



DIRECTIVE NUMBER: 9541.00-18

TITLE: **State Program Advisory #12**

APPROVAL DATE: **April 4, 1994**

EFFECTIVE DATE: **April 4, 1994**

ORIGINATING OFFICE: **Office of Solid Waste**



FINAL



DRAFT

STATUS: ☐ A - Pending OMB Approval
☐ B - Pending AA-OSWER Approval

REFERENCE (Other Documents):

OSWER Directive #9540.00-09A

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United States Environmental Protection Agency
Washington, DC 20460

OSWER Directive Initiation Request

1. Directive Number

9541.00-18

2. Originator Information

Name of Contact Person:

Keely Clifford

Mail Code

5303W

Office

OSW/PSPD/SRPB

Telephone Number

703-308-8763

3. Title

State Program Advisory #12

4. Summary of Directive (include brief statement of purpose)

This Directive updates the State Authorization Manual, covering RCRA program changes for the period of July 1, 1991 - December 31, 1991. SPA 12 contains seven new revision checklists, Model Attorney General's Statement language for the changes covered in the SPA and two consolidated checklists covering the Burning of Hazardous Waste in Boilers and Industrial Furnaces and the Wood Preserving Listings.

5. Keywords

State Authorization / RCRA / State Program / Guidance

6a. Does This Directive Supersede Previous Directive(s)?



No



Yes

What directive (number, title)

b. Does It Supplement Previous Directive(s)?



No



Yes

What directive (number, title)

**Supplements OSWER
Directive #9540.00-09A**

7. Draft Level



A - Signed by AA/DAA



B - Signed by Office Director



C - For Review & Comment



D - In Development

8. Document to be distributed to States by Headquarters?



Yes



No

This Request Meets OSWER Directives System Format Standards.

9. Signature of Lead Office Directives Coordinator

Jennifer A. Barker, OSW Policy Directives Coordinator

Date

6/2/94

10. Name and Title of Approving Official

Michael H. Shapiro, Director, OSW

Date

4/4/94

EPA Form 1315-17 (Rev. 5-87) Previous editions are obsolete.

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DIRECTIVE DIRECTIVE DIRECTIVE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR - 4 1994

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: State Program Advisory Number Twelve

FROM: Michael H. Shapiro, Director
Office of Solid Waste

TO: Regional Division Directors, Regions I-X

The State and Regional Programs Branch (SRPB) periodically issues State Program Advisories (SPAs) to update the State Authorization Manual (SAM) as new RCRA program policies, regulations, and self-implementing statutory provisions come into effect.

With this memorandum, I am transmitting SPA 12, which covers RCRA program changes for the period of July 1, 1991 through December 31, 1991. SPA 12 contains seven new revision checklists, Model Attorney General's Statement language for the changes covered in the SPA, and two consolidated checklists. The two consolidated checklists cover the Burning of Hazardous Waste in Boilers and Industrial Furnaces Checklist updated through December 31, 1991, as well as a similar consolidated checklist for the Wood Preserving Listings.

If you have any questions about any of these materials, please contact State and Regional Programs Branch Authorization Acting Branch Chief, Richard LaShier at (703) 308-8760.

Attachments

cc: Dev Barnes
Section Chiefs, Regions I-X
Branch Chiefs, Regions I-X
State Program Liaisons

SPA 12**Summary for State Program Advisory Twelve**

The following points briefly highlight the content of SPA 12. These points are organized by topic.

Checklists**a. New**

- This SPA provides seven new checklists (Numbers 92 and 94 through 99) covering RCRA regulatory changes for the period July 1, 1991 through December 31, 1991. EPA will not be issuing Revision Checklist 93. Instead, that rule has been consolidated into a single checklist (Revision Checklist 113) with the two other rules (September 1, 1988; 53 FR 33938 and September 16, 1992; 57 FR 42832) also dealing with EPA's February 23, 1990, settlement agreement with Chemical Waste Management Inc. That consolidated checklist will be issued with SPA 14 and it (i.e., all the rules addressed by it) will be considered due on the date (July 1, 1994) the September 16, 1992 rule is due. Further guidance regarding Consolidated Checklist 113 will be included with SPA 14.
- The checklists in SPA 12 address the following:
 - technical amendments to the Wood Preserving Listing and the Boiler and Industrial Furnaces rules;
 - land disposal restrictions for electric arc furnace dust (K061);
 - corrections to the exports of hazardous waste requirements;
 - administrative stay for coke ovens; and
 - amendments to the interim standards for downgradient ground-water monitoring well locations.
- Revision Checklists 92, 94, 95, 96, 97, 98 and 99 are in RCRA Cluster II. Revision Checklists 95, 97, and 98 contain HSWA provisions only; Revision Checklist 99 contains only non-HSWA provisions; and Revision Checklists 92, 94 and 96 contain both.
- SPA 12 includes a Consolidated Burning of Hazardous Waste in Boilers and Industrial Furnaces Checklist updated through December 31, 1991, as well as a similar consolidated checklist for the Wood Preserving Listings.

b. Existing

- Revision Checklist 31 has been revised to include a prenote relating this checklist to Revision Checklist 97, which changes the office to which the

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notification of intent to export and the annual report on export activities must be sent. Revision Checklist 31 was also revised to include additional guidance regarding how States should incorporate nondelegable portions of Parts 262, 263 and 264 relating to exports of hazardous waste.

Cluster Information

- SPA 12 delineates timeframes by which States must obtain authorization for RCRA Cluster II. The checklists in SPA 12 open this cluster. The due date is July 1, 1993 (July 1, 1994 if a statutory change is necessary). For further information on the Cluster Rule, see September 26, 1986 (51 FR 33712).

SAM

- This SPA provides updated Tables G-1 and G-2, a Model Revision Attorney General's Statement, a Model Consolidated Attorney General's Statement, and a Checklist Linkage Table to insert into the SAM.

STATE PROGRAM ADVISORY #12

A. STATE PROGRAM CHANGES FOR JULY 1, 1991 - DECEMBER 31, 1991

1. Wood Preserving Listings; Technical Corrections

Date: July 1, 1991

Reference: 56 FR 30192-30198

Effective: July 1, 1991

Summary: These technical corrections amend a final rule promulgated December 6, 1990 (55 FR 50450; Revision Checklist 82) that added three categories of wastes generated from wood preserving processes, F032, F034, and F035, to the list of hazardous wastes from non-specific sources. A number of typographical errors are corrected, revisions in wording are made to clarify the Agency's intent, and the Part 264, Subpart W section numbering is corrected to correspond to that of Part 265, Subpart W.

State Authorization: Regulatory standards applicable to F032 are promulgated pursuant to HSWA while standards applicable to F034 and F035 are promulgated pursuant to non-HSWA provisions. The technical corrections will be included in RCRA Cluster II. States are encouraged to adopt these technical corrections when the Revision Checklist 82 changes are adopted. If Revision Checklist 82's provisions have already been adopted, States should adopt these technical corrections as soon as possible. Both interim and final authorization for the HSWA provisions are available; interim authorization expires January 1, 2003. Only final authorization is available for the non-HSWA provisions. The non-HSWA requirements will be applicable only in those States that do not have final authorization; they will not be applicable in authorized States until the States revise their programs to adopt equivalent requirements under State law, unless the wastes are designated as hazardous due to the Toxicity Characteristic, which was promulgated under HSWA authority.

The State modification deadline for these corrections is July 1, 1993 (or July 1, 1994 if a State statutory change is needed). The State revision application must include a revised program description, an AG Statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 92, and associated State regulations.

(Note the listings for F032, F034 and F035 and the impermeability requirement for new drip pads at 264.572(a)(4) and 265.443(a)(4) were administratively stayed at 56 FR 27332 (June 13, 1991; Revision Checklist 91).)

SAM Update: Updates to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement of Appendix E and the Checklist Linkage Table of Appendix H are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA. A copy of Revision Checklist 92 and its associated FR notice may be found in Attachment A.

2. Liability Requirements; Technical Amendment

Date: July 1, 1991

Reference: 56 FR 30200

Effective: July 1, 1991

Summary: This final rule (which should be Revision Checklist 93) corrects errors made in the September 1, 1988 (53 FR 33938; Revision Checklist 51) final rule affecting the liability coverage requirements. In correcting omission errors in 264.147(a)(2) and 265.147(a)(2), the Agency is satisfying part of the settlement agreement reached with Chemical Waste Management, Inc. on February 23, 1990. The remaining regulatory amendments, required by the settlement agreement, were made by a September 16, 1992 rule (57 FR 42832). EPA has withheld developing checklists for the September 1, 1988 and the July 1, 1991 rules to encourage States to adopt at one time all of the changes resulting from the settlement agreement. To this end, a checklist (Revision Checklist 113) has been developed which consolidates the changes made by the September 1, 1988, the July 1, 1991 and the September 16, 1992 rules into one checklist which will be part of SPA 14. The due date (July 1, 1994) for that checklist and all the rules it represents is determined by the September 16, 1992 rule, rather than by the two earlier rules. EPA will not issue separate checklists for the September 1, 1988 and July 1, 1991 rules. Further guidance regarding Revision Checklist 113 will be provided with SPA 14.

3. Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments I

Date: July 17, 1991

Reference: 56 FR 32688-32886

Effective: August 21, 1991

Summary: On February 21, 1991 (56 FR 7134; Revision Checklist 85), EPA published a final rule to regulate air emissions from the burning of hazardous waste in boilers and industrial furnaces. This July 17, 1991 rule corrects numerous typographical and editorial errors that appeared in the February 21, 1991 regulatory text, including corrections to Appendices II and III. This rule also adds two appendices, Appendix IX and Appendix X to Part 266, which were not ready when the February 21, 1991 rule was published. Although the February 21, 1991 rule deleted Subpart D of Part 266 and replaced it with new Subpart H, references to Subpart D at other locations in the CFR were inadvertently not revised. The July 17, 1991 rule makes conforming corrections at §§261.6(a)(2), 261.6(a)(2)(ii), and 266.40(c) and (d).

State Authorization: The regulations addressed by this final rule typically do not make a distinction between the various types of burning devices. However, the provisions in the regulations as they apply to sludge dryers, carbon regeneration units, infrared incinerators, and plasma arc incinerators are considered to be non-HSWA requirements, while the regulations, as they apply to all other types of burning devices, are HSWA provisions. EPA will implement the HSWA requirements in authorized States until the States modify their programs and such modifications are approved by EPA. The non-HSWA requirements are applicable only in those States that are unauthorized. In authorized States, the non-HSWA requirements will not be applicable until the States revise their programs to adopt equivalent requirements under State law.

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This rule will be included in RCRA Cluster II. States may apply for either interim or final authorization for the HSWA provisions; only final authorization is available for the non-HSWA provisions. Interim authorizations expire January 1, 2003. The State modification deadline is July 1, 1993 (or July 1, 1994 if a State statutory change is needed). The State revision application must include a revised program description, an AG Statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 94, and associated State regulations.

SAM Update: Updates to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement of Appendix E and the Checklist Linkage Table of Appendix H are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA. A copy of Revision Checklist 94 and its associated FR notice may be found in Attachment A.

4. Land Disposal Restrictions for Electric Arc Furnace Dust (K061)

Date: August 19, 1991

Reference: 56 FR 41164-41178

Effective: August 8, 1991

Summary: On August 17, 1988 (53 FR 31138; Revision Checklist 50), the EPA first promulgated treatment standards for two nonwastewater subcategories of K061: the low zinc subcategory (less than 15% total zinc) and the high zinc subcategory (equal to or greater than 15% total zinc). This August 19, 1991 rule revises and finalizes treatment standards under the land disposal restrictions (LDR) program for K061 nonwastewaters in the high zinc subcategory. This rule also finalizes a generic exclusion from the derived-from rule for K061 nonwastewater residues if: (1) they are generated from the high temperature metals recovery (HTMR) process, (2) they meet the generic exclusion levels for all constituents, (3) they are disposed of in a Subtitle D unit, and (4) they exhibit no hazardous waste characteristic. Finally, this rule finalizes an exclusion from classification as a solid waste under 261.4(a) for K061 HTMR splash condenser dross residue.

State Authorization: This is a HSWA rule and will be included in RCRA Cluster II. The State modification deadline is July 1, 1993 (or July 1, 1994 if a State statutory change is necessary). All changes go into effect immediately. Both interim and final authorization are available; interim authorization expires July 1, 2003. The State revision application must include a revised program description, an AG Statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 95, and associated State regulations.

SAM Update: Updates to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement of Appendix E and the Checklist Linkage Table of Appendix H are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA. A copy of Revision Checklist 95 and its associated FR notice may be found in Attachment A.

5. Burning of Hazardous Waste in Boilers and Industrial Furnaces; Technical Amendments II

Date: August 27, 1991

Reference: 56 FR 42504-42517

Effective: August 21, 1991

Summary: This Federal Register notice makes several technical amendments to the final rule issued on February 21, 1991 (56 FR 7134, Revision Checklist 85) for boilers and industrial furnaces burning hazardous waste. The technical amendments provide clarification of the regulation and correct unintended consequences of the February 21, 1991 rule and add two new appendices, Appendix XI and Appendix XII, to Part 266. The rule also corrects several errors in the technical corrections and amendments to the February 21, 1991 rule published on July 17, 1991 (56 FR 32688, Revision Checklist 94).

State Authorization: This rule is promulgated pursuant to both HSWA and non-HSWA and will be included in RCRA Cluster II. States may apply for either interim or final authorization for the HSWA provisions; only final authorization is available for the non-HSWA provisions. Interim authorizations expire January 1, 2003. The State modification deadline is July 1, 1993 (or July 1, 1994 if a State statutory change is needed). The State revision application must include a revised program description, an AG Statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 96, and associated State regulations.

SAM Update: Updates to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement of Appendix E and the Checklist Linkage Table of Appendix H are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA. A copy of Revision Checklist 96 and its associated FR notice may be found in Attachment A.

6. Exports of Hazardous Waste; Technical Correction

Date: September 4, 1991

Reference: 56 FR 43704-43705

Effective: September 4, 1991

Summary: On August 8, 1986 (51 FR 28664; Revision Checklist 31), EPA promulgated a final rule addressing exports of hazardous waste. Section 262.53 of these regulations requires, among other things, that exporters send to EPA's Office of International Activities advance written notification of their plans to export hazardous waste. Section 262.56 required that the annual reports regarding exports also must be sent to this same office. In addition, a "note" at the conclusion of 270.10(e)(2) designates the Office of International Activities as the recipient of export notifications required under 262.53. The technical corrections addressed by this final rule provide that such notifications and annual reports must henceforth be sent to EPA's Office of Waste Programs Enforcement because the administrative responsibilities of the Office of International Activities have been transferred to that office.

State Authorization: This rule is promulgated pursuant to HSWA and will be included in RCRA Cluster II. The State modification deadline is July 1, 1993 (or July 1, 1994 if a

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State statutory change is necessary). All changes go into effect immediately. Both interim and final authorization are available. The State revision application must include a revised program description, an AG Statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 97, and associated State regulations.

SAM Update: Updates to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement of Appendix E and the Checklist Linkage Table of Appendix H are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA. A copy of Revision Checklist 97 and its associated FR notice may be found in Attachment A.

7. Coke Ovens Administrative Stay

Date: September 5, 1991

Reference: 56 FR 43874-43877

Effective: August 21, 1991

Summary: This Federal Register notice administratively stays the permitting standards for boilers and industrial furnaces adopted pursuant to the February 21, 1991 (56 FR 7134; Revision Checklist 85) final rule as it applies to coke ovens burning certain hazardous wastes from the coke by-products recovery process. The primary effect of the stay is to halt the application of industrial furnace standards to coke ovens when they reprocess non-K087 hazardous wastes so that the Agency can evaluate comments on a pending regulatory proposal. This proposal would exclude certain wastes from Subtitle C jurisdiction when recycled by reprocessing in coke ovens. This means that on August 21, 1991, coke ovens may continue to process residues from the byproducts recovery process that exhibit the Toxicity Characteristic (TC) without the coke oven having to comply with the Boilers and Industrial Furnaces (BIF) regulations.

State Authorization: This rule is promulgated pursuant to HSWA and will be included in RCRA Cluster II. Because the administrative stay narrows the scope of existing regulations, States are not required to adopt this change. As such, this checklist has been designated as optional. If a State chooses to modify its program to adopt the BIF rule as it applies to coke ovens, the modification deadline is July 1, 1993 (July 1, 1994 if a State statutory change is required). The State revision application must include a revised program description, an AG Statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 98, and associated State regulations.

SAM Update: Updates to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement of Appendix E and the Checklist Linkage Table of Appendix H are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA. A copy of Revision Checklist 98 and its associated FR notice may be found in Attachment A.

8. Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities; Liability Coverage

Date: September 23, 1991

Reference: 56 FR 47912

Summary: This notice corrects a Code of Federal Regulations (CFR) printing error made to 265.147(a)(1)(i)&(ii). This rule does not affect authorization and, consequently, no checklist was developed for it.

9. Amendments to Interim Status Standards for Downgradient Ground-Water Monitoring Well Locations at Hazardous Waste Facilities

Date: December 23, 1991

Reference: 56 FR 66365

Effective: June 23, 1992

Summary: This rule promulgates requirements which allow facilities to install alternate ground-water monitoring wells in certain circumstances where existing physical obstacles cannot be avoided. The owner/operator must demonstrate that the alternate location will meet the criteria specified at 40 CFR 265.91(a)(3). The demonstration must be certified by a qualified ground-water scientist as defined in 40 CFR 260.10.

State Authorization: This rule was promulgated under non-HSWA authority and will not be in effect in authorized states until those States become authorized for it. As these Federal program changes are less stringent or reduce the scope of the Federal program, States are not required to modify their programs. As such, this checklist is an optional checklist. This rule will be included in RCRA Cluster II. The State modification deadline, for those States choosing to adopt it, is July 1, 1993 (or July 1, 1994 if a State statutory change is needed). The State revision application must include a revised program description, an AG Statement addendum, an addendum to the MOA (if appropriate), Revision Checklist 99, and associated State regulations.

SAM Update: Updates to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement of Appendix E and the Checklist Linkage Table of Appendix H are necessary to reflect the addition of this checklist. These revisions are addressed in Section B of this SPA. A copy of Revision Checklist 99 and its associated FR notice may be found in Attachment A.

