US ERA ARCHIVE DOCUMENT

RCRA REVISION CHECKLIST 148

RCRA Expanded Public Participation
60 FR 63417-63434
December 11, 1995
(RCRA Cluster VI, Non-HSWA provisions)

Sections 124.32(a) and 124.33(a) need to have their language revised to remove the limiting language that is not appropriate for States to adopt. See the summary for this checklist for guidance.

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	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	STRIN- GENT	STRIN- GENT	BROADER IN SCOPE
	PA	RT 124 - PROCEDURES I	FOR DECISION MAKIN	IG			1
		SPECIFIC PROCEDURES			NITC	Walnut Company of the	
	PRE-APPLICATION PUBLIC		, , , , , , , , , , , , , , , , , , , ,	MA I LI	CALLED	The state of the s	
1	requirements of this section						
_	apply to part B applications						
	seeking initial permits for						
	hazardous waste management						
	units; these requirements also						
	apply to part B permit			i i i i i i i i i i i i i i i i i i i		disconnection	
	applications seeking permit						
	renewal which proposes a	THE STATE OF THE S					
	significant change in the						
	facility operations; definition						
	of "significant change";					00000	
	definition of "hazardous waste			1	and the second		
	management units over which					WYFORESTEEL	
	EPA has permit issuance authority"; the requirements of				Top of the second	and the state of t	
	124.31 do not apply to 270.42		-	-	PTT/DEMONS		
	permit modifications or			Open College	opposite the same of the same		
	applications submitted solely			PA-PERSONAL	••	-	
	for post-closure activities or			CO-CO-CO-CO-CO-CO-CO-CO-CO-CO-CO-CO-CO-C			
	post-closure activities and			***************************************		- Approximation	
	corrective action at a facility	124.31(a)	39.103(a)(2)	X			
	prior to submission of part B						
	permit application, the				- The state of the	one of the second	
	applicant must hold at least		enderson a periodo			***************************************	
	one public meeting; the		THE STATE OF THE S	- Control of the Cont	and the second	Ollower, and the control of the cont	
	applicant shall post a sign-in		* Paracological and the Control of t	v menovi	Albanongawasea	-	
	sheet for attendees	124.31(b)	39.103(a)(2)	X	acomost the shortest	entering which the second	

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	No. of the Advance of		STATE ANALOG IS:			
FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
the applicant shall submit a summary of the meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting as part of the part B application, in accordance with 270.14(b)	124.31(c)	39.103(a)(2)	X		,	·
the applicant must provide public notice of the pre- application meeting at least 30 days prior to the meeting; must maintain and provide documentation of public notice to the permitting agency upon request	124.31(d)	39.103(a)(2)	X		-	
the applicant shall provide public notice in all of the following forms:	124.31(d)(1)	39.103(a)(2)	X			
newspaper advertisement, as specified	124.31(d)(1)(i)	39.103(a)(2)	X		A CONTRACTOR OF THE CONTRACTOR	
visible and accessible sign, as specified	124.31(d)(1)(ii)	39.103(a)(2)	X			
broadcast media announcement, as specified	124.31(d)(1)(iii)	39.103(a)(2)	Х			the way the state of the state
notice to the permitting agency and units of state and local government, as specified	124.31(d)(1)(iv)	39.103(a)(2)	x			
the notices required under 124.31(d)(1) must include:	124.31(d)(2)	39.103(a)(2)	Х			Market Parket State Control of the C
date, time, and location of the meeting	124.31(d)(2)(i)	39.103(a)(2)	X			Military Carlos Colonidados de Carlos Car
brief description of the purpose of the meeting	124.31(d)(2)(ii)	39.103(a)(2)	х	-		CONTROL CONTRO
brief description of the facility and proposed operations, including address or map	124.31(d)(2)(iii)	39.103(a)(2)	X			A transfer of the Annual A

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	40 date (contract of the contract of the contr			1	(002		
					STATE A	NALOG IS	:
	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
	statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access	124.31(d)(2)(iv)	39.103(a)(2)	X			
	name, address, and telephone number of a contact person for the applicant	124.31(d)(2)(v)	39.103(a)(2)	X			
	PUBLIC NOTICE REQUIREM	IENTS AT THE APPLICA	TION STAGE				Andrews Constitution Constituti
111	requirements of this section apply to part B applications seeking initial permits for hazardous waste management units; these requirements also apply to part B permit applications seeking permit renewal for such units under 270.51; definition of "hazardous waste management units"; the requirements of 124.32 do not apply to 270.42 permit modifications or applications submitted solely for post-closure activities or post-closure activities and corrective action at a facility	124.32(a)	39.103(b)	X			
	notification at application submittal	124.32(b)	30 102/h)	v			
	the Director shall provide public notice as set forth in 124.10(c)(1)(ix) and notice to appropriate units of State and local government as set forth in 124.10(c)(1)(x), that a part B application has been submitted	124.32(b)(1)	39.103(b) 39.103(b)	X			· · · · · · · · · · · · · · · · · · ·
-	notice shall be published within a reasonable period of time after the application is received by the Director; the notice must include:	124.32(b)(2)	39.103(b)	X			

