Industrial Furnaces rule (56 FR 7134; February 21, 1991; Revision Checklist 85) also placed its specific Part B information requirements at 270.22 inadvertently displacing the wood preserving requirements.