B. REVISIONS TO SAM

The addition of seven new checklists necessitated revisions to Tables G-1 and G-2 of Appendix G, the Model Revision Attorney General's Statement in Appendix D, and the Checklist Linkage Table in Appendix H. These revised tables and model are included in Attachment B and should replace the relevant parts in the SAM Manual. Specific revisions are detailed below.

- The revised Tables G-1 and G-2 (pp. 4-30) should replace pages 4 through 29 of SAM, Appendix G.

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- The Revised Attorney General's Statement (pp. 9-54) should replace pages 9 through 53 of SAM, Appendix E. New entries were added at I V, I W, XI E, XX D, and XXI H, and the following entries were revised: I Q, I R, II B, XIV A, XV L, XVI W, XVI X, and XX C.
- The Revised Checklist Linkage Table (pp. 3-7) should replace pages 3 through 6 of SAM, Appendix H.

One revised checklist--Revision Checklist 31--is also included in this SPA. A prenote was added noting the linkage between this checklist and Revision Checklist 97. Guidance regarding the non-delegable portions of this checklist was also added as a prenote.

C. CONSOLIDATED CHECKLISTS

Two consolidated checklists are included in this SPA and may be found in Attachment C.

1. The Consolidated Boilers and Industrial Furnaces Checklist

The Consolidated Boilers and Industrial Furnaces Checklist consolidates the following four rules addressing Boilers and Industrial Furnaces that have been promulgated through December 31, 1991.

- 56 FR 7134 (Revision Checklist 85);
- 56 FR 32688 (Revision Checklist 94);
- 56 FR 42504 (Revision Checklist 96); and
- 56 FR 43874 (Revision Checklist 98).

2. The Consolidated Wood Preserving Listings Checklist

The Consolidated Wood Preserving Listings Checklist includes three rules:

- 55 FR 50450 (Revision Checklist 82);
- 56 FR 27332 (Revision Checklist 91); and
- 56 FR 30192 (Revision Checklist 92).

ATTACHMENT A

**New Revision Checklists and
Corresponding Federal Register Articles**

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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. All of the changes addressed by that checklist are optional.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER 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)				
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)				

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

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART D - LISTS OF HAZARDOUS WASTES

1 DELETION OF CERTAIN HAZARDOUS WASTE CODES FOLLOWING EQUIPMENT CLEANING AND REPLACEMENT

generators must either clean or replace all specified process equipment that may have come into contact with chlorophenolic formulations or constituents	261.35(b)				
generators shall do one of the following:	261.35(b)(1)				
prepare and follow an equipment cleaning plan; clean equipment in accordance with 261.35	261.35(b)(1)(i)				
prepare and follow an equipment replacement plan; replace equipment in accordance with 261.35	261.35(b)(1)(ii)				
document cleaning and replacement in accordance with 261.35, carried out after termination of use of chlorophenolic preservations	261.35(b)(1)(iii)				
cleaning requirements	261.35(b)(2)				
prepare and sign a written equipment cleaning plan that describes:	261.35(b)(2)(i)				
equipment to be cleaned	261.35(b)(2)(i)(A)				
how equipment will be cleaned	261.35(b)(2)(i)(B)				

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

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
solvent to be used in cleaning	261.35(b)(2)(i)(C)				
how solvent rinses will be tested	261.35(b)(2)(i)(D)				
how cleaning residues will be disposed	261.35(b)(2)(i)(E)				
equipment must be cleaned as follows:	261.35(b)(2)(ii)				
remove all visible residues from process equipment	261.35(b)(2)(ii)(A)				
rinse with appropriate solvent until no dioxin or dibenzofuran detection in final solvent rinse	261.35(b)(2)(ii)(B)				
analytical requirements	261.35(b)(2)(iii)				
test rinses as per SW-846, Method 8290	261.35(b)(2)(iii)(A)				
"not detected" defined	261.35(b)(2)(iii)(B)				
generator manages cleaning process residues as F032 waste	261.35(b)(2)(iv)				
replacement requirements	261.35(b)(3)				
prepare and sign written equipment replacement plan that describes:	261.35(b)(3)(i)				
equipment to be replaced	261.35(b)(3)(i)(A)				
how equipment will be replaced	261.35(b)(3)(i)(B)				
how equipment will be disposed	261.35(b)(3)(i)(C)				
generator must manage discarded equipment as F032 waste	261.35(b)(3)(ii)				
documentation requirements	261.35(b)(4)				

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

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
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)				

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

2 the waste is placed:	262.34(a)(1)				
in containers and generator complies with Subpart I of Part 265; and/or	262.34(a)(1)(i)				
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)				
on drip pads and generator complies with Subpart W of Part 265 and maintains following records at the facility:	262.34(a)(1)(iii)				

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

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
description of pro- 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)				
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)				
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)				
redesignate 262.34(a)(4) as 262.34(a)(3)	262.34(a)(3)				
redesignate 262.34(a)(5) as 262.34(a)(4)	262.34(a)(4)				

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

4

SUBPART W - DRIP PADS

APPLICABILITY

insert ", precipitation, and/or surface water run-on" after "dripping"	264.570(a)				
change "§264.572(e) or §264.572(f)" to "§264.573(e) or §264.573(f)"	264.570(b)				

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

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FEDERAL REQUIREMENT		FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
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)				
5	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)				
6	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)				
	insert "upgrades" after "all"	264.571(c)				
	change "264.572(m)" to "264.573(m)"; change "264.574" to "264.575"	264.571(d)				
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				
DESIGN AND OPERATING REQUIREMENTS						
	redesignate old Section 264.572 as Section 264.573	264.573				
	no change was made to these subparagraphs	264.573(a)(1)-(4)				
7	delete "of installation, and the stress"	264.573(a)(5)				

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

SPA 12

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
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)				
no change was made to these subparagraphs	264.573(b)(1)(i)-(iii)				
no change was made to these subparagraphs	264.573(b)(2)-(b)(2)(i)(A)				
remove "and" after the ending semicolon	264.573(b)(2)(i)(B)				
change the "." at the end of the requirement to "; and"	264.573(b)(2)(ii)				
replace second "run-on" with "run-off"; delete ", or the drip pad is protected by a structure or cover, as described in §264.570(b) of this subpart"	264.573(e)				
replace "could lead to" with "may have caused"	264.573(m)				
replace "has led or could lead to" with "may have caused or has caused"	264.573(m)(1)				
replace "(m)(3)" with "(m)(1)(iv)"	264.573(m)(3)				
INSPECTIONS					
redesignate old Section 264.573 as Section 264.574	264.574				

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

SPA 12

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change "264.572" to "264.573"; insert a comma between "installation" and "liners" in last sentence	264.574(a)				
CLOSURE					
redesignate old Section 264.574 as Section 264.575	264.575				
change "practically" after "contaminated subsoils can be" to "practicably"; change "for the purposes of closure" to "for the purpose of closure"	264.575(b)				
change "264.572(b)(1)" to "264.573(b)(1)"	264.575(c)(1)				

**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 "drillage"	265.440(a)				
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**RCRA REVISION CHECKLIST 92: Wood Preserving Listings;
Technical corrections (cont'd)**

SPA 12

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
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 without clogging through scheduled drip pad closure	265.443(b)(2)(ii)				
old 265.443(b)(2)(ii) becomes 265.443(b)(2)(iii)	265.443(b)(2)(iii)				
replace "could lead to" with "may have caused"	265.443(m)				
replace "has led or could lead to" with "may have caused or has caused"	265.443(m)(1)				
change the internal reference "265.443(m)(3)" to "265.443(m)(1)(iv)"	265.443(m)(3)				

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

SUBPART B - PERMIT APPLICATION

SPECIAL PART B INFORMATION REQUIREMENTS FOR DRIP PADS

8 redesignate the Section 270.22 introduced at 55 FR 50450 as Section 270.26	270.26				
change "264.572" to "264.573"	270.26(c)				
change "264.572" to "264.573"	270.26(c)(14)				

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

SPA 12

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change "264.571" to "264.573"	270.26(c)(15)				
change "264.573(a)" to "264.575(a)"	270.26(c)(16)				

- 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 a typographical error occurs in the text of 264.573(a)(5) in the Federal Register for this checklist; "daily perations" should be "daily operations" as introduced into the code by Revision Checklist 82 (55 FR 50450).
- ⁸ 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.

SPA 12**Revision Checklist 93's Status**

EPA will not be issuing Revision Checklist 93. Instead, the rule (July 1, 1991; 56 FR 30200) which that checklist would have addressed has been consolidated into a single checklist (Revision Checklist 113) with the two other rules (September 1, 1988; 53 FR 33938 and September 16, 1992; 57 FR 42832) also dealing with EPA's February 23, 1990, settlement agreement with Chemical Waste Management Inc. That consolidated checklist will be issued with SPA 14 and it (i.e., all the rules addressed by it) will be considered due on the date (July 1, 1994) the September 16, 1992 rule is due. Further guidance regarding Consolidated Checklist 113 will be included with SPA 14.

RCRA REVISION CHECKLIST 94

Burning of Hazardous Waste in Boilers and Industrial Furnaces;
Corrections and Technical Amendments I

56 FR 32688-32852

July 17, 1991

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

Note: 1) This checklist makes extensive technical corrections and provides technical amendments to the February 21, 1991 (56 FR 7134; Revision Checklist 85) final rule. It also adds two new appendices, Appendix IX and Appendix X, to the code. Technical corrections to several sections (i.e., 266.104(a)(2), 266.107(d)(1)&(2) and 270.73(f)&(g)) of code were already addressed in Revision Checklist 85. However, for completeness, these corrections are repeated in this checklist and identified in the endnotes. On August 27, 1991 (56 FR 42504) the Agency published a second technical amendment, which is addressed by Revision Checklist 96.

2) The regulations addressed by this checklist typically do not make a distinction between the various types of burning devices. However, the provisions in the regulations as they apply to sludge dryers, carbon regeneration units, infrared incinerators, and plasma arc incinerators are considered to be non-HSWA requirements, while the regulations as they apply to all other types of burning devices are HSWA provisions. EPA will implement the HSWA requirements in authorized States until the States modify their programs and such modifications are approved by EPA. The non-HSWA requirements are applicable only in those States without base authorization. In States with base authorization, the non-HSWA requirements will not be applicable until the States revise their programs to adopt equivalent requirements under State law.

3) EPA has adopted a format in the Federal Register where the designation of a citation beyond a certain subparagraph is italicized. This format was not consistently used in the February 21, 1991 Federal Register (Revision Checklist 85). Subsequently, the July 17, 1991 Federal Register (Revision Checklist 94) corrected several of the formatting errors found in the February 21, 1991 Federal Register. The EPA format is consistently used in both Revision Checklists 85 and 94. Technical corrections which only address the italicizing format of a citation are not included in this checklist. Such citations include 266.102(e)(6)(i)(B)(2), 266.102(e)(6)(ii)(B)(2), 266.103(b)(5)(i)(B)(1), 266.103(b)(5)(i)(B)(2), 266.103(b)(5)(ii)(B)(1), and 266.103(c)(7)(ii)(B)(2).

4) Because this checklist corrects numerous errors, States that are not authorized for Revision Checklist 85 are strongly encouraged to adopt these present technical corrections/amendments and the ones addressed by Revision Checklists 96, 111 and 114, as appropriate for the State's schedule, at the same time the requirements addressed by Revision Checklist 85 are adopted. States already authorized for the provisions addressed by Revision Checklist 85 should adopt the Revision Checklist 94, 96, 111 and 114 technical corrections/amendments as soon as possible.

5) Note that on September 5, 1991 (56 FR 43874), an administrative stay was published affecting the February 21, 1991 (56 FR 7134; Revision Checklist 85) final rule. Revision Checklist 98 addresses changes to the Federal code made by the September 5, 1991 final rule. The changes addressed by that checklist are optional. However, the final rule addressed by Revision Checklist 105 (June 22, 1992; 57 FR 27880) removed the September 5, 1991 administrative stay. Thus States should not adopt the administrative stay. States that have adopted the Coke Oven Administrative Stay introduced by Revision Checklist 98 should either remove their analog to the note that follows 266.100(a) or state in their regulations that this stay ends on June 22, 1992.

SPA 12

**RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and
Industrial Furnaces; Corrections and Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

1 SUBPART A - GENERAL

DEFINITION OF HAZARDOUS WASTE

2 replace "261.6(a)(3)(v) through (ix)" with "261.6(a)(3)(v) through (viii)"	261.3(c)(2)(ii)(B)				
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REQUIREMENTS FOR RECYCLABLE MATERIALS

replace the letter "G" with "H"	261.6(a)(2)				
replace "Subpart D" with "Subpart H"	261.6(a)(2)(ii)				

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

SUBPART P - THERMAL TREATMENT

OTHER THERMAL TREATMENT

delete "." at the end and insert ", and Subpart H of Part 266, if the unit is a boiler or an industrial furnace as defined in §260.10."	265.370				
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SPA 12

RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART E - USED OIL BURNED FOR ENERGY RECOVERY

APPLICABILITY

3	replace "Subpart D of Part 266" with "Subpart H of Part 266"	266.40(c)			
3	replace "Subpart D" with "Subpart H"	266.40(d)			

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

APPLICABILITY

	replace the "." after "recovery" with a ";	266.100(b)(2)			
	replace "chapter." with "chapter; and"	266.100(b)(3)			

PERMIT STANDARDS FOR BURNERS

	change "the Evaluation of Solid Waste" to "Evaluating Solid Waste"	266.102(b)(1)			
4	redesignate old "(d)(4)(iii)(D)" as "(d)(4)(iv)"	266.102(d)(4)(iv)			
	insert "A" before "sampling"	266.102(e)(4)(i)(C)			
	in heading, change "paramenters" to "parameters"	266.102(e)(6)			
	change "means" to "mean"	266.102(e)(6)(i)(B) (1)(ii)			
	change "opeator" to "operator"	266.102(e)(6)(ii)			

SPA 12

**RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and
Industrial Furnaces; Corrections and Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
5 remove "the most recent" before "one hour"; change "averages" to "average"; change "average period" to "averaging period"	266.102(e)(6)(ii)(B) (2)				
delete the comma after "266.106(f)"	266.102(e)(6)(iv)(B)				

INTERIM STATUS STANDARDS FOR BURNERS

insert "or" after "facilities to burn"	266.103(a)(1)(ii)				
insert "and" before "thallium"	266.103(b)(2)(ii)(A)				
4 replace "(b)(ii)(A)" with "(b)(2)(ii)(A)"	266.103(b)(2)(ii)(B)				
replace "(b)(ii)(B) or (b)(ii)(C)" with "(b)(2)(ii)(B) or (b)(2)(ii)(C)"	266.103(b)(2)(ii)(D)				
change "paticulate" to "particulate"	266.103(b)(2)(iv)				
change "equivalent" to "equivalent"; replace "." after "facility" with ";	266.103(b)(2)(v)(A) (5)				
change "HC1" (number "1") to "HCl" (letter "l")	266.103(b)(2)(vi)				
replace ";" after "streams" with ":	266.103(b)(3)(ii)				
change "meat" to "meet"	266.103(b)(5)(ii)(B)				
5 remove "the most recent" before "one hour"	266.103(b)(5)(ii)(B) (2)				
change "[the effective date of this rule]" to "August 21, 1991"	266.103(b)(6)				

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RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
delete "On or before August 21, 1992" and capitalize the "t" in "the"; insert "on or before August 21, 1992" after "Director"	266.103(c)				
add "and all applicable emissions standards" after "limits"	266.103(c)(1)				
change "light-weighted" to "light-weight"	266.103(c)(1)(iv)				
replace "," after "(e)" with "."	266.103(c)(1)(ix)				
change "system" to "systems"; replace "," after "(e)" with "."	266.103(c)(1)(xi)				
replace "," after "(e)" with "."	266.103(c)(1)(xii)				
change "test" to "testing"	266.103(c)(4)(i)(C)				
change "average" to "average"	266.103(c)(4)(ii)(B)(5)				
remove "the most recent" before "one hour"	266.103(c)(4)(iv)(C)(2)(ii)				
4 change the number "(1)" after "paragraph" to the letter "(I)"	266.103(c)(7)(i)(A)				
replace "to" after "waste burning" with "only for purposes of compliance testing (and pretesting to prepare for compliance testing)"	266.103(c)(7)(i)(B)				
insert "." after "HCl/Cl ₂ "	266.103(c)(7)(ii)(B)(1)(ii)				
change "or" after "emissions" to "of"	266.103(g)(1)				

SPA 12

RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT		FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS TO CONTROL ORGANIC EMISSIONS						
	in equation, change "(1-W _{out})/W _{in} " to "1 - (W _{out} /W _{in})"	266.104(a)(1)				
4	change the "tetrra-," after "to burn than" to "tetra-,"; change "paragraph (a)" to "paragraph (a)(1)"	266.104(a)(3)				
	change "in Hazardous Waste Incinerators, Boilers, and Industrial Furnaces" to "for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste"	266.104(b)(2)				
	add "Burning Hazardous Waste" after "Industrial Furnaces"; insert "and" between "CO" and "oxygen"	266.104(c)(3)				
	insert "(PCDDs)" after "Dibenzo-p-Dioxins"; replace "." at the end of the sentence with ";	266.104(e)(1)				
	replace "." at the end of the sentence after "TCDD" with ";	266.104(e)(2)				
6	insert "(" before "2.2"	266.104(e)(4)				
	change "conducts" to "conduct"	266.104(f)(3)(iii)				
4	designate paragraph "(g)2." as "(g)(2)"	266.104(g)(2)				
STANDARDS TO CONTROL METALS EMISSIONS						
	change "Evaluation Solid Waste" to "Evaluating Solid Waste"	266.106(a)				