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			STATE ANALOG IS:			·
FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
name and telephone number of the applicant's contact person	124.32(b)(2)(i)	39.103(b)	X			
name, telephone number, and mailing address of the permitting agency's contact office	124.32(b)(2)(ii)	39.103(b)	X			
address to which people can write in order to be put on the facility mailing list	124.32(b)(2)(iii)	39.103(b)	X			
location where copies of the permit application and any supporting documents can be viewed and copied	124.32(b)(2)(iv)	39.103(b)	X			
brief description of the facility and proposed operations, including address or map, on the front page of the notice	124.32(b)(2)(v)	39.103(b)	X			
date the application was submitted	124.32(b)(2)(vi)	39.103(b)	X			
concurrent with the notice required under 124.32(b), the Director must place the permit application and any support documents in a location accessible to the public in the vicinity of the facility or at the permitting agency's office	124.32(c)	39.103(b)	X			
INFORMATION REPOSITOR	Y					T
requirements of this section apply to all applications seeking permits for hazardous waste management units; definition of "hazardous waste management units"	124.33(a)	39.103(g)	X			

			STATE ANALOG IS:			
FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
the Director may assess the need, on a case-by-case basis, for an information repository; he shall consider a variety of factors, including level of public interest, type of facility, presence of existing repository, and proximity to nearest copy of administrative record; if a need is determined, the Director shall notify the facility to establish and maintain a repository	124.33(b)	39.103(g)	X			
the repository shall contain all documents, reports, data, and information deemed necessary by the Director	124.33(c)	39.103(g)	X			
the repository shall be located and maintained at a site chosen by the facility; if the site is unsuitable, the Director shall specify a more appropriate site	124.33(d)	39.103(g)	X			
the Director shall specify requirements for informing the public about the repository; at a minimum, the Director shall require the facility to provide a written notice about the repository to all persons on the facility mailing list	124.33(e)	39.103(g)	X			
the facility owner or operator shall be responsible for maintaining and updating the repository; the Director may close the repository at his discretion based on factors in 124.33(b)	124.33(f)	39.103(g)	Х			

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		and the second	STATE ANALOG IS:			•					
FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE					
PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM											
	SUBPART A - GENERA	AL INFORMATION									
DEFINITIONS	•		r	The same of the sa		4000000000000000000000000000000000000					
revise "Facility mailing list" by changing "124.10(c)(viii)" to "124.10(c)(1)(ix)"	270.2, "Facility mailing list"	305.2	X	A CONTRACTOR OF THE CONTRACTOR	·						
	SUBPART B - PERMI	T APPLICATION		~~~		-					
CONTENTS OF PART B: GE	NERAL REQUIREMENT	S	-		·	Parameter (Carlot Annie Marchael Carlot Annie Carlot Annie Carlot Annie Carlot Annie Carlot Annie Carlot Annie					
add new paragraph; summary of pre-application meeting, a list of the attendees and their addresses, and copies of any written comments or materials submitted at the meeting, as required under 124.31(c)	270.14(b)(22)	305.50(4)(A)	X								
	SUBPART C - PERM	IT CONDITIONS									
CONDITIONS APPLICABLE	TO ALL PERMITS										
add new paragraph; the Director may require the permittee to establish and maintain an information repository at any time, as set forth in 124.33(b); information repository shall be governed by provisions in 124.33(c)-(f)	270.30(m)	305.125(21)	X								
of provisions in 124.55(c)-(1)											
EMERGENCY PERMITS	SUBPART F - SPECIAL I	FORMS OF PERMITS		***************************************							
replace "124.11(b)" with "124.10(b)"	270.61(b)(5)	35.402(e) 305.30	X	J.	Spinister was the strong						

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE				
HAZARDOUS WASTE INCINERATOR PERMITS										
redesignate former 270.62(b)(6) as 270.62(b)(6) addressing the notice to be sent by the Director to all persons on the facility mailing list and to the appropriate units of State and local government announcing the scheduled commencement and completion dates for the trial burn; applicant may not commence the trial burn until after notice has been issued	270.62(b)(6)	305.172(6)	X		-					
notice must be mailed within a reasonable time period before the scheduled trial burn; additional notice not required if trial burn is delayed due to circumstances beyond the facility's or permitting agency's control	270.62(b)(6)(i)	305.172(6)	X							
notice must contain:	270.62(b)(6)(ii)	305.172(6)	X							
name and telephone of the applicant's contact person	270.62(b)(6)(ii)(A)	305.172(6)	X							
name and telephone number of the permitting agency's contact office	270.62(b)(6)(ii)(B)	305.172(6)	X							
location where the approved trial burn plan and any supporting documents can be reviewed and copied	270.62(b)(6)(ii)(C)	305.172(6)	X							
expected time period for commencement and completion of the trial burn	270.62(b)(6)(ii)(D)	305.172(6)	X							
former 270.62(b)(6) becomes 270.62(b)(7)	270.62(b)(7)	305.172(7)	X							