SPA 12

RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
in the equation, change "<1.0" to "≤1.0" and change "numeral" to "number"	266.106(b)(2)(i)				
insert "as defined in §266.102(e)(6)(ii)" between "hours" and "with"	266.106(b)(2)(ii)(B)				
insert "shall be used" at the end of the sentence before the period	266.106(b)(5)				
in the equation, change "K=physical stack height (meters)" to "H=physical stack height (meters)"; change "K=stack gas flow rate (m ³ /second)" to "V=stack gas flow rate (m ³ /second)"	266.106(b)(6)				
delete minus sign "-" after "AER(i)" in equation	266.106(c)(2)				
revise equation as indicated at 56 FR 32690, correction 57	266.106(d)(3)				
after "screening limit for" change "each" to "a" and "levels" to "level"	266.106(e)				
delete ";" after "metal" in the introductory text	266.106(f)(2)(ii)				
change "ratio" to "ratios"	266.106(f)(2)(ii)(B)				

STANDARDS TO CONTROL HYDROGEN CHLORIDE (HCl) AND CHLORINE GAS (Cl₂) EMISSIONS

change "paragraphs (b), (c), or (d)" to "paragraph (b) or (c)"	266.107(a)				
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SPA 12

**RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and
Industrial Furnaces; Corrections and Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change "screen" in heading to "screening"	266.107(b)(2)				
change "screen" to "screening"	266.107(b)(3)				
4 change paragraph designated as "(i)" to "(1)"	266.107(d)(1)				
4 change paragraph designated as "(ii)" to "(2)"	266.107(d)(2)				
insert "limit" between "screening" and "provided"; change "Appendix I" to "Appendix II"	266.107(e)				
after "compliance with", change "his" to "this"	266.107(h)				

SMALL QUANTITY ON-SITE BURNER EXEMPTION

change "Exemption" in heading to "Exempt"; change "section" to "subpart" in introductory text	266.108(a)				
insert "to" between "10.0" and "11.9" in first column of table	266.108(a)(1)				
change "<1.0" to "≤1.0" in equation; delete "," after "Allowable Quantity Burned"	266.108(c)				

LOW RISK WASTE EXEMPTION

change "of" after "Director" to "on"; replace apostrophe after "fuel" with an end quotation mark	266.109(a)(1)(i)				
change reference "(a)(iii)" to "(a)(2)(iii)"	266.109(a)(2)(iv)				

SPA 12

RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change "componds" to "compounds"	266.109(a)(2)(iv)(A)				
insert "or adjusted Tier I" before "metals"	266.109(b)(2)				

WAIVER OF DRE TRIAL BURN FOR BOILERS

insert "the" between "volatility of" and "fuel"	266.110(f)(3)				
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REGULATION OF RESIDUES

4 designate "266.122" as "266.112"	266.112				
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APPENDIX I TO PART 266

TIER I AND TIER II FEED RATE AND EMISSIONS SCREENING LIMITS FOR METALS

in title to table, change "Carcinogenic" to "Noncarcinogenic"	Appendix I/Table I-A				
move the first column "Beryllium" under "Values for use in rural areas" to fifth column under "Values for use in urban areas"; change "9.6E+01" in second column under "Arsenic g/hr" for "Values for use in urban areas" for a Terrain adjusted effective stack height of 16 meters to "9.6E-01"	Appendix I/Table I-D				
change "4.3-01" corresponding to Terrain adjusted effective stack height (m) of 12 meters in the second column to "4.3E-01"	Appendix I/Table I-E				

SPA 12

**RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and
Industrial Furnaces; Corrections and Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX II TO PART 266

TIER I FEED RATE SCREENING LIMITS FOR TOTAL CHLORINE

replace Appendix II as
indicated at 56 FR
32690, correction 79

Appendix II

APPENDIX III TO PART 266

**TIER II EMISSION RATE SCREENING LIMITS FOR FREE CHLORINE AND HYDROGEN
CHLORIDE**

replace Appendix III
as indicated at 56 FR
32691, correction 80

Appendix III

APPENDIX IV TO PART 266

REFERENCE AIR CONCENTRATIONS

in first column of table
change "Methyl Ethyl
Ketone" to "Methyl
Ethyl Ketone"; change
"Methyl Parathion" to
"Methyl Parathion"

Appendix IV

SPA 12

RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX VII TO PART 266

HEALTH-BASED LIMITS FOR EXCLUSION OF WASTE-DERIVED RESIDUES

change "(mg/kg)" to "(mg/L)" in the heading of the third column in table entitled "Metals-TCLP Extract Concentration Limits"; add the following entry to the end of the table:	Appendix VII/ Metals Table				
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METALS--TCLP EXTRACT CONCENTRATION LIMITS

Constituent	CAS No.	Concentration limits (mg/L)
Thallium	7440-28-0	7xE+00

SPA 12

RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
delete 8 lines beginning with "Thallium" and ending with "Thallium(I) sulfate" from the table entitled "Nonmetals-Residue Concentration Limits"	Appendix VII/ Nonmetals Table				

APPENDIX VIII TO PART 266

POTENTIAL PICs FOR DETERMINATION OF EXCLUSION OF WASTE-DERIVED RESIDUES

change "roform" to "chloroform" and "robenzene" to "chlorobenzene" in the first column of the table	Appendix VIII/ PICs Table				
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APPENDIX IX TO PART 266

METHODS MANUAL FOR COMPLIANCE WITH THE BIF REGULATIONS

7,8 Burning Hazardous Waste in Boilers and Industrial Furnaces (see 56 FR 32692-32795)	Appendix IX				
Determination of Enrichment Factor (see 56 FR 32796)	Appendix A to Appendix IX				

APPENDIX X TO PART 266

GUIDELINE ON AIR QUALITY MODELS (REVISED)

Guideline on Air Quality Models (see 56 FR 32796-32819)	Appendix X				
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SPA 12

RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
Summaries of Preferred Air Quality Models (see 56 FR 32819-32828)	Appendix A to Appendix X				
Summaries of Alternative Air Quality Models (see 56 FR 32828-32849)	Appendix B to Appendix X				
Example Air Quality Analysis Checklist (see 56 FR 32849-32852)	Appendix C to Appendix X				

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

SUBPART B - PERMIT APPLICATION

SPECIFIC PART B INFORMATION REQUIREMENTS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

change "Methods for the Evaluation of" to "Methods for Evaluating"	270.22(a)(2)(ii)(B)				
change the reference "(a)(1)(ii)(B)" to "(a)(2)(ii)(B)"	270.22(a)(2)(ii)(C)				
change "feestocks" to "feedstocks"	270.22(a)(5)(vii)				
change "trial" to "trial"; before "other compliance tests" change "from from" to "from"	270.22(a)(6)				

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RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change "minimize" to "minimize"	270.22(b)(1)				

SUBPART D - CHANGES TO PERMITS

9 PERMIT MODIFICATION AT THE REQUEST OF THE PERMITEE

replace "270.21" with "270.22" and "and 270.63" with "270.63 and 270.66"	270.42(c)(1)(iv)				
change "wates" to "wastes"	270.42(g)(1)				
change "effetive" to "effective"	270.42(g)(1)(i)				
delete "In the case of Classes 2 and 3 modifications,"; capitalize the "t" in "the"; insert "Class 2 or 3" before "modification"	270.42(g)(1)(iv)				
in "L.5." replace "." after "requirements" with ":	270.42/Appendix I				

SUBPART F - SPECIAL FORMS OF PERMITS

PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

change "operation readiness" to "operational readiness"	270.66(b)(1)				
change "107" to "266.107"	270.66(b)(4)				
change "for the Evaluation of Solid Waste" to "for Evaluating Solid Waste"	270.66(c)(2)(i)				

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RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change "for the Evaluation of Solid Waste" to "for Evaluating Solid Waste"	270.66(c)(2)(ii)				
delete "and"					
after "system(s);"	270.66(c)(3)(vi)				
insert "air"					
before "pollution"	270.66(c)(3)(vii)				
replace "." after "standard" with ";	270.66(f)(3)				
replace "is" after "performance standards" with "in"	270.66(f)(8)				

SUBPART G - INTERIM STATUS

10 TERMINATION OF INTERIM STATUS

change "as" after "which" to "has"	270.73(f)				
change "as" after "which" to "has"	270.73(g)				

- ¹ Revision Checklist 85 (February 21, 1991; 56 FR 7134) redesignated the old paragraph (d)(2) as (d)(3) and introduced a new paragraph (d)(2) into the code. Revision Checklist 94 makes technical corrections to the February 21, 1991 amendatory language for 261.2 and incorrectly redesignates paragraph (d)(3) as (d)(4) and paragraph (d)(4) as (d)(5). The Federal code as of February 21, 1991, did not include 261.2(d)(3) or 261.2(d)(4). The technical correction addressed by Revision Checklist 96 (August 27, 1991; 56 FR 42504) fixes this error. The amendatory language should be as originally stated in the February 21, 1991 Federal Register at 56 FR 7206 (Revision Checklist 85) and should read: "Section 261.2 is amended by redesignating paragraph (d)(2) as (d)(3) and adding new paragraph (d)(2) to read as follows:"
- ² Note that the Federal Register addressed by this checklist references "261.3(c)(2)(ii)(8)." This is a typographical error; the correct reference is "261.3(c)(2)(ii)(B)." See the technical correction at 56 FR 42512 (August 27, 1991; Revision Checklist 96).
- ³ Note that there is a typographical error in the July 17, 1991 Federal Register (56 FR 32692). The "\$266.4" in the heading should be "\$266.40." See the technical correction at 56 FR 42512 (August 27, 1991; Revision Checklist 96).

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**RCRA REVISION CHECKLIST 94: Burning of Hazardous Waste in Boilers and
Industrial Furnaces; Corrections and Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
<p>4 Note that this technical correction found in the July 17, 1991 <u>Federal Register</u> (56 <u>FR</u> 32688) was addressed in Revision Checklist 85. However, it is included in this checklist for completeness.</p> <p>5 Note that the July 17, 1991 <u>Federal Register</u> italicized the subparagraph designation in order to be consistent with the format in which the designation of a citation beyond a certain subparagraph is italicized.</p> <p>6 There is a typographical error in the July 17, 1991 <u>Federal Register</u>. The amendatory language should read "insert a "(" between the words "a" and "before." See technical correction at 56 <u>FR</u> 42512 (August 27, 1991; Revision Checklist 96).</p> <p>7 Note that the <u>Federal Register</u> addressed by this checklist has a typographical error at 56 <u>FR</u> 32786. In section 9.2, first bullet under paragraph "2", ">=0.95" should be "<=0.95." See the technical correction at 56 <u>FR</u> 42512 (August 27, 1991; Revision Checklist 96).</p> <p>8 Note that the <u>Federal Register</u> addressed by this checklist has typographical errors at 56 <u>FR</u> 32786. In section 9.2, paragraph "3", the last sentence should read (corrections are underlined): "Then for HCl, convert the chlorine emission rate to HCl by multiplying it by the ratio of the molecular weight of <u>HCl</u> to the molecular weight of <u>Cl</u> (i.e., <u>36.5/35.5</u>)." See the technical correction at 56 <u>FR</u> 42512 (August 27, 1991; Revision Checklist 96).</p> <p>9 States only need to make these changes if they have adopted, or plan to adopt, the provisions addressed by Revision Checklist 54 (53 <u>FR</u> 37912), because 270.42 is not required by 271.14 to be part of a State's permitting program.</p> <p>10 Note that there is a typographical error in the July 17, 1991 <u>Federal Register</u> (56 <u>FR</u> 32692). The "\$270.33" in the heading should be "\$270.73." See the technical correction at 56 <u>FR</u> 42512 (August 27, 1991; Revision Checklist 96).</p>					

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RCRA REVISION CHECKLIST 95

Land Disposal Restrictions for
Electric Arc Furnace Dust (K061)
56 FR 41164-41178
August 19, 1991
(RCRA Cluster II, HSWA Rule)

Note: This checklist revises and finalizes treatment standards for K061 nonwastewaters in the high zinc subcategory originally regulated in the First Third Land Disposal Restrictions rule addressed by Revision Checklist 50 (53 FR 31138; August 17, 1988). Other related checklists include Revision Checklist 62 (54 FR 18836; May 2, 1989) and Revision Checklist 66 (54 FR 36967; September 6, 1989), as these two checklists amended and corrected Revision Checklist 50.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

DEFINITION OF HAZARDOUS WASTE

† add new paragraph which excludes as hazardous waste certain nonwastewater residues resulting from high temperature metals recovery processing of K061 waste; generic exclusion levels; testing requirements; notification and certification requirements for each shipment of certain K061 HTMR residues sent to a subtitle D unit	261.3(c)(2)(ii)(C)				
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RCRA REVISION CHECKLIST 95: Land Disposal Restrictions for
Electric Arc Furnace Dust (K061) (cont'd)

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
EXCLUSIONS					
add new paragraph which excludes as solid waste nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units, provided it is shipped in drums (if shipped) and not land disposed before recovery	261.4(a)(11)				

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART D - TREATMENT STANDARDS

TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT

in Table CCWE revise entry for K061, high zinc subcategory as shown below (see 56 FR 41177)	268.41(a)/ Table CCWE				
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TABLE CCWE—CONSTITUTE CONCENTRATIONS IN WASTE EXTRACT

Waste code	Commercial chemical name	See also	Regulated hazardous constituent	Wastewaters		Nonwastewaters	
				Concentration (mg/L)	Notes	Concentration (mg/L)	Notes
K061, High Zinc, Subcategory.	Electric Arc Furnace Dust	Table CCW in 268.43	Antimony.....	NA		2.1	
			Arsenic.....	NA		0.055	
			Barium.....	NA		7.6	
			Beryllium.....	NA		0.014	
			Cadmium.....	NA		0.19	
			Chromium (Total).....	NA		0.33	
			Lead.....	NA		0.37	
			Mercury.....	NA		0.009	
			Nickel.....	NA		5	
			Selenium.....	NA		0.16	
			Silver.....	NA		0.3	
			Thallium.....	NA		0.078	
			Vanadium.....	NA		Reserved	
			Zinc.....	NA		5.2	

**RCRA REVISION CHECKLIST 95: Land Disposal Restrictions for
Electric Arc Furnace Dust (K061) (cont'd)**

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FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
at end of paragraph add "except that mixtures of high and low zinc nonwastewater K061 are subject to the treatment standard for high zinc K061"	268.41(b)				
TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES					
in Table 2 remove entry for K061	268.42(a)/Table 2				

RCRA REVISION CHECKLIST 96

Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments II
56 FR 42504-42517
August 27, 1991
(RCRA Cluster II, HSWA and non-HSWA provisions)

Notes: 1) The notice addressed by this checklist makes several technical amendments to the final rule addressed by Revision Checklist 85 (56 FR 7134, February 21, 1991) and Revision Checklist 94 (56 FR 32688, July 17, 1991). These revisions provide clarification and correct unintended consequences of the Boilers and Industrial Furnaces (BIF) rule. This notice also adds two new appendices, Appendix XI and Appendix XII, to the code. Technical corrections to several sections (i.e., 261.2(d), 261.3(c)(2)(ii)(B), 266.103(a)(5)(i)(D), 266.103(b)(5)(i)(A) and Appendix IX to Part 266) were already addressed in Revision Checklist 94. However, for completeness, these corrections (except the incorrect referral to 261.3(c)(2)(ii)(8) instead of 261.3(c)(2)(ii)(B)) are repeated in this checklist and identified in the endnotes. Technical corrections which address only the italicizing format of a citation (266.102(e)(4)(ii)(C)(1), 266.102(e)(4)(ii)(C)(2), 266.102(e)(4)(ii)(C)(3), 266.102(e)(4)(iii)(C)(1) and 266.102(e)(4)(iii)(C)(2)) are not included in this checklist.

2) Note that the Federal Register for this rule corrects typographical errors in certain headings at 56 FR 32692 in the July 17, 1991 Federal Register (Revision Checklist 94) [i.e., the "\$266.4" should be "\$266.40", and the "\$270.33" should be "\$270.73"]. However, no additional changes were made to the paragraphs by this rule, therefore they have not been included in this revision checklist.

3) Note that on September 5, 1991 (56 FR 48874; Revision Checklist 98), an administrative stay of the permitting standards as they apply to coke ovens burning certain hazardous wastes was published affecting the February 21, 1991 (56 FR 7134; Revision Checklist 85) final rule. The changes addressed by that checklist are optional. However, the final rule addressed by Revision Checklist 105 (June 22, 1992; 57 FR 27880) removed the September 5, 1991 administrative stay.

4) States which are not authorized for Revision Checklists 85 and 94 are strongly encouraged to adopt these present technical corrections and the ones addressed by Revision Checklists 111 and 114, as appropriate for the State's schedule, at the same time the requirements addressed by Revision Checklists 85 and 94 are adopted. States already authorized for the provisions addressed by Revision Checklists 85 and 94 should adopt the Revision Checklist 96, 111 and 114 technical corrections/amendments as soon as possible.

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

1 DEFINITION OF SOLID WASTE

at the end of paragraph, add exception for brominated material that meets certain criteria	261.2(d)(2)				
material must contain a bromine concentration of at least 45%	261.2(d)(2)(i)				
material must contain less than a total of 1% of toxic organic compounds listed in Appendix VIII	261.2(d)(2)(ii)				
material is processed continually on-site in the halogen acid furnace via direct conveyance	261.2(d)(2)(iii)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART G - CLOSURE AND POST-CLOSURE

CLOSURE PLAN; AMENDMENT OF PLAN

2 remove introductory clause; restructure paragraph to create (d)(2), (d)(2)(i) and remove last sentence replacing it with "; or"; add (d)(2)(ii) addressing provisions for units meeting 265.113(d) requirements	265.112(d)(2)				
	265.112(d)(2)(i)				
	265.112(d)(2)(ii)				

CLOSURE; TIME ALLOWED FOR CLOSURE

2 add text regarding the final volume of nonhazardous waste; remove text regarding the 90-day requirement for a boiler or industrial furnace	265.113(a)				
2 add text regarding the final volume of nonhazardous waste; remove text regarding the 90-day requirement for a boiler or industrial furnace	265.113(b)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

APPLICABILITY

add "(f)" to list of references in the first sentence	266.100(a)				
add text restricting exemption for metal recovery furnaces and subjecting an owner or operator of a lead or a nickel-chromium recovery furnace, or certain metal recovery furnaces to 266.100(c)(3) requirements	266.100(c)(1)				
add text regarding alternative methods that meet or exceed SW-846 method performance capabilities; situation where "best available method" is used	266.100(c)(1)(ii)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
replace "as-generated" with "as-fired"; add additional text regarding the reduction of organic compound concentration to the 500 ppm limit by bona fide treatment; blending for dilution to meet the 500 ppm limit is prohibited; retention of documentation that waste not impermissibly diluted in records required by 266.100(c)(1)(iii)	266.100(c)(2)(i)				
replace "as-generated" with "as-fired"; add additional text regarding the reduction of the heating value to below 5,000 Btu/lb by bona fide treatment; blending for dilution to meet the 5,000 Btu/lb limit is prohibited; retention of documentation that waste not impermissibly diluted in records required by 266.100(c)(1)(iii)	266.100(c)(2)(ii)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph regarding requirements for exemption from 266.102 through 266.111 for owner or operator of certain metal recovery furnaces; written notice to director; 266.100(c)(1) compliance	266.100(c)(3)				
exemption from 266.100(c)(1) requirements for hazardous wastes listed in Appendices XI and XII, Part 266, and baghouse bags used to capture metallic dusts emitted by steel manufacturing, provided:	266.100(c)(3)(i)				
waste contains recoverable levels of specified metals	266.100(c)(3)(i)(A)				
waste does not exhibit the Toxicity Characteristic of 261.24 for an organic constituent	266.100(c)(3)(i)(B)				
waste is not a hazardous waste listed in Part 261 Subpart D because it is listed for an organic constituent as identified in Appendix VII of Part 261	266.100(c)(3)(i)(C)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
certification by owner or operator under 266.100(c)(3) regarding hazardous waste; sampling and analysis or other information to assure compliance; sampling and analysis conducted according to 266.100(c)(1)(ii); maintain records to document compliance with (c)(3) for at least three years	266.100(c)(3)(i)(D)				
basis for case-by-case decisions regarding toxic organic constituents; metal recovery furnace subject to Subpart H requirements after adequate notice and opportunity for comment; factors Director will consider:	266.100(c)(3)(ii)				
concentration and toxicity of organic constituents in the material	266.100(c)(3)(ii)(A)				
level of destruction of toxic constituents provided by the furnace	266.100(c)(3)(ii)(B)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
acceptable ambient levels established in Appendices IV or V exceeded for any toxic organic compound that may be emitted based on certain conditions	266.100(c)(3)(ii)(C)				
3 conditional exemption from Subpart H requirements for owners or operators of certain smelting, melting, and refining furnaces, except for 266.112; to be exempt from 266.101 through 266.111, an owner or operator must:	266.100(f)				
provide a one-time written notice indicating:	266.100(f)(1)				
owner or operator claims 266.100(f) exemption	266.100(f)(1)(i)				
hazardous waste is burned for legitimate recovery of precious metal	266.100(f)(1)(ii)				
compliance with 266.100(f) sampling and analysis and recordkeeping requirements	266.100(f)(1)(iii)				
sample and analyze hazardous waste as necessary using specified procedures	266.100(f)(2)				
maintain specified records at facility for at least three years	266.100(f)(3)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
PERMIT STANDARDS FOR BURNERS					
insert sentence regarding alternative methods and best available method after "...see §260.11 of this chapter)."	266.102(b)(1)				
replace "for not less than three years" with "until closure of the facility"	266.102(e)(10)				
INTERIM STATUS STANDARDS FOR BURNERS					
replace "Hazardous waste listed for dioxin or derived from any of the following dioxin-listed wastes" with "The following hazardous waste listed for dioxin and hazardous waste derived from any of these wastes" at the beginning of paragraph	266.103(a)(3)				
replace "and" after "discharged" with "or"	266.103(a)(5)				
change "(c)(7)(ii)" to "(c)(5)"	266.103(a)(5)(i)(D)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
replace "as-generated" with "as-fired"; remove parentheses around the phrase beginning with "and so is..." and add period at end of phrase; insert text regarding 1) the reduction of the concentration of nonmetal compounds to the 500 ppm limit by bona fide treatment, and 2) blending for dilution to meet the 500 ppm limit prohibited; retention of documentation that the waste has not been impermissibly diluted in facility record	266.103(a)(5)(ii)(A)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
remove "as-generated or" before "as-fired"; remove parentheses around the phrase beginning with "and so is..."; add text regarding 1) the reduction of the heating value of a waste as-generated to below 5,000 Btu/lb limit by bona fide treatment, and 2) blending to augment heating value to meet the 5,000 Btu/lb limit prohibited; retention of documentation that the waste has not been impermissibly blended in facility record	266.103(a)(5)(ii)(B)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
restructure paragraph by breaking it into (a)(6), and (a)(6)(i)-(iv) and revising old 266.103(a)(6) as follows: remove verbiage between "not feed hazardous waste" and "that has a heating value less"; revise rest of paragraph after "5,000 Btu/lb; as generated" by replacing it with parenthetical phrase addressing situation where 5,000 Btu/lb limit can be exceeded; exceptions: paragraphs as indicated below	266.103(a)(6)				
hazardous waste burned solely as an ingredient	266.103(a)(6)(i)				
hazardous waste burned for purposes of compliance testing for a total period of time not to exceed 720 hours	266.103(a)(6)(ii)				
waste burned if Director has documentation to show that, prior to August 21, 1991:	266.103(a)(6)(iii)				
boiler or industrial furnace operating under Part 265, Subpart O or P requirements	266.103(a)(6)(iii)(A)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
boiler or industrial furnace met 270.70 interim status eligibility requirements for Part 265, Subpart O or Subpart P	266.103(a)(6)(iii)(B)				
hazardous waste with a heating value less than 5,000 Btu/lb burned prior to August 21, 1991	266.103(a)(6)(iii)(C)				
such waste burned in halogen acid furnace if waste burned as an excluded ingredient under 261.2(e) prior to February 21, 1991 and documentation kept on file	266.103(a)(6)(iv)				
4 insert "and recorded" after "monitored"	266.103(b)(5)(i)(A)				
remove "operating" before "record"; insert "records and" before "locations"	266.103(b)(6)(viii)				
insert "The administrative record kept by the" before "Agency" at the beginning of the paragraph	266.103(b)(6)(viii)(A)				
insert "The BIF correspondence file kept at" before "The facility"; add sentence specifying what the correspondence file must include	266.103(b)(6)(viii)(B)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
insert "and the applicable emissions standards of §§ 266.104(b) through (e), 266.105, 266.106, 266.107, and 266.103(a)(5)(i)(D)" after "operating limits"; remove "until an operating permit is issued" from the end of the paragraph	266.103(c)(1)				
at end add text regarding case-by-case approval to use compliance test data from one unit in lieu of testing a similar on-site unit; information required to support owner or operator request; approval based on meeting 266.103(c) requirements	266.103(c)(3)(i)				
add text regarding criteria for compliance with 266.103(l), 265.112(d)(2) and 265.113 provisions	266.103(e)				
replace "for a period of three years" with "until closure of the boiler or industrial furnace unit"	266.103(k)				
STANDARDS TO CONTROL ORGANIC EMISSIONS					
5 insert "(" before "2.2"	266.104(e)(4)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
SMALL QUANTITY ON-SITE BURNER EXEMPTION					
replace "volume basis" with "total heat input or mass input basis, whichever results in the lower mass feed rate of hazardous waste"	266.108(a)(2)				
LOW RISK WASTE EXEMPTION					
replace "of" after "Director" with "on"; replace "volume input" with "mass input"; replace "larger volume" with "greater mass feed rate"	266.109(a)(1)(i)				
WAIVER OF DRE TRIAL BURN FOR BOILERS					
replace "the boiler" with "the device"; replace "volume input" with "mass input"; replace "larger volume" with "greater mass feed rate"	266.110(a)				
STANDARDS FOR DIRECT TRANSFER					
add text regarding compliance with specified maintenance and protective distances requirements in lieu of 265.176 requirements; written certification by local Fire Marshall to be kept on file	266.111(d)(2)				

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**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
REGULATION OF RESIDUES					
replace existing paragraph with "Boilers must burn at least 50% coal on a total heat input or mass input basis, whichever results in the greater mass feed rate of coal;"	266.112(a)(1)				
replace "composite samples" with "samples representing a minimum of 10 days of operation"; add sentence regarding compositing period not to exceed 24 hours; replace "The upper 95% confidence level about the mean" in second sentence with "The upper tolerance limit (at 95% confidence with a 95% proportion of the sample distribution)"; replace "upper 95% confidence level about the mean" in last sentence with "upper tolerance limit"	266.112(b)(1)(i)				

SPA 12

**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
replace existing paragraph with new paragraph regarding sampling and analysis of waste-derived residue to determine whether residue generated during each 24-hour period has concentrations of toxic constituents higher than 266.112(b)(1)(i) normal residue concentrations; if so, residue not excluded from definition of hazardous waste; toxic constituent concentrations based on analysis of samples obtained over 24-hour period; for multiple samples, concentration of toxic constituent is arithmetic mean; no results may be disregarded	266.112(b)(1)(ii)				

SPA 12

**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add new paragraph regarding sampling and analysis of waste-derived residue to determine whether residue generated during each 24-hour period has concentrations of toxic constituents higher than health-based levels; determination of toxic concentrations based on analysis of one or more samples obtained over 24-hour period; for multiple samples, concentration of toxic constituent is arithmetic mean of concentrations in samples; no results may be disregarded	266.112(b)(2)(iii)				
replace "must" with "shall"; replace "for a period of three years" with "until closure of the boiler or industrial furnace unit"	266.112(c)				

APPENDIX IX TO PART 266

METHODS MANUAL FOR COMPLIANCE WITH THE BIF REGULATIONS

replace section 7.0, "Statistical Methodology for Bevill Residue Determinations," with new text given at 56 FR 42516 & 42517	Appendix IX/ Section 7.0				
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SPA 12

**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change " ≥ 0.95 " to " ≤ 0.95 " in section 9.2, first bullet under paragraph "2"; in section 9.2, paragraph "3", change the ending phrase of the last sentence to "ratio of the molecular weight of HCl to the molecular weight of Cl (i.e., 36.5/35.5)"	Appendix IX/ Section 9.2				

APPENDIX XI TO PART 266

LEAD-BEARING MATERIALS THAT MAY BE PROCESSED IN EXEMPT LEAD SMELTERS

add new appendix addressing lead-bearing materials that may be processed in exempt lead smelters, see 56 FR 42517	Appendix XI				
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APPENDIX XII TO PART 266

NICKEL OR CHROMIUM-BEARING MATERIALS THAT MAY BE PROCESSED IN EXEMPT NICKEL-CHROMIUM RECOVERY FURNACES

add new appendix addressing nickel or chromium-bearing materials that may be processed in exempt nickel-chromium recovery furnaces, see 56 FR 42517	Appendix XII				
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¹ Revision Checklist 85 (February 21, 1991; 56 FR 7134) redesignated the old paragraph (d)(2) as (d)(3) and introduced a new paragraph (d)(2) into the code. Revision Checklist 94 (July 17, 1991; 56 FR 32688) made technical corrections to the February 21, 1991 amendatory language

**RCRA REVISION CHECKLIST 96: Burning of Hazardous Waste in
Boilers and Industrial Furnaces; Technical Amendments (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

for 261.2 and incorrectly redesignated paragraph (d)(3) as (d)(4) and paragraph (d)(4) as (d)(5). The Federal code as of February 21, 1991, did not include 261.2(d)(3) or 261.2(d)(4). The technical correction addressed by Revision Checklist 96 (August 27, 1991; 56 FR 42504) fixes this error.

- 2 Note that the technical corrections addressed by the August 27, 1991 Federal Register for this rule reverse the corrections made by the February 21, 1991 notice (56 FR 7134; Revision Checklist 85). The August 27, 1991 language is the same as the language in the July 1990 CFR. Thus, effectively the technical corrections addressed by Revision Checklist 85 for these citations have been nullified by this checklist.
- 3 Note that there is a typographical error in the August 27, 1991 Federal Register (Revision Checklist 96; 56 FR 42504). The reference to "261.111" should be "266.111." Revision Checklist 111 (57 FR 38558; August 25, 1992) fixes this error.
- 4 Note that the technical correction for this citation can be found in the August 27, 1991 Federal Register (56 FR 42504) on page 42512, first column, section II (the fourth paragraph under the Part 270 technical corrections). In the Federal Register, section II appears to be part of the Part 270 corrections; this is incorrect, and makes this technical correction very difficult to find. The technical correction found in the August 27, 1991 Federal register was addressed in Revision Checklist 85. However, it is included in this checklist for completeness.
- 5 Note that there was an error in the July 17, 1991 Federal Register (56 FR 32688) addressed by Revision Checklist 94. On page 32689, the instructions for correction 48 under 266.104 omits a parenthesis, ")", after "insert a"; the correction should read "On page 7221, second column, in § 266.104(e)(4), line 6, insert a "(" before "2.2". The error, which was corrected in the August 27, 1991 Federal register (see correction 2, page 56 FR 42512, column 1), was addressed in Revision Checklist 94. However, it is included in Revision Checklist 96 for completeness.

SPA 12

RCRA REVISION CHECKLIST 97

Exports of Hazardous Waste; Technical Correction

56 FR 43704-43705

September 4, 1991

(RCRA Cluster II, HSWA provisions)

Note: This Revision Checklist amends §262.53 and §262.56 originally introduced into the code by Revision Checklist 31 (August 8, 1986; 51 FR 28664), by changing the office to which notifications of export activities and annual export reports must be sent.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART E - EXPORTS OF HAZARDOUS WASTE

NOTIFICATION OF INTENT TO EXPORT

replace "Office of International Activities (A-106), EPA" with "Office of Waste Programs Enforcement, RCRA Enforcement Division (OS-520), Environmental Protection Agency"	262.53(b)				
replace "Office of International Activities (A-106)" with "Office of Waste Programs Enforcement, RCRA Enforcement Division (OS-520), Environmental Protection Agency"	262.56(b)				

RCRA REVISION CHECKLIST 98

Coke Ovens Administrative Stay
56 FR 43874-43877
September 5, 1991
(RCRA Cluster II, HSWA provisions)

Note: This Revision Checklist addresses an administrative stay of the permitting standards for boilers and industrial furnaces (BIFs) adopted pursuant to the February 21, 1991 (56 FR 7134; Revision Checklist 85)¹ final rule as it applies to coke ovens burning certain hazardous wastes from the coke by-products recovery process. The primary effect of the stay is to halt the application of industrial furnace standards to coke ovens when they reprocess non-K087 hazardous wastes while the Agency can evaluate comments on a pending regulatory proposal to exclude certain wastes from Subtitle C jurisdiction when recycled by reprocessing in coke ovens. This means that on August 21, 1991, coke ovens may continue to process residues from the by-products recovery process that exhibit the TC without the coke oven having to comply with the BIF regulations. The effects of the administrative stay are uniform in all States, as the BIF rule is based on HSWA authority. The Agency encourages States to follow deferring the effective date of the BIF rule for coke ovens as is announced in this stay. However, States may elect to implement the BIF rule with an earlier effective date than specified in this stay, as a matter of State law. Because this stay makes existing Federal requirements less stringent, Revision Checklist 98 is optional.

Special note: On June 22, 1992, the Federal Register published a final rule (57 FR 27880; Revision Checklist 105) which removed the September 5, 1991 administrative stay. Thus, States that wish to adopt Revision Checklist 98 should either not add the note after 266.100(a) or state in their regulations that the stay ends on June 22, 1992.

¹Note this rule references 56 FR 7206 rather than 56 FR 7134. The FR is referencing the page in the BIF rule where this change occurred rather than the first page of the BIF rule.

SPA 12

**RCRA REVISION CHECKLIST 98: Burning of Hazardous Waste in
Boilers and Industrial Furnaces;
Administrative Stay of Applicability and Technical Amendment (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

†,1 APPLICABILITY

replace "(c), (d) and (f)" with "(c) and (d)"; remove "operating" before "permit"; add note stating the provision does not apply to coke ovens processing coke by-products wastes exhibiting the Toxicity Characteristic identified in 261.24 pending completion of proposed July 26, 1991 rulemaking	266.100(a)				
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¹ Note the replacement of "(c), (d) and (f)" with "(c) and (d)" is an error. The reference should remain as "(c), (d) and (f)." This will be addressed by a technical correction in the near future.

SPA 12

RCRA REVISION CHECKLIST 99

Amendments to Interim Status Standards
for Downgradient Ground-Water Monitoring Well Locations
56 FR 66365-66369
December 23, 1991
(RCRA Cluster II, Non-HSWA)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

† DEFINITIONS

"qualified ground-water scientist"	260.10				
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PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART F - GROUND-WATER MONITORING

† GROUND-WATER MONITORING SYSTEM

demonstrate alternate hydraulically down-gradient monitoring well location will meet alternate criteria; in writing and kept at facility; certified by qualified ground-water scientist and establish:	265.91(a)(3)				
existing physical obstacle prevents monitoring well installation at hydraulically downgradient limit of the waste management area	265.91(a)(3)(i)				

SPA 12

**RCRA REVISION CHECKLIST 99: Amendments to Interim Status Standards
for Downgradient Ground-Water Monitoring Well Locations (cont'd)**

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
selected alternate downgradient location is as close to limit of waste management area as practical	265.91(a)(3)(ii)				
location ensures detection that, given alternate location, is as early as possible of any statistically significant amounts of hazardous waste or constituents that migrate from the waste management area to uppermost aquifer	265.91(a)(3)(iii)				
lateral expansion, new or replacement units not eligible for an alternate downgradient location	265.91(a)(3)(iv)				

ATTACHMENT B

**Updates to the
State Authorization Manual (SAM)**

Revision Checklist 31

**The following version of Revision Checklist 31
should replace the current version
of this checklist in SAM Appendix J**

SPA 12

RCRA REVISION CHECKLIST 31

Exports of Hazardous Waste

51 FR 28664-28686

August 8, 1986

(HWA Cluster I)

Special notes: 1) States cannot assume the authority for the following aspects of regulating hazardous waste exports: a) receive notifications of intent to export, b) transmit information, regarding intent to export, to foreign countries through the Department of State, and c) transmit acknowledgement of consent to the exporter.

EPA feels that foreign policy interests and exporters' interest in expeditious processing are better served by the Agency retaining these functions. The Department of State would have only a single point of contact in administering the export program, allowing for uniformity and expeditious transmission of information between the United States and foreign countries. For a discussion of these issues, see 51 FR 28678, August 8, 1986.