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FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	STRIN- GENT	STRIN-	BROADER
			ALLINI	GENT	GENT	IN SCOPE
redesignate former						
270.62(b)(7)-(10) as 270.62(b)(8)-(11)	270 62/h)/9\ /11\	205 150(0) (11)	~ -			
270.02(0)(0)-(11)	270.62(b)(8)-(11)	305.172(8)-(11)	X			
in the first sentence, replace						
"paragraph (b)(2) through		WATER AND THE STATE AND THE ST				
(b)(9)" with "paragraphs (b)(2)				CONTRACTOR		
through $(b)(5)$ and $(b)(7)$				****		
through (b)(10)"; after the first						
sentence, insert two new						
sentences; the first new				***************************************		
sentence requires the Director						
to announce his or her		va cassing money				
intention to approve the trial				200		
burn plan as specified; the						
second new sentence addresses				0000000		
what the notice must include;						
in the sentence beginning with "Applicants submitting						
information under", replace						
§§264.343" with "40 CFR						
264.343"; in the sentence						
beginning with "Applicants						
who submit trial burn						
plans", replace "paragraph					O STATE OF S	
(b)(6)" with "paragraph (b)(7)						
of this section"	270.62(d)	305.174	X			
DEDIVITE FOR DON FROM AND			<u></u>		<u> </u>	**************************************
PERMITS FOR BOILERS AND	INDUSTRIAL FURNAC	ES BURNING HAZAR	DOUS '	WASTI	3	
redesignate former					-	
270.66(d)(3) as 270.66(d)(4);					***************************************	
add new 270.66(d)(3)						
requiring the Director to send						
notice to all persons on the			appending and a second	ST COLUMN TO A STATE OF THE STA		
facility mailing list and to the				-	- Proposition	
appropriate units of State and			политично	aiscean		
local government announcing		Acceptance of the control of the con		NO.	STREET	
the scheduled commencement		AND THE PROPERTY OF THE PROPER	Parameter Communication Commun		dovrano	
and completion dates for the		ченичения	PARTITION	To the state of th	and the second s	
trial burn; applicant may not		marrieman	and the same of th		ann	
commence the trial burn until	0.00 ((() ())					
after notice has been issued	270.66(d)(3)	305.572(b)	X			

			STATE ANALOG IS:			
FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
notice must be mailed within a reasonable time period before the trial burn; additional notice not required if trial burn is delayed due to circumstances beyond the facility's or						
permitting agency's control	270.66(d)(3)(i)	305.572(b)	X		<u> </u>	
notice must contain:	270.66(d)(3)(ii)	305.572(b)	X			
name and telephone number of the applicant's contact person	270.66(d)(3)(ii)(A)	305.572(b)	X		ANGERSCHISCHE STATES ST	
name and telephone number of the permitting agency's contact office	270.66(d)(3)(ii)(B)	305.572(b)	X		And the state of t	
location where the approved trial burn plan and any supporting documents can be reviewed and copied	270.66(d)(3)(ii)(C)	305.572(b)	X			
expected time period for commencement and completion of the trial burn	270.66(d)(3)(ii)(D)	305.572(b)	X			Out of the second secon
former 270.66(d)(3) becomes (d)(4)	270.66(d)(4)	305.572(a)(3)	X			recorded to the control of the contr
redesignate old 270.66(d)(4) and (d)(5) as 270.66(d)(5) and (d)(6)	270.66(d)(5) & (d)(6)	305.572(a)(3)	X			

				-	***************************************	***************************************	
				STATE ANALOG IS:		:	
	FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
2	revise paragraph; insert "of this chapter" after the second reference to "§ 266.103" in the first sentence; after the first sentence, insert new second and third sentences; the first new sentence requires the Director to announce his or her intention to approve a trial burn plan as specified; second new sentence addresses		,		CENT	GEIVI	
	what the notice must include	270.66(g)	305.573(a)	X			

See the special guidance in the summary for this checklist regarding state adoption of these paragraphs.

There is a typographical error at 270.66(g); at 60 <u>FR</u> 63434, "§§266.104 through 266.107" was changed to "§266.104 through 266.107".