These restrictions on State Authority have implications when a state adopts the 40 CFR 262.50 through 262.57 provisions. Complete guidance may be found in Appendix J. Briefly:

- "EPA," "Agency" and Administrator," should remain and should not be substituted with the State's analogous terms.
- "EPA Acknowledgement of Consent," should remain "EPA Acknowledgement of Consent."
- At 40 CFR 262.53(b), 262.54(g)(1), 262.55 and 262.56(a)&(b)--the notification of intent to export, notification of a change in the original consignee, exception reports and the annual exporter reports must be sent to the specified office within EPA. The State can request that copies also be sent to it.
- At 40 CFR 262.54(i) and 263.20(g)(4), a copy of the manifest must be delivered to the U.S. customs official at the point the hazardous materials leaves the U.S. States can request a copy.
- At 264.12(a), the notification must be sent to the EPA Regional Administrator. (Note, this provision is not addressed by Revision Checklist 31.)

2) Hazardous wastes, identified or listed by the State as part of its authorized program which are broader in scope (not in the Federal universe), are not subject to the export regulations.

3) EPA moved the farmer exemption from §262.50 to §262.70 in this checklist. However, the Agency failed to modify a number of other sections in the CFR which refer to the farmer exemption by section. This is subsequently corrected in Revision Checklist 48 (53 FR 27164, July 19, 1988). States are encouraged to simultaneously modify their code to reflect both the modification of the farmer exemption addressed by this checklist and the technical corrections addressed in Checklist 48.

SPA 12

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

4) On September 4, 1991 (56 FR 43704; Revision Checklist 97) a technical correction was published that changed the Office to which the notification of intent to export and the annual report on export activities must be sent. States that have not yet adopted Revision Checklist 31 are strongly encouraged to adopt those technical corrections at the same time the Revision Checklist 31 provisions are adopted. States already authorized for Revision Checklist 31 should adopt the technical corrections as soon as possible.

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

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

U.S. location of treatment or disposal	261.5(f)(3)				
U.S. location of treatment or disposal	261.5(g)(3)				

REQUIREMENTS FOR RECYCLABLE MATERIALS

export of industrial ethyl alcohol	261.6(a)(3)(i)				
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PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART D - RECORDKEEPING AND REPORTING

BIENNIAL REPORT

applicable to U.S. shipments	262.41(a)				
information on U.S. sites	262.41(a)(3)				
transporters used for U.S. shipments	262.41(a)(4)				
description and quantity of U.S. shipments	262.41(a)(5)				

SPA 12

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
separate annual report for exports	262.41(b)				

SUBPART E - EXPORTS OF HAZARDOUS WASTE

APPLICABILITY

establishes applicability	262.50				
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DEFINITIONS

"consignee"	262.51				
"EPA Acknowledgment of Consent"	262.51				
"primary exporter"	262.51				
"receiving country"	262.51				
"transit country"	262.51				

GENERAL REQUIREMENTS

notification	262.52(a)				
consent of receiving country	262.52(b)				
EPA Acknowledgment of Consent	262.52(c)				
conformation to terms	262.52(d)				

NOTIFICATION OF INTENT TO EXPORT

contents of notification	262.53(a)				
office to notify	262.53(b)				
changes in original notification	262.53(c)				
additional information	262.53(d)				
EPA notification to receiving and transit countries	262.53(e)				

SPA 12

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
EPA notification to primary exporter	262.53(f)				

SPECIAL MANIFEST REQUIREMENTS

consignee	262.54(a)				
alternate consignee	262.54(b)				
point of departure	262.54(c)				
item 16 of manifest	262.54(d)				
obtaining manifest acknowledgment of receipt by consignee	262.54(e)				
procedures when unable to deliver	262.54(f)				
copy of Consent manifest copy to Customs Official at Border	262.54(g)				
	262.54(h)				
	262.54(i)				

EXCEPTION REPORTS

manifest within 45 days	262.55(a)				
confirmation within 90 days	262.55(b)				
returned waste	262.55(c)				

ANNUAL REPORTS

contents	262.56(a)				
office filed with	262.56(b)				

RECORDKEEPING

length to keep records	262.57(a)				
retention period extension	262.57(b)				

SPA 12

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

INTERNATIONAL AGREEMENTS

new section reserved	262.58				
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SUBPART F - IMPORTS OF HAZARDOUS WASTE

IMPORTS OF HAZARDOUS WASTE

applicability	262.60(a)				
manifest requirements	262.60(b)				
obtaining manifest	262.60(c)				

SUBPART G - FARMERS

FARMERS

provisions for variance	262.70				
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APPENDIX TO PART 262

UNIFORM HAZARDOUS WASTE MANIFEST AND INSTRUCTIONS
(EPA Forms 8700-22 and 8700-22A)

uniform manifest instructions 8700-22	Appendix				
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PART 263 - TRANSPORTERS

SUBPART B - COMPLIANCE WITH THE MANIFEST AND RECORDKEEPING

THE MANIFEST SYSTEM

conditions for accepting exported waste	263.20(a)				
EPA Acknowledgment of Consent	263.20(c)				
variance for water transporters	263.20(e)(2)				

SPA 12

RCRA REVISION CHECKLIST 31: Exports of Hazardous Waste (cont'd)

FEDERAL REQUIREMENT	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
			EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
variance for rail transporters	263.20(f)(2)				
copy to generator	263.20(g)(3)				
copy to Custom official	263.20(g)(4)				

Tables G-1 and G-2

The following pages (numbered 4 through 30)
should replace pages 4 through 29 of
SAM Appendix G

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER
Through December 31, 1991

<u>StATS^{1/}</u> <u>Rule</u> <u>Code</u>	<u>Revision</u> <u>Checklist</u> <u>Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR</u> <u>Reference</u>	<u>Promulga-</u> <u>tion or</u> <u>HSWA Date</u>
<u>Non-HSWA Requirements prior to Non-HSWA Cluster I (January 26, 1983 - June 30, 1984; Due Date - one year after the promulgation date of the final rule^{2/})</u>				
1	1	Biennial Report (See Revision Checklist 30)	48 FR 3977	1/28/83
2	2	Permit Rules; Settlement Agreement	48 FR 39611	9/1/83
3	3	Interim Status Standards; Applicability (See Revision Checklist 10 in Non-HSWA Cluster I)	48 FR 52718	11/22/83
4	4	Chlorinated Aliphatic Hydrocarbon Listing (F024)	49 FR 5308	2/10/84
5	5	National Uniform Manifest (See Revision Checklists 17 D & 32 in HSWA Cluster I)	49 FR 10490	3/20/84
6	†6	Permit Rules; Settlement Agreement	49 FR 17716	4/24/84
7	†7	Warfarin and Zinc Phosphide Listing	49 FR 19922	5/10/84
8	†8	Lime Stabilized Pickle Liquor Sludge	49 FR 23284	6/5/84
<u>Non-HSWA Cluster I (July 1, 1984 - June 30 1985; Due Date - July 1, 1986^{2/})</u>				
AI		State Availability of Information	HSWA §3006(f)	11/8/84
9	†9	Household Waste	49 FR 44978	11/13/84
10	10	Interim Status Standards; Applicability	49 FR 46094	11/21/84
11	11	Corrections to Test Methods Manual	49 FR 47390	12/4/84
12	†12	Satellite Accumulation	49 FR 49568	12/20/84
13	13	Definition of Solid Waste	50 FR 614	1/4/85

Continued . . .

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulgation or HSWA Date</u>
<u>Non-HSWA Cluster I (cont'd)</u>				
13.1	(13) ^{3/}	[Definition of Solid Waste; Correction (Included on Revision Checklist 13 in Non-HSWA Cluster I)]	50 FR 14216	4/11/85
15	15	Interim Status Standards for Treatment, Storage, and Disposal Facilities	50 FR 16044	4/23/85
<u>Non-HSWA Cluster II (July 1, 1985 - June 30, 1986; Due Date - July 1, 1987^{2/})</u>				
13.2	(13)	[Definition of Solid Waste; Correction (Included on Revision Checklist 13 in Non-HSWA Cluster I)]	50 FR 33541	8/20/85
24	24	Financial Responsibility; Settlement Agreement (See Revision Checklist 24 (Amended) in Non-HSWA Cluster VI)	51 FR 16422	5/2/86
26	†26	Listing of Spent Pickle Liquor (K062)	51 FR 19320	5/28/86
<u>Non-HSWA Cluster III (July 1, 1986 - June 30, 1987; Due Date - July 1, 1988^{2/})</u>				
MW		Radioactive Mixed Waste (See SPA 2)	51 FR 24504	7/3/86
27	†27 ^{4/}	Liability Coverage; Corporate Guarantee (See Revision Checklist 43 in Non-HSWA Cluster IV)	51 FR 25350	7/11/86
28N	28	Standards for Hazardous Waste Storage and Treatment Tank Systems (Certain sections superseded by 53 FR 34079, see Revision Checklist 52 in Non-HSWA Cluster V; also see Revision Checklist 28 in HSWA Cluster I)	51 FR 25422	7/14/86
29	29	Correction to Listing of Commercial Chemical Products and Appendix VIII Constituents (Completely superseded by 53 FR 13382; use Revision Checklist 46 in Non-HSWA Cluster IV to replace this checklist)	51 FR 28296	8/6/86

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>Non-HSWA Cluster III (cont'd)</u>				
28N.1	(28)	[Standards for Hazardous Waste Storage and Treatment Tank Systems; Correction (Included on Revision Checklist 28 in Non-HSWA Cluster III)]	51 FR 29430	8/15/86
26.1	(26)	[Listing of Spent Pickle Liquor; Correction (Included on Revision Checklist 26 in Non-HSWA Cluster II)]	51 FR 33612	9/22/86
35	35	Revised Manual SW-846; Amended Incorporation by Reference	52 FR 8072	3/16/87
36	36	Closure/Post-closure Care for Interim Status Surface Impoundments	52 FR 8704	3/19/87
37	37	Definition of Solid Waste; Technical Corrections	52 FR 21306	6/5/87
38	38	Amendments to Part B Information Requirements for Land Disposal Facilities	52 FR 23447	6/22/87
<u>Non-HSWA Cluster IV (July 1, 1987 - June 30, 1988; Due Date - July 1, 1989^{2/})</u>				
40	40	List (Phase 1) of Hazardous Constituents for Ground-water Monitoring	52 FR 25942	7/9/87
41	41	Identification and Listing of Hazardous Waste	52 FR 26012	7/10/87
26.2	(26)	(Spent Pickle Liquor from Steel Finishing Operations (See footnote 1, Revision Checklist 26 in Non-HSWA Cluster II))	52 FR 28697	8/3/87
38.1	(38)	[Development of Corrective Action Programs After Permitting Hazardous Waste Land Disposal Facilities; Corrections (Included on Revision Checklist 38 in Non-HSWA Cluster III)]	52 FR 33936	9/9/87

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulgation or HSWA Date</u>
<u>Non-HSWA Cluster IV (cont'd)</u>				
43	†43 ^{4/}	Liability Requirements for Hazardous Waste Facilities; Corporate Guarantee (See Revision Checklist 27 in Non-HSWA Cluster III)	52 FR 44314	11/18/87
45	45	Hazardous Waste Miscellaneous Units (See Revision Checklist 59 in Non-HSWA V for technical corrections)	52 FR 46946	12/10/87
24.1	(24)	[Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities; Closure/Post-Closure and Financial Responsibility Requirements (Included on Revision Checklist 24 in Non-HSWA Cluster II)]	53 FR 7740	3/10/88
46	46	Technical Correction; Identification and Listing of Hazardous Waste (Entirely supersedes Revision Checklist 29 in Non-HSWA Cluster III)	53 FR 13382	4/22/88
<u>Non-HSWA Cluster V (July 1, 1988 - June 30, 1989; Due Date - July 1, 1990^{2/})</u>				
49	†49	Identification and Listing of Hazardous Waste; Treatability Studies Sample Exemption	53 FR 27290	7/19/88
113.1	(113)	Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities; Liability Coverage (will be consolidated into Revision Checklist 113 with two other rules addressing liability coverage; that checklist will be in RCRA Cluster III)	53 FR 33938	9/1/88

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>Non-HSWA Cluster V (cont'd)</u>				
52N	52	Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems (Supersedes certain portions of Revision Checklist 28 in Non-HSWA Cluster III; also see Revision Checklist 52 in HSWA Cluster II)	53 FR 34079	9/2/88
53	53	Identification and Listing of Hazardous Waste; and Designation, Reportable Quantities, and Notification	53 FR 35412	9/13/88
54	†54	Permit Modifications for Hazardous Waste Management Facilities	53 FR 37912	9/28/88
55	55	Statistical Methods for Evaluating Ground-Water Monitoring Data from Hazardous Waste Facilities	53 FR 39720	10/11/88
54.1	(54)	[Permit Modifications for Hazardous Waste Management Facilities (Included on Revision Checklist 54 in Non-HSWA Cluster V)]	53 FR 41649	10/24/88
56	†56	Identification and Listing of Hazardous Waste; Removal of Iron Dextran from the List of Hazardous Wastes	53 FR 43878	10/31/88
57	†57	Identification and Listing of Hazardous Waste; Removal of Strontium Sulfide from the List of Hazardous Wastes	53 FR 43881	10/31/88
58	†58	Standards for Generators of Hazardous Waste; Manifest Renewal	53 FR 45089	11/8/88
59	59	Hazardous Waste Miscellaneous Units; Standards Applicable to Owners and Operators (Technical correction to Revision Checklist 45 in Non-HSWA Cluster IV)	54 FR 615	1/9/89
60	60	Amendment to Requirements for Hazardous Waste Incinerator Permits	54 FR 4286	1/30/89

Continued . . .

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulgation or HSWA Date</u>
<u>Non-HSWA Cluster V (cont'd)</u>				
61	†61	Changes to Interim Status Facilities for Hazardous Waste Management Permits; Modifications of Hazardous Waste Management Permits; Procedures for Post-Closure Permitting	54 FR 9596	3/7/89
<u>Non-HSWA Cluster VI (July 1, 1989 - June 30, 1990; Due Date - July 1, 1991^{2/})</u>				
64	†64 ^{5/}	Delay of Closure Period for Hazardous Waste Management Facilities	54 FR 33376	8/14/89
65	65	Mining Waste Exclusion I	54 FR 36592	9/1/89
67	67	Testing and Monitoring Activities	54 FR 40260	9/29/89
70 ^{6/}	70	Changes to Part 124 Not Accounted for by Present Checklists		
	(70)	Environmental Permit Regulations; RCRA Hazardous Waste; SDWA Underground Injection Control; CWA National Pollutant Discharge Elimination System; CWA Section 404 Dredge or Fill Programs; and CAA Prevention of Significant Deterioration (See Revision Checklist 70 in Non-HSWA Cluster VI)	48 FR 14146	4/1/83
	(70)	Hazardous Waste Management System; Permit Program; Requirements for Authorization of State Programs; Procedures for Decisionmaking; Identification and Listing of Hazardous Waste; Standards for Owners and Operators of Hazardous Waste Storage, Treatment, and Disposal Facilities; Interim Status Standards for Owners and Operators of Hazardous Waste Storage, Treatment, and Disposal Facilities; Correction (See Revision Checklist 70 in Non-HSWA Cluster VI)	48 FR 30113	6/30/83

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>Non-HSWA Cluster VI (cont'd)</u>				
	(70)	Underground Injection Control Program; Hazardous Waste Disposal Injection Restrictions; Amendments to Technical Requirements for Class I Hazardous Waste Injection Wells; and Additional Monitoring Requirements Applicable to All Class I Wells (See Revision Checklist 70 in Non-HSWA Cluster VI)	53 FR 28118	7/26/88
	(70)	Safe Drinking Water Act; National Drinking Water Regulations; Underground Injection Control Regulations; Indian Lands (See Revision Checklist 70 in Non-HSWA Cluster VI)	53 FR 37396	9/26/88
	(70)	National Pollutant Discharge Elimination System Permit Regulations (See Revision Checklist 70 in Non-HSWA Cluster VI)	54 FR 246	1/4/89
24A	24 ^{7/} (Amended)	Financial Responsibility; Settlement Agreement; Correction (See Revision Checklist 64 and footnote 4 of this table)	55 FR 25976	6/26/90
71	71	Mining Waste Exclusion II	55 FR 2322	1/23/90
72	†72	Modifications of F019 Listing	55 FR 5340	2/14/90
73	73	Testing and Monitoring Activities; Technical Corrections	55 FR 8948	3/9/90
76	†76	Criteria for Listing Toxic Wastes; Technical Amendment	55 FR 18726	5/4/90
78N	78 ^{8/}	Land Disposal Restrictions for Third Third Scheduled Wastes (See Revision Checklist 78 in HSWA Cluster II)	55 FR 22520	6/1/90
<u>HSWA Cluster I (November 8, 1984 - June 30, 1987; Due Date - July 1, 1989^{2/})</u>				
SR1		Existing and newly regulated surface impoundments	HSWA §3005(j)(1)&(6)	

Continued . . .

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promul- tion or HSWA Date</u>
<u>HSWA Cluster I (cont'd)</u>				
SR2		† Variance under §3005(j)(2)-(9) and (13)	HSWA §3005(j)(2)-(9)	
BB		† Exceptions to the Burning and Blending of Hazardous Waste	HSWA §3004(q)(2)(A) §3004(r)(2)&(3)	
CP		† Hazardous and Used Oil Fuel Criminal Penalties	HSWA §3006(h) §3008(d) §3014	
		HSWA Date of Enactment Provisions (See Revision Checklists 17 A - S in HSWA Cluster I)	Numerous	11/8/84
NOT DELEGABLE ^{9/}		Direct Action Against Insurers	HSWA §3004(t)	11/8/84
14	14	Dioxin Waste Listing and Management Standards	50 FR 19781/14/85	
		Fuel Labeling (See Revision Checklist 17 K in HSWA Cluster I)	HSWA §3004 (r)(1)	2/7/85
16	16	Paint Filter Test (See Revision Checklist 25 in HSWA Cluster I)	50 FR 18370	4/30/85
		Prohibition of Liquids in Landfills (See Revision Checklist 17 F in HSWA Cluster I)	HSWA §3004(c)	5/8/85
		Expansions During Interim Status - Waste Piles (See Revision Checklist 17 P in HSWA Cluster I)	HSWA §3015(a)	5/8/85
		Expansions During Interim Status - Landfills and Surface Impoundments (See Revision Checklist 17 P in HSWA Cluster I)	HSWA §3015(b)	5/8/85

Continued

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>HSWA Cluster I (cont'd)</u>				
SI		Sharing of Information With the Agency for Toxic Substances and Disease Registry	HSWA §3019(b)	7/15/85
	17	HSWA Codification Rule (See Revision Checklist 44 in HSWA Cluster II)	50 FR 28702	7/15/85
17A		17 A - Small Quantity Generators (Superseded by 51 FR 10146, see Revision Checklist 23 in HSWA Cluster I)		
17B	†	17 B - Delisting		
17C	†	17 C - Household Waste		
17D		17 D - Waste Minimization (See Revision Checklist 32 in HSWA Cluster I)		
17E		17 E - Location Standards for Salt Domes, Salt Beds, Underground Mines and Caves		
17F		17 F - Liquids in Landfills (See Revision Checklist 25 in HSWA Cluster I)		
17G		17 G - Dust Suppression		
17H		17 H - Double Liners		
17I		17 I - Ground-Water Monitoring		
17J		17 J - Cement Kilns		
17K		17 K - Fuel Labeling (Superseded by 51 FR 49164, see Revision Checklist 19 in HSWA Cluster I)		
17L		17 L - Corrective Action		
17M		17 M - Pre-construction Ban		
17N		17 N - Permit Life		
17O		17 O - Omnibus Provision		
17P		17 P - Interim Status		
17Q	†	17 Q - Research and Development Permits		
17R		17 R - Hazardous Waste Exports (Superseded by 51 FR 28644, see Revision Checklist 31 in HSWA Cluster I)		
17S		17 S - Exposure Information		
18	18	Listing of TDI, TDA, DNT	50 FR 42936	10/23/85

Continued . . .

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promul- tion or HSWA Date</u>
<u>HSWA Cluster I (cont'd)</u>				
19	19	Burning of Waste Fuel and Used Oil Fuel in Boilers and Industrial Furnaces	50 FR 49164	11/29/85
20	20	Listing of Spent Solvents	50 FR 53315	12/31/85
20.1	(20)	[Listing of Spent Solvents; Correction (Included on Revision Checklist 20)]51 FR 27021/21/86		
21	21	Listing of EDB Waste	51 FR 5327	2/13/86
22	22	Listing of Four Spent Solvents	51 FR 6537	2/25/86
23	23	Generators of 100 to 1000 kg Hazardous Waste (See Revision Checklists 42 and 47 in HSWA Cluster II)	51 FR 10146	3/24/86
25	25	Codification Rule; Technical Correction (Paint Filter Test)	51 FR 19176	5/28/86
28H	28	Standards for Hazardous Waste Storage and Treatment Tank Systems (Certain sections superseded by 53 FR 34079, see Revision Checklist 52 in HSWA Cluster II; also see Revision Checklist 28 in Non-HSWA Cluster III)	51 FR 25422	7/14/86
30	30	Biennial Report; Correction	51 FR 28556	8/8/86
31	31	Exports of Hazardous Waste (See Revision Checklist 48 in HSWA Cluster II)	51 FR 28664	8/8/86
28H.1	(28)	[Standards for Hazardous Waste Storage and Tank Systems; Corrections (See Revision Checklist 28 in HSWA Cluster I)]	51 FR 29430	8/15/86
32	32	Standards for Generators; Waste Minimization Certifications	51 FR 35190	10/1/86
33	33	Listing of EBDC	51 FR 37725	10/24/86

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>HSWA Cluster I (cont'd)</u>				
34	34	Land Disposal Restrictions (Certain sections superseded by 52 FR 25760 and 53 FR 31138, see Revision Checklists 39 & 50 in HSWA Cluster II, and SPAs 4 & 6)	51 FR 40572	11/7/86
19.1	(19)	[Burning of Waste Fuel and Used Oil Fuel in Boilers and Industrial Furnaces; Technical Corrections (Included on Revision Checklist 19 in HSWA Cluster I)]	52 FR 11819	4/13/87
34.1	(34)	[Land Disposal Restrictions; Corrections (Included on Revision Checklist 34 in HSWA Cluster I)]	52 FR 21010	6/4/87
17B.1	(17 B)	[Hazardous Waste Management System: Requirements of Rulemaking Petitions (Included on Revision Checklist 17 B in HSWA Cluster I)]	54 FR 27114	6/27/89
<u>HSWA Cluster II (July 1, 1987 - June 30, 1990; Due Date - July 1, 1991²)</u>				
39	39	California List Waste Restrictions (See Revision Checklist 34 and SPA 4; certain sections superseded by 53 FR 31138, see Revision Checklist 50, in HSWA Cluster II, and SPA 6)	52 FR 25760	7/8/87
42	42	Exception Reporting for Small Quantity Generators of Hazardous Waste (See Checklist 23 in HSWA Cluster I)	52 FR 35894	9/23/87
39.1	(39)	Test Methods for Hazardous Waste covered by the Land Disposal Restrictions (Included on Revision Checklist 39 in HSWA Cluster II)	52 FR 41295	10/27/87
	44	HSWA Codification Rule 2 (See Revision Checklist 17 in HSWA Cluster I)	52 FR 45788	12/1/87
44A		44 A - Permit Application Requirements Regarding Corrective Action		

Continued . . .

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulgation or HSWA Date</u>
<u>HSWA Cluster II (cont'd)</u>				
44B		44 B - Corrective Action Beyond Facility Boundary		
44C		44 C - Corrective Action for Injection Wells		
44D		44 D - Permit Modification		
44E		44 E - Permit as a Shield Provision		
44F		44 F - Permit Conditions to Protect Human Health and the Environment		
44G		44 G - Post-Closure Permits		
47	47	Identification and Listing of Hazardous Waste; Technical Correction (Corrects Revision Checklist 23 in HSWA Cluster I)	53 FR 27162	7/19/88
48	48	Farmer Exemptions; Technical Corrections (Corrects Revision Checklist 31 in HSWA Cluster I)	53 FR 27164	7/19/88
50	50	Land Disposal Restrictions for First Third Scheduled Wastes (See Revision Checklist 62 in HSWA Cluster II)	53 FR 31138	8/17/88 ¹
52H	52	Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems (Supersedes certain portions of Revision Checklist 28 in HSWA Cluster I; also see Revision Checklist 52 in Non-HSWA Cluster V)	53 FR 34079	9/2/88
50.1	(50)	[Land Disposal Restrictions (Included on Revision Checklist 50 in HSWA Cluster II)]	54 FR 8264	2/27/89
62	62	Land Disposal Restriction Amendments to First Third Scheduled Wastes (amends portions of Revision Checklist 50 in HSWA Cluster II)	54 FR 18836	5/2/89
63	63	Land Disposal Restrictions for Second Third Scheduled Wastes	54 FR 26594	6/23/89
66	66	Land Disposal Restrictions; Correction to the First Third Scheduled Wastes	54 FR 36967	9/6/89

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>HSWA Cluster II (cont'd)</u>				
68	68	Reportable Quantity Adjustment Methyl Bromide Production Wastes	54 FR 41402	10/6/89
69	69	Reportable Quantity Adjustment	54 FR 50968	12/11/89
74	74	Toxicity Characteristic Revisions	55 FR 11798	3/29/90
75	75	Listing of 1,1-Dimethylhydrazine Production Wastes	55 FR 18496	5/2/90
77	77	HSWA Codification Rule; Double Liners; Correction	55 FR 19262	5/9/90
78H	78 ^{8/}	Land Disposal Restrictions for Third Third Scheduled Wastes (See Revision Checklist 78 in Non-HSWA Cluster VI)	55 FR 22520	6/1/90
66.1	(66)	[Land Disposal Restrictions; Correction (Included on Revision Checklist 66 in HSWA Cluster II)]	55 FR 23935	6/13/90
79	79	Hazardous Waste Treatment, Storage, and Disposal Facilities--Organic Air Emission Standards For Process Vents and Equipment Leaks (See Revision Checklist 87 in RCRA Cluster I)	55 FR 25454	6/21/90
74.1	(74)	[Toxicity Characteristics Revisions; Correction (Included on Revision Checklist 74 in HSWA Cluster II)]	55 FR 26986	6/29/90
<u>RCRA Cluster I (July 1, 1990 - June 30, 1991; Due Date - July 1 1992^{2/})</u>				
80	†80	Toxicity Characteristic; Hydrocarbon Recovery Operations (HSWA)	55 FR 40834	10/5/90
81	81	Petroleum Refinery Primary and Secondary Oil/Water/Solids Separation Sludge Listings (F037 and F038) (See Revision Checklist 81) (HSWA)	55 FR 46354	11/2/90

Continued . . .

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulgation or HSWA Date</u>
<u>RCRA Cluster I (cont'd)</u>				
82	82	Wood Preserving Listings (HSWA/Non-HSWA)	55 FR 50450	12/6/90
81.1	(81)	[Petroleum Refinery Primary and Secondary Oil/Water/Solids Separation Sludge Listings; Correction (Included on Revision Checklist 81, RCRA Cluster I)]	55 FR 51707	12/17/90
83	83	Land Disposal Restrictions for Third Third Scheduled Wastes; Technical Amendment (HSWA)	56 FR 3864	01/31/91
80.1	(80)	[Toxicity Characteristic; Hydrocarbon Recovery Operations (Included on Revision Checklist 80 in RCRA Cluster I)]	56 FR 3978	02/01/91
84	†84	Toxicity Characteristic; Chlorofluorocarbon Refrigerants (HSWA)	56 FR 5910	02/13/91
85	85	Burning of Hazardous Waste in Boilers and Industrial Furnaces (HSWA/Non-HSWA)	56 FR 7134	02/21/91
86	86 ^{B/}	Removal of Strontium Sulfide From the List of Hazardous Waste; Technical Amendment (Non-HSWA)	56 FR 7567	02/25/91
80.2	(80)	(Toxicity Characteristic; Hydrocarbon Recovery Operations (See Revision Checklist 80 in RCRA Cluster I))	56 FR 13406	04/02/91
87	87	Organic Air Emission Standards for Process Vents and Equipment Leaks; Technical Amendment (See Revision Checklist 79 in HSWA Cluster II) (HSWA)	56 FR 19290	04/26/91
88	†88	Administrative Stay for K069 Listing (Non-HSWA)	56 FR 19951	05/01/91
89	†89	Revision to F037 and F038 Listings (See Revision Checklist 81 in RCRA Cluster I) (HSWA)	56 FR 21955	05/13/91

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>StATS Rule Code</u>	<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR Reference</u>	<u>Promulga- tion or HSWA Date</u>
<u>RCRA Cluster I (cont'd)</u>				
90	90	Mining Exclusion III (Non-HSWA)	56 FR 27300	06/13/91
91	†91	Administrative Stay for F032, F034, and F035 Listings (HSWA/Non-HSWA)	56 FR 27332	06/13/91
<u>RCRA Cluster II (July 1, 1991 - June 30, 1992; Due Date - July 1, 1993^{1/})</u>				
92	92	Wood Preserving Listings; Technical Corrections (HSWA/Non-HSWA)	56 FR 30192	07/01/91
113.2	(113)	Liability Requirements; Technical Amendment (Non-HSWA) (will be consolidated into Revision Checklist 113 with two other rules addressing liability coverage; that checklist will be in RCRA Cluster III)	56 FR 30200	07/01/91
94	94	Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments I (HSWA/Non-HSWA)	56 FR 32688	07/17/91
95	95	Land Disposal Restrictions for Electric Arc Furnace Dust (K061) (HSWA)	56 FR 41164	08/19/91
96	96	Burning of Hazardous Waste in Boilers and Industrial Furnaces; Technical Amendments II (HSWA/Non-HSWA)	56 FR 42504	08/27/91
97	97	Exports of Hazardous Waste; Technical Correction (HSWA)	56 FR 43704	09/04/91
98	†98	Coke Ovens Administrative Stay (HSWA)	56 FR 43874	09/05/91
99	†99	Amendments to Interim Status Standards for Downgradient Ground-Water Monitoring Well Locations (Non-HSWA)	56 FR 66365	12/23/91

† Optional.

Continued . . .

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS</u> <u>Rule</u> <u>Code</u>	<u>Revision</u> <u>Checklist</u> <u>Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR</u> <u>Reference</u>	<u>Promulgation or</u> <u>HSWA Date</u>
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¹StATS is the State Authorization Tracking System which tracks States' progress in becoming authorized for each checklist. This column was added to help the Regions and States relate data entered in that system with the information included in this table. The "rule code" is the symbol used in StATS to represent a particular rule or non-checklist item, e.g., State Availability of Information or Radioactive Mixed Waste.

²States have an additional year if statutory changes are required.

³A parenthesized number implies that this is not the main rule for the indicated checklist. However, the rule is included on the indicated checklist. Rules with parenthesized numbers are typically technical corrections or amendments to a major final rule. These corrections are usually close enough in time to the initial final rule that the correction was included on the checklist for the initial rule, rather than developing a new checklist for the correction.

⁴While Revision Checklists 27 and 43 are optional, States which have adopted or choose to adopt the changes addressed by Revision Checklist 27 must adopt Revision Checklist 43's changes.

⁵The May 2, 1986 amendments to 40 CFR 264.113 and 265.113, addressed by Revision Checklist 24, must be adopted before or simultaneous with adopting the provisions addressed by Revision Checklist 64. Also see Footnote 6.

⁶Note that, unlike other checklists which address more than one final rule, Revision Checklist 70 is not represented by each of its rules in StATS. Instead, it is represented only once as Revision Checklist 70, rather than five separate rules. The rationale for this representation is that this checklist is very different from the others in the program, because it represents an accumulation of small changes to Part 124, relating to the RCRA program, spanning the six-year period from 1983 to 1989.

⁷Only those sections, i.e., 40 CFR 264.113 and 265.113, of Revision Checklist 24 (Amended) recharacterized as more stringent by the June 26, 1990 correction are included in Non-HSWA Cluster VI. All other Revision Checklist 24 provisions continue to be included in Non-HSWA Cluster II. States which have already adopted the 264.113 and 265.113 amendments as part of their authorization for Revision Checklist 24 in Non-HSWA Cluster II, are not affected by this correction and do not have to submit an amended Revision Checklist 24.

⁸Revision Checklist 78 is in HSWA Cluster II, with the exception of the clarifying amendment to §268.33(c) which is in Non-HSWA Cluster VI. This clarification is not immediately effective in authorized States since the requirements are not imposed pursuant to HSWA. Thus, these requirements are applicable only in those States that do not have interim or final authorization. In authorized States, the requirements will not be applicable until the State revises its program to adopt equivalent requirements under State law.

TABLE G-1. LIST OF REVISION CHECKLISTS BY CLUSTER (cont'd)
Through December 31, 1991

<u>STATS</u> <u>Rule</u> <u>Code</u>	<u>Revision</u> <u>Checklist</u> <u>Number</u>	<u>Federal Requirement</u>	<u>HSWA or FR</u> <u>Reference</u>	<u>Promulga-</u> <u>tion or</u> <u>HSWA Date</u>
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⁹Direct Action against insurers in RCRA §3004(t) is not delegable to the States. EPA realizes that six States are currently "authorized" for this provision. Several States have included this provision in their pending HSWA I revision applications. The Regions should review these provisions and clarify with their States that, by virtue of the statute, the Federal cause of action ensured by RCRA §3004(t) remains in effect in authorized States. This provision is not delegable because authorized provisions of State law must operate in lieu of the Federal counterpart and, in this situation, State law providing for a direct cause of action against insurers may augment the Federal Action, but not supersede it.

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
	State Availability of Information (See Appendix N)	Non-HSWA Cluster I
	Radioactive Mixed Waste (See SPA 2 and Appendix N)	Non-HSWA Cluster III
NOT DELE- GABLE ^{1/}	Direct Action Against Insurers	HSWA Cluster I
	Surface Impoundment Requirements:	HSWA Cluster I
	a. Existing and newly regulated surface impoundments	
	† b. Variance under §3005(j)(2)-(9) and (13)	
	Sharing of Information With the Agency for Toxic Substances and Disease Registry	HSWA Cluster I
	† Exceptions to the Burning and Blending of Hazardous Waste	HSWA Cluster I
	† Hazardous and Used Oil Fuel Criminal Penalties	HSWA Cluster I
1	Biennial Report	Non-HSWA Requirements Prior to Non-HSWA Cluster I
2	Permit Rules - Settlement Agreement	Non-HSWA Requirements Prior to Non-HSWA Cluster I
3	Interim Status Standards - Applicability	Non-HSWA Requirements Prior to Non-HSWA Cluster I
4	Chlorinated Aliphatic Hydrocarbon Listing (F024)	Non-HSWA Requirements Prior to Non-HSWA Cluster I
5	National Uniform Manifest	Non-HSWA Requirements Prior to Non-HSWA Cluster I

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
†6	Permit Rules: Settlement Agreement	Non-HSWA Requirements Prior to Non-HSWA Cluster I
†7	Warfarin & Zinc Phosphide Listing	Non-HSWA Requirements Prior to Non-HSWA Cluster I
†8	Lime Stabilized Pickle Liquor Sludge	Non-HSWA Requirements Prior to Non-HSWA Cluster I
†9	Household Waste	Non-HSWA Cluster I
10	Interim Status Standards - Applicability	Non-HSWA Cluster I
11	Corrections to Test Methods Manual	Non-HSWA Cluster I
†12	Satellite Accumulation	Non-HSWA Cluster I
13	Definition of Solid Waste	Non-HSWA Cluster I
14	Dioxin Waste Listing and Management Standards	HSWA Cluster I
15	Interim Status Standards for Treatment, Storage, and Disposal Facilities	Non-HSWA Cluster I
16	Paint Filter Test	HSWA Cluster I
17	HSWA Codification Rule	HSWA Cluster I
	17 A - Small Quantity Generators	
†	17 B - Delisting	
†	17 C - Household Waste	
	17 D - Waste Minimization	
	17 E - Location Standards for Salt Domes, Salt Beds, Underground Mines and Caves	
	17 F - Liquids in Landfills	
	17 G - Dust Suppression	
	17 H - Double Liners	
	17 I - Ground-Water Monitoring	
	17 J - Cement Kilns	
	17 K - Fuel Labeling	
	17 L - Corrective Action	

Continued . . .

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
	17 M - Pre-construction Ban	
	17 N - Permit Life	
	17 O - Omnibus Provision	
	17 P - Interim Status	
†	17 Q - Research and Development Permits	
	17 R - Hazardous Waste Exports	
	17 S - Exposure Information	
18	Listing of TDI, TDA, DNT	HSWA Cluster I
19	Burning of Waste Fuel and Used Oil Fuel in Boilers and Industrial Furnaces	HSWA Cluster I
20	Listing of Spent Solvents	HSWA Cluster I
21	Listing of EDB Waste	HSWA Cluster I
22	Listing of Four Spent Solvents	HSWA Cluster I
23	Generators of 100 to 1000 kg Hazardous Waste	HSWA Cluster I
24 ^{2/}	Financial Responsibility: Settlement Agreement	Non-HSWA Cluster II and Non-HSWA Cluster VI
25	Codification Rule, Technical Correction (Paint Filter Test)	HSWA Cluster I
†26	Listing of Spent Pickle Liquor (K062)	Non-HSWA Cluster II
†27 ^{3/}	Liability Coverage - Corporate Guarantee	Non-HSWA Cluster III
28	Standards for Hazardous Waste Storage and Treatment Tank Systems	Non-HSWA Cluster III and HSWA Cluster I
29	Correction to Listing of Commercial Chemical Products and Appendix VIII Constituents	Non-HSWA Cluster III
30	Biennial Report; Correction	HSWA Cluster I

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
31	Exports of Hazardous Waste	HSWA Cluster I
32	Standards for Generators - Waste Minimization Certifications	HSWA Cluster I
33	Listing of EBDC	HSWA Cluster I
34	Land Disposal Restrictions	HSWA Cluster I
35	Revised Manual SW-846; Amended Incorporation by Reference	Non-HSWA Cluster III
36	Closure/Post-closure Care for Interim Status Surface Impoundments	Non-HSWA Cluster III
37	Definition of Solid Waste; Technical Corrections	Non-HSWA Cluster III
38	Amendments to Part B Information Requirements for Land Disposal Facilities	Non-HSWA Cluster III
39	California List Waste Restrictions	HSWA Cluster II
40	List (Phase 1) of Hazardous Constituents for Ground-Water Monitoring	Non-HSWA Cluster IV
41	Identification and Listing of Hazardous Waste	Non-HSWA Cluster IV
42	Exception Reporting for Small Quantity Generators of Hazardous Waste	HSWA Cluster II
†43 ^{3/}	Liability Requirements for Hazardous Waste Facilities; Corporate Guarantee	Non-HSWA Cluster IV

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
44	HSWA Codification Rule 2	HSWA Cluster II
	44 A - Permit Application Requirements Regarding Corrective Action	
	44 B - Corrective Action Beyond Facility Boundary	
	44 C - Corrective Action for Injection Wells	
	44 D - Permit Modification	
	44 E - Permit as a Shield Provision	
	44 F - Permit Conditions to Protect Human Health and the Environment	
	44 G - Post-Closure Permits	
45	Hazardous Waste Miscellaneous Units	Non-HSWA Cluster IV
46	Technical Correction; Identification and Listing of Hazardous Waste	Non-HSWA Cluster IV
47	Identification and Listing of Hazardous Waste; Technical Correction	HSWA Cluster II
48	Farmer Exemptions; Technical Corrections	HSWA Cluster II
†49	Identification and Listing of Hazardous Waste; Treatability Studies Sample Exemption	Non-HSWA Cluster V
50	Land Disposal Restrictions for First Third Scheduled Wastes	HSWA Cluster II
113 (51)	Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities; Liability Coverage (will be made part of Revision Checklist 113)	RCRA Cluster III, Non-HSWA

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
52	Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems	Non-HSWA Cluster V and HSWA Cluster II
53	Identification and Listing of Hazardous Waste; and Designation, Reportable Quantities, and Notification	Non-HSWA Cluster V
†54	Permit Modifications for Hazardous Waste Management Facilities	Non-HSWA Cluster V
55	Statistical Methods for Evaluating Ground-Water Monitoring Data from Hazardous Waste Facilities	Non-HSWA Cluster V
†56	Identification and Listing of Hazardous Waste; Removal of Iron Dextran from the List of Hazardous Wastes	Non-HSWA Cluster V
†57	Identification and Listing of Hazardous Waste; Removal of Strontium Sulfide from the List of Hazardous Wastes	Non-HSWA Cluster V
†58	Standards for Generators of Hazardous Waste; Manifest Renewal	Non-HSWA Cluster V
59	Hazardous Waste Miscellaneous Units; Standards Applicable to Owners and Operators	Non-HSWA Cluster V
60	Amendment to Requirements for Hazardous Waste Incinerator Permits	Non-HSWA Cluster V
†61	Changes to Interim Status Facilities for Hazardous Waste Management Permits; Modifications of Hazardous Waste Management Permits; Procedures for Post-Closure Permitting	Non-HSWA Cluster V

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
62	Land Disposal Restriction Amendments to First Third Scheduled Wastes	HSWA Cluster II
63	Land Disposal Restrictions for Second Third Scheduled Wastes	HSWA Cluster II
†64 ^{4/}	Delay of Closure Period for Hazardous Waste Management Facilities	Non-HSWA Cluster VI
65	Mining Waste Exclusion I	Non-HSWA Cluster VI
66	Land Disposal Restrictions; Correction to First Third Scheduled Wastes	HSWA Cluster II
67	Testing and Monitoring Activities	Non-HSWA Cluster VI
68	Reportable Quantity Adjustment Methyl Bromide Production Wastes	HSWA Cluster II
69	Reportable Quantity Adjustment	HSWA Cluster II
70	Changes to Part 124 Not Accounted for by Present Checklists	Non-HSWA VI
71	Mining Waste Exclusion II	Non-HSWA Cluster VI
†72	Modification of F019 Listing	Non-HSWA Cluster VI
73	Testing and Monitoring Activities; Technical Corrections	Non-HSWA Cluster VI
74	Toxicity Characteristics Revision	HSWA Cluster II
75	Listing of 1,1-Dimethylhydrazine Production Wastes	HSWA Cluster II
†76	Criteria for Listing Toxic Wastes; Technical Amendment	Non-HSWA Cluster VI
77	HSWA Codification Rule, Double Liners; Correction	HSWA Cluster II

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

<u>Revision Checklist Number</u>	<u>Federal Requirement</u>	<u>Cluster</u>
78 ^{5/}	Land Disposal Restrictions for Third Third Scheduled Wastes	Non-HSWA Cluster VI and HWSA CLuster II
79	Hazardous Waste Treatment, Storage, and Disposal Facilities-- Organic Air Emission Standards For Process Vents and Equipment Leaks	HSWA Cluster II
†80	Toxicity Characteristic; Hydrocarbon Recovery Operations	RCRA I, HSWA
81	Petroleum Refinery Primary and Secondary Oil/Water/Solids Separation Sludge Listings (F037 and F038)	RCRA I, HSWA
82	Wood Preserving Listings	RCRA I, HSWA/Non-HSWA
83	Land Disposal Restrictions for Third Third Scheduled Wastes; Technical Amendment	RCRA I, HSWA
†84	Toxicity Characteristic; Chlorofluoro-carbon Refrigerants	RCRA I, HSWA
85	Burning of Hazardous Waste in Boilers and Industrial Furnaces	RCRA I, HSWA/Non-HSWA
86 ^{6/}	Removal of Strontium Sulfide From the List of Hazardous Waste; Technical Amendment	RCRA I, Non-HSWA
87	Organic Air Emission Standards for Process Vents and Equipment Leaks; Technical Amendment	RCRA I, HSWA
†88	Administrative Stay for K069 Listing	RCRA I, Non-HSWA
†89	Revision to F037 and F038 Listings	RCRA I, HSWA
90	Mining Exclusion III	RCRA I, Non-HSWA

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

Revision Checklist Number	Federal Requirement	Cluster
91	Administrative Stay for F032, F034, and F035 Listings	RCRA I, HSWA/Non-HSWA
92	Wood Preserving Listings; Technical Corrections	RCRA II, HSWA/Non-HSWA
113 (93)	Liability Requirements; Technical Amendment [will be made part of Revision Checklist 113]	RCRA III, Non-HSWA
94	Burning of Hazardous Waste in Boilers and Industrial Furnaces; Corrections and Technical Amendments I	RCRA II, HSWA/Non-HSWA
95	Land Disposal Restrictions for Electric Arc Furnace Dust (K061)	RCRA II, HSWA
96	Burning of Hazardous Waste in Boilers and Industrial Furnaces; Technical Amendments II	RCRA II, HSWA/Non-HSWA
97	Exports of Hazardous Waste; Technical Correction	RCRA II, HSWA
†98	Coke Ovens Administrative Stay	RCRA II, HSWA
†99	Amendments to Interim Status Standards for Downgradient Ground-Water Monitoring Well Locations	RCRA II, Non-HSWA

† Optional.

¹Direct Action against insurers in RCRA §3004(t) is not delegable to the States. EPA realizes that six States are currently "authorized" for this provision. Several States have included this provision in their pending HSWA I revision applications. The Regions should review these provisions and clarify with their States that, by virtue of the statute, the Federal cause of action ensured by RCRA §3004(t) remains in effect in authorized States. This provision is not delegable because authorized provisions of State law must operate in lieu of the Federal counterpart and, in this situation, State law providing for a direct cause of action against insurers may augment the Federal Action, but not supersede it.

**TABLE G-2. NUMERICAL LISTING OF REVISION CHECKLISTS
AND CORRESPONDING CLUSTER (cont'd)
Through December 31, 1991**

Revision Checklist Number	<u>Federal Requirement</u>	<u>Cluster</u>
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²Only those sections, i.e., 40 CFR 264.113 and 265.113, of Revision Checklist 24 (Amended) recharacterized as more stringent by the June 26, 1990 correction are included in Non-HSWA Cluster VI. All other Revision Checklist 24 provisions continue to be included in Non-HSWA Cluster II. States which have already adopted the 264.113 and 265.113 amendments as part of their authorization for Revision Checklist 24 in Non-HSWA Cluster II, are not affected by this correction and do not have to submit an amended Revision Checklist 24.

³While Revision Checklists 27 and 43 are optional, states which have adopted or choose to adopt the changes addressed by Revision Checklist 27, must adopt Revision Checklist 43's changes.

⁴The May 2, 1986 amendments to 40 CFR 264.113 and 265.113, addressed by Revision Checklist 24, must be adopted before or simultaneous with adopting the provisions addressed by Revision Checklist 64. Also see Footnote 1.

⁵Revision Checklist 78 is in HSWA Cluster II, with the exception of the clarifying amendment to §268.33(c) which is in Non-HSWA Cluster VI. This clarification is not immediately effective in authorized States since the requirements are not imposed pursuant to HSWA. Thus, these requirements are applicable only in those States that do not have interim or final authorization. In authorized States, the requirements will not be applicable until the State revises its program to adopt equivalent requirements under State law.

⁶The rule addressed by this checklist is a technical amendment to the final rule (53 FR 43881; October 31, 1988; Revision Checklist 57)) that removed strontium sulfide from 40 CFR 261.33, the list of commercial chemical products which are hazardous wastes when discarded or intended to be discarded. States which intend to remove strontium sulfide from their hazardous wastes lists, but have not yet adopted the changes made by Revision Checklist 57 are strongly encouraged to adopt the changes addressed by Revision Checklists 57 and 86 at the same time. Those States that have already adopted the Revision Checklist 57 provisions should adopt the Revision Checklist 86 amendments as soon as possible. States should note that Revision Checklist 86 is a conditionally optional checklist. States choosing not to adopt the removal of strontium sulfide (i.e. Revision Checklist 57) should not adopt the Revision Checklist 86 provisions. However, States which choose to remove strontium sulfide must adopt the provisions addressed by Revision checklist 86 to be sure that material has been properly removed from the State's lists and appendices.

Model Revision Attorney General's Statement

**The following pages (numbered 9 through 54)
should replace pages 9 through 53 of
SAM Appendix E**

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MODEL REVISION ATTORNEY GENERAL'S STATEMENT FOR FINAL
AUTHORIZATION FOR CHANGES TO THE FEDERAL
RCRA PROGRAM FROM JANUARY 1983 THROUGH
DECEMBER 1991

I hereby certify, pursuant to my authority as _____ and in accordance with Section 3006(b) of the Resource Conservation and Recovery Act, as amended by the Hazardous and Solid Waste Amendments of 1984 (42 USC 6901 et seq.), and 40 CFR 271 that in my opinion the laws of the State [Commonwealth] of _____ provide adequate authority to carry out the revised program set forth in the revised "Program Description" submitted by the [State Agency]. The specific authorities provided are contained in statutes or regulations lawfully adopted at the time this Statement is signed and which are in effect now [shall be fully effective by _____], as specified below. These authorities and this certification supplement [or supercede (and indicate how supercede)] the previously certified authorities described in my [or my predecessors] certification(s) of _____ (date or dates).

Please add an explanation of how the Revision Attorney General's Statement you are submitting relates to any prior Attorney General's Statements you have submitted.

I. IDENTIFICATION AND LISTING

A. State statutes and regulations contain lists of hazardous waste which encompass all wastes controlled under the following Federal regulations as indicated in the designated Revision Checklists:

- (1) Chlorinated aliphatic hydrocarbons, 40 CFR 261.31 and Part 261 Appendices VII and VIII as amended February 10, 1984 [49 FR 5308], Revision Checklist 4.
- ¹ (2) [OPTIONAL: This is a reduced requirement.] Warfarin and zinc phosphide listing, 40 CFR 261.33(e) and (f), as amended May 10, 1984 [49 FR 19923], Revision Checklist 7.
- (3) TDI, DNT and TDA wastes, 40 CFR 261.32, 261.33(f), and Part 261 Appendices III, VII and VIII as amended October 23, 1985 [50 FR 42936], Revision Checklist 18.
- (4) Spent solvents, 40 CFR 261.31, as amended December 31, 1985 [50 FR 53319] and January 21, 1986 [51 FR 2702], Revision Checklist 20.
- (5) EDB wastes, 40 CFR 261.32 and Part 261 Appendices II, III and VIII, as amended February 13, 1986 [51 FR 5330], Revision Checklist 21.

¹The phrase "OPTIONAL: This is a reduced requirement" is used to indicate provisions that either are less stringent or reduce the scope of the program. Any State which adopts an "optional" requirement must ensure that it is at least as stringent as the Federal requirement.

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- (6) Four spent solvents, 40 CFR 261.31, 261.33(f), and Part 261 Appendices III, VII and VIII as amended February 25, 1986 [51 FR 6541], Revision Checklist 22.
- (7) [OPTIONAL: This is a reduced requirement.] Listing of spent pickle liquor from steel finishing operations, 40 CFR 261.32, as amended May 28, 1986 [51 FR 19320] and September 22, 1986 [51 FR 33612], Revision Checklist 26.
- (8) Listing of commercial chemical products and Appendix VIII constituents, 40 CFR 261.33 and Part 261 Appendix VIII, as amended August 6, 1986 [51 FR 28296], Revision Checklist 29; as amended July 10, 1987 [52 FR 26012], Revision Checklist 41; and as amended April 22, 1988 [53 FR 13382], Revision Checklist 46.
- (9) EBDC wastes, 40 CFR 261.32 and Part 261 Appendices III and VII, as amended on October 24, 1986 [51 FR 37725], Revision Checklist 33.
- (10) Listing of spent potliners from aluminum reduction (K088), 40 CFR 261.32 and Part 261 Appendix VII, as amended September 13, 1988 [53 FR 35412], Revision Checklist 53.
- (11) [OPTIONAL: This is a reduced requirement.] Generic delisting of iron dextran (CAS No. 9004-66-4), 40 CFR 261.33(f) and Part 261 Appendix VIII, as amended October 31, 1988 [53 FR 43878], Revision Checklist 56.
- (12) [OPTIONAL: This is a reduced requirement.] Generic delisting of strontium sulfide (CAS No. 1314-96-1), 40 CFR 261.33(e) and Part 261 Appendix VIII, as amended October 31, 1988 [53 FR 43881] and February 25, 1991 [56 FR 7567], Revision Checklists 57 and 86.
- (13) Listing of two wastes (K131 and K132) generated during the production of methyl bromide, 40 CFR 261.32 and 261 Appendices III and VII, as amended October 6, 1989 [54 FR 41402], Revision Checklist 68.
- (14) Listing of one generic category (F025) of waste generated during the manufacture of chlorinated aliphatic hydrocarbons by free radical catalyzed processes and amending F024, 40 CFR 261.31 and 261 Appendix VII; adding one toxicant to 261 Appendix VIII; as amended December 11, 1989 [54 FR 50968], Revision Checklist 69.
- (15) [OPTIONAL: This is a reduced requirement.] Amendments to the F019 hazardous waste listing to exclude wastewater treatment sludges from zirconium phosphating in aluminum can washing, when such phosphating is an exclusive conversion coating process, 40 CFR 261.31, as amended February 14, 1990 [55 FR 5340], Revision Checklist 72.
- (16) Listing of four wastes (K107-K110) generated during the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides, 40 CFR 261.31 and Part 261 Appendices III and VII, as amended May 2, 1990 [55 FR 18496], Revision Checklist 75.

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- (17) Listing of one waste (F039), 40 CFR 261.31 and Part 261 Appendix VII, as amended June 1, 1990 [55 FR 22520] and January 31, 1991 [56 FR 3864], Revision Checklists 78 and 83.
- (18) Listing of two wastes (F037 and F038) generated in the separation of oil/water/solids from petroleum refinery process wastewaters and oily cooling wastewaters, 40 CFR 261.31 and Part 261 Appendix VII, as amended November 2, 1990 [55 FR 46354] and December 17, 1990 [55 FR 51707], Revision Checklist 81.
- (19) Listing of three wastes (F032, F034 and F035) from wood preserving operations that use chlorophenolic, creosote and/or inorganic (arsenical and chromium) preservatives, 40 CFR 261.31, and 261 Appendices III, VII and VIII, as amended December 6, 1990 [55 FR 50450], Revision Checklist 82.
- (20) [OPTIONAL: This is a reduced requirement.] Administrative stay removing, from the K069 listing, slurries generated from air pollution control devices that are intended to capture acid gases and are not dedicated chiefly to control particulate air emissions, 40 CFR 261.32, as amended May 1, 1991 [56 FR 19951], Revision Checklist 88.
- (21) [OPTIONAL: This is a reduced requirement.] Redefinition of F037 and F038 listings to exclude 1) sludges from non-contact once-through cooling waters from both listings and 2) floats generated in aggressive biological treatment units from the F038 listing, 40 CFR 261.31 as amended May 13, 1991 [56 FR 21955], Revision Checklist 89.
- (22) [OPTIONAL: This is a reduced requirement.] Administrative stay of F032, F034 and F035 listings regarding 1) wastewaters that have not come into contact with process contaminants and 2) plants that have previously used chlorophenolic formulations, 40 CFR 261.31 as amended June 13, 1991 [56 FR 27332], Revision Checklist 91.

Federal Authority: RCRA §3001(b).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State statutes and regulations define hazardous waste so as to control the generation, transportation, treatment, storage and disposal of hazardous waste produced by small quantity generators of between 100 and 1000 kilograms/month as indicated in Revision Checklist 23 (which supercedes prior amendments by Revision Checklist 17 A) and Revision Checklist 47 (providing technical corrections to Checklist 23). State statutes and regulations also require small quantity generators to certify good faith efforts to minimize waste generation and to select the best available and affordable treatment, storage or disposal alternatives, 40 CFR Part 262 as amended October 1, 1986 [51 FR 35190], Revision Checklist 32 (see Item IX below).

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Federal Authority: RCRA §3001(d); 40 CFR Parts 260-263 and 270 as amended March 24, 1986 (51 FR 10146), October 1, 1986 (51 FR 35190), and July 19, 1988 (53 FR 27162).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

C. [This requirement applies only if States have a delisting mechanism. This requirement is NOT OPTIONAL for such States.] State statutes and regulations provide authority to delist hazardous waste as indicated in Revision Checklist 17 B.

- (1) State statutes and regulations require that before deciding to delist a waste, the State must consider whether any listing factor (including additional constituents) other than those for which the waste was listed would cause the waste to be hazardous.

Federal Authority: RCRA §3001(f)(1); 40 CFR 260.22 as amended July 15, 1985 (50 FR 28702) and June 27, 1989 (54 FR 27114).

- (2) State statutes and regulations require that there be no new temporary delistings without prior notice and comment. All temporary delistings received before November 18, 1984 without the opportunity for public comment and full consideration of such comment, shall lapse if not made final by November 8, 1986.

Federal Authority: RCRA §3001(f)(2); 40 CFR 260.20(d) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

D. [OPTIONAL: This is a reduced requirement.] State statutes and regulations define hazardous waste so as to exclude waste pickle liquor sludge generated by lime stabilization, but only to the extent that such waste is excluded by 40 CFR 261.3(c)(2), as indicated in Revision Checklist 8.

Federal Authority: RCRA §3001; 40 CFR 261.3(c) as amended June 5, 1984 (49 FR 23284).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

E. [OPTIONAL: This is a reduced requirement.] State statutes and regulations define hazardous waste so as to not exclude household waste other than those household wastes excluded in 40 CFR 261.4(b)(1), as indicated in Revision Checklists 9 and 17 C.

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Federal Authority: RCRA §3001; 40 CFR 261.4(b)(1) as amended November 13, 1984 (49 FR 44980) and July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

F. State statutes and regulations incorporate the most recent edition and updates to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846) as indicated in Revision Checklists 11 and 35.

Federal Authority: RCRA §§2002, 3001; 40 CFR 260.11, 260.21 and 270.6(a) as amended December 4, 1984 (49 FR 47390) and March 16, 1987 (52 FR 8072).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

G. State statutes and regulations define solid wastes to include the hazardous components of radioactive mixed wastes, July 3, 1986 [51 FR 24504]. See State Program Advisory (SPA) #2.

Federal Authority: RCRA §§1004(27) and 3001(b).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

H. [OPTIONAL: This is a reduced requirement.] State statutes and regulations exempt (with certain limitations) waste samples used in small scale treatability studies from Subtitle C regulation as indicated in Revision Checklist 49.

Federal Authority: RCRA §3001; 40 CFR 260.10 and 261.4(e)&(f) as amended July 19, 1988 (53 FR 27290).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

I. State statutes and regulations exclude from the mining waste exemption the six wastes listed at 40 CFR 261.4(b)(7)(i) through 261.4(b)(7)(vi), as indicated in Revision Checklist 53.

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Federal Authority: RCRA §3001(b); 40 CFR 261.4(b)(7) as amended September 13, 1988 (53 FR 35412).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

J. State statutes and regulations that:

- (1) provide final criteria to define Bevill-excluded mineral processing wastes, finalize the Bevill status of nine mineral processing waste streams, and list those mineral processing wastes subject to conditional retention as indicated in Revision Checklist 65.

Federal Authority: RCRA §3001(b); 40 CFR 261.3 and 261.4 as amended September 1, 1989 (54 FR 36592).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (2) remove five conditionally retained mineral processing wastes from the exemption from hazardous waste regulation under the Bevill exclusion, and amend the definitions of "beneficiation" and "designated facility" as indicated in Revision Checklists 71 and 90.

Federal Authority: RCRA §3001(b)(3)(A)(ii); 40 CFR 260.10 and 261.4(b)(7) as amended January 23, 1990 (55 FR 2322) and June 13, 1991 (56 FR 27300).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

K. State statutes and regulations incorporate 47 new testing methods as approved methods for use in meeting the regulatory requirements under Subtitle C of RCRA as indicated in Revision Checklists 67 and 73.

Federal Authority: RCRA §§3001, 3004, 3005, and 3006; 40 CFR 260.11 and Part 261 Appendix III as amended September 29, 1989 (54 FR 40260) and March 9, 1990 (55 FR 8948).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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L. State statutes and regulations revise the existing toxicity characteristic by replacing the Extraction Procedure (EP) leach test with the Toxicity Characteristic Leaching Procedure (TCLP) for identifying wastes that are defined as hazardous and subject to regulation under Subtitle C of RCRA as indicated in Revision Checklist 74. State statutes and regulations also provide for the addition of 25 organic chemicals and their regulatory levels to the list of toxic constituents of concern as indicated in Revision Checklist 74.

Federal Authority: RCRA §§1006, 2002(a), 3001, 3002, 3004, 3005 and 3006; 40 CFR Parts 261, 264, 265 and 268 as amended March 29, 1990 (55 FR 11798), and June 29, 1990 (55 FR 26986).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

M. State statutes and regulations contain the language to result in consistent interpretation of the criteria for listing wastes as hazardous under RCRA as indicated in Revision Checklist 76.

Federal Authority: RCRA §3001(a); 40 CFR 261.11(a)(3) as amended May 4, 1990 (55 FR 18726).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

N. State statutes and regulations add eight new testing methods to the section of regulations that incorporates these methods by reference as indicated in Revision Checklist 79.

Federal Authority: RCRA §§3001, 3004, 3005 and 3006; 40 CFR 260.11(a) as amended June 21, 1990 (55 FR 25454).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

O. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations extend until January 25, 1993, the compliance date for the Toxicity Characteristic requirements for produced ground water from free phase hydrocarbon recovery operations at certain petroleum industry sites (refineries, marketing terminals, and bulk plants) as indicated in Revision Checklist 80. The extension for infiltration galleries at such operations ends on October 2, 1991.

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Federal Authority: 5 U.S.C. §§553 and 705; RCRA §3001; 40 CFR 261.4(b)(11) as amended October 5, 1990 (55 FR 40834), February 1, 1991 (56 FR 3978) and April 2, 1991 (56 FR 13406).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

P. State statutes and regulations include definitions of oil/water/solids and aggressive biological treatment units and a statement concerning the point of generation for F037 and F038 sludges as indicated on Revision Checklist 81.

Federal Authority: RCRA §3001; 40 CFR 261.31(b), as amended November 2, 1990 (55 FR 46354) and December 17, 1990 (55 FR 51707).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

Q. [OPTIONAL: This is a reduced requirement.] State statutes and regulations exclude from being a solid waste spent wood preserving solutions that have been used and are reclaimed and reused for their original intended purpose as indicated in Revision Checklists 82 and 92.

Federal Authority: RCRA §3001; 40 CFR 261.4(a)(9) as amended December 6, 1990 (55 FR 50450) and July 1, 1991 (56 FR 30192).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

R. State statutes and regulations allow deletion of certain hazardous waste codes following equipment cleaning and replacement, provided that the requirements of 261.35 are met, as indicated in Revision Checklists 82 and 92.

Federal Authority: RCRA §3001; 40 CFR 261.35 as amended December 6, 1990 (55 FR 50450) and July 1, 1991 (56 FR 30192).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

S. [OPTIONAL: This is a reduced requirement.] State statutes and regulations which exclude from being hazardous used chlorofluorocarbon (CFC) refrigerants from totally enclosed transfer equipment (including mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems) that use

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chlorofluorocarbons as the heat transfer fluid in the refrigeration cycle, provided the refrigerant is reclaimed for further use as indicated in Revision Checklist 84.

Federal Authority: RCRA §3001; 40 CFR 261.4(b)(12) as amended February 13, 1991 (56 FR 5910).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

T. [OPTIONAL: This is a reduced requirement.] State statutes and regulations exclude from being a solid waste coke and coal tar from the iron and steel industry that contains or is produced from decanter tank tar sludge, EPA hazardous waste K087, when used as a fuel as indicated in Revision Checklist 85. The process producing the coke and coal tar from such decanter tank tar sludge in a coke oven is also excluded from regulation.

Federal Authority: RCRA §3001; 40 CFR 261.4(a)(10) as amended February 21, 1991 (56 FR 7134).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

U. State statutes and regulation do not exclude residues, derived from the burning or processing of hazardous waste in a boiler or industrial furnace, from the definition of a hazardous waste under 40 CFR 261.4(b)(4),(7)or(8) unless the device and the owner or operator meet the requirements of 40 CFR 266.112 as indicated in Revision Checklist 85.

Federal Authority: RCRA §3001; 40 CFR 261.4(b)(4), 261.4(b)(7), 261.4(b)(8) and 266.112 as amended February 21, 1991 (56 FR 7134).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

V. [OPTIONAL: This is a reduced requirement.] State statutes and regulations which exclude from being a hazardous waste certain nonwastewater residues resulting from high temperature metals recovery of K061 provided the conditions in 261.3(c)(2)(ii)(C) are met as indicated in Revision Checklist 95.

Federal Authority: RCRA §§3001, 3004(d)-(k) and (m); 40 CFR 261.3(c)(2)(ii)(C) as amended August 19, 1991 (56 FR 41164).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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W. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations which exclude from being a solid waste, nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units provided the requirements of 261.4(a)(11) are met as indicated in Revision Checklist 95.

Federal Authority: RCRA §§3001, 3004(d)-(k) and (m); 40 CFR 261.4(a)(11) as amended August 19, 1991 (56 FR 41164).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

II. DEFINITION OF SOLID WASTE

A. State statutes and regulations define hazardous waste and impose management standards so as to control all the hazardous waste controlled under 40 CFR Parts 261, 264, 265 and 266 as indicated in Revision Checklists 13 and 37.

Federal Authority: RCRA §§3001 and 3004; 40 CFR Parts 260, 261, 264, 265, and 266 as amended January 4, 1985 (50 FR 614), April 11, 1985 (50 FR 14216), August 20, 1985 (50 FR 33541) and June 5, 1987 (52 FR 21306).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State statutes and regulations include as solid waste secondary material fed to a halogen acid furnace that exhibit a characteristic of a hazardous waste or are listed as a hazardous waste in 40 CFR 261, Subparts C and D as indicated in Revision Checklists 85 and 96.

Federal Authority: RCRA §3001; 40 CFR Parts 261.2(d)(2) as amended February 21, 1991 (56 FR 7134) and August 27, 1991 (56 FR 42504).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

III. MANAGEMENT OF DIOXIN WASTES

A. State statutes and regulations contain the following requirements regarding dioxin wastes as indicated in Revision Checklist 14:

- (1) Dioxin wastes are listed and otherwise identified as hazardous wastes so as to encompass all such wastes controlled under 40 CFR 261.5(e), 261.7(b), 261.30(d), 261.31, 261.33(f), and Part 261 Appendix X.

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- (2) Special management and permitting standards for facilities managing dioxin wastes and prohibitions applicable to permitted and interim status facilities, as provided in 40 CFR Parts 264, 265, and 270.

Federal Authority: RCRA §§3001 and 3004; 40 CFR Parts 261, 264, 265 and 270 as amended January 14, 1985 (50 FR 1978).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

IV. SATELLITE ACCUMULATION

A. [OPTIONAL: This is a reduced requirement.] State statutes and regulations allow generators to accumulate at the site of generation, without a permit or interim status, as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste provided that the generator complies with the requirements specified in §262.34(c) as indicated in Revision Checklist 12.

Federal Authority: RCRA §§2002, 3002, 3004 and 3005; 40 CFR 262.34(c) as amended December 20, 1984 (49 FR 49571).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

V. APPLICABILITY OF INTERIM STATUS STANDARDS

A. State statutes and regulations contain the following requirements regarding interim status standards as indicated in Revision Checklists 3 and 10:

- (1) Interim status standards apply to facilities identified in 40 CFR 265.1(b).

Federal Authority: RCRA §3004; 40 CFR Part 265 as amended November 22, 1983 (48 FR 52718) and November 21, 1984 (49 FR 46095).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

VI. PAINT FILTER TEST

A. State statutes and regulations require the use of a paint filter test to determine the absence or presence of free liquids in either a containerized or bulk waste as indicated in Revision Checklists 16, 17 F and 25.

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Federal Authority: RCRA §§3004 and 3005; 40 CFR Parts 260, 264, 265, and 270 as amended April 30, 1985 (50 FR 18370), July 15, 1985 (50 FR 28702) and May 28, 1986 (51 FR 19176).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

VII. NATIONAL UNIFORM MANIFEST SYSTEM AND RECORDKEEPING

A. State statutes and regulations require generators to use the national uniform manifest as indicated in Revision Checklists 5 and 32.

Federal Authority: RCRA §§2002, 3002 and 3003; 40 CFR Parts 260 and 262 as amended March 20, 1984 (49 FR 10490) and October 1, 1986 (51 FR 35190).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State statutes and regulations require that generators, of between 100 and 1000 kg/mo of hazardous waste, file an exception report in those instances where the generator does not receive confirmation of delivery of his hazardous waste to the designated facility as indicated in Revision Checklist 42.

Federal Authority: RCRA §§3001(d) and 3002(a)(5); 40 CFR Parts 262.42 and 262.44 as amended September 23, 1987 (52 FR 35894).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

C. State statutes and regulations require that the following be recorded, as it becomes available, and maintained in the operating record, until facility closure, as indicated in Revision Checklist 45: monitoring, testing or analytical data, corrective action where required by Subpart F and §§264.226, 264.253, 264.254, 264.276, 264.278, 264.280, 264.303, 264.309, 264.347, and 264.602.

Federal Authority: RCRA §§3004 and 3005; 40 CFR 264.73(b) as amended December 10, 1987 (52 FR 46946).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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D. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations include a burden disclosure statement with each uniform manifest form and renew the use of this form as indicated in Revision Checklist 58.

Federal Authority: RCRA §§2002, 3002, and 3003; 40 CFR 262.20 and Part 262 Appendix as amended November 8, 1988 (53 FR 45089).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

E. State statutes and regulations require that generators who ship hazardous waste to a designated facility in an authorized state which has not yet obtained authorization to regulate that particular waste as a hazardous waste assure that the designated facility agrees to sign and return the manifest to the generator, and that any out-of-state transporter signs and forwards the manifest to the designated facility, as indicated in Revision Checklist 71.

Federal Authority: RCRA §§2002, 3002 and 3003; 40 CFR 262.23(e) as amended on January 23, 1990 (55 FR 2322).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

VIII. BIENNIAL REPORT

A. State statutes and regulations contain the following reporting requirements as indicated in Revision Checklists 1 and 30.

- (1) The biennial report contains the information indicated in 40 CFR 262.41(a), 264.75 and 265.75.
- (2) Facilities must submit groundwater monitoring data annually to the State Director as indicated in 40 CFR 265.94.

Federal Authority: RCRA §§3002 and 3004; 40 CFR Parts 262, 264 and 265 as amended January 28, 1983 (48 FR 3977) and August 8, 1986 (51 FR 28566).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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IX. WASTE MINIMIZATION

A. State statutes and regulations contain the following requirements regarding waste minimization as indicated in Revision Checklists 17 D, 30 and 32 (see Item I B above).

- (1) Generators must submit report and manifest certifications regarding efforts taken to minimize the amounts and toxicity of wastes.

Federal Authority: RCRA §3002(a)(6), (b); 40 CFR 262.41, 264.75 and 265.75 as amended July 15, 1985 (50 FR 28702), August 8, 1986 (51 FR 28556) and October 1, 1986 (51 FR 35190).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (2) RCRA permits for the treatment, storage, or disposal of hazardous waste on the premises where the waste was generated must contain a certification by the permittee regarding efforts taken to minimize the amount and toxicity of the generated wastes.

Federal Authority: RCRA §3005(h); 40 CFR 264.70, 264.73 and 270.30(j)(2) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

X. LIQUIDS IN LANDFILLS

A. State statutes and regulations contain the following requirements regarding liquids in landfills as indicated in Revision Checklists 17 F and 25.

- (1) Effective May 8, 1985, there is a ban on the placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids in any landfill pursuant to 40 CFR 264.314 and 265.314 as amended July 15, 1985 and May 28, 1986.
- (2) Effective November 8, 1985, there is a ban on the placement of non-hazardous liquids in landfills unless the owner or operator satisfies the criteria set forth in 40 CFR 264.314(e) and 265.314(f), as amended July 15, 1985 and May 28, 1986.
- (3) For bulk or non-containerized liquid wastes or wastes containing free liquids they may be placed in a landfill prior to May 8, 1985, only if the requirements of 40 CFR 264.314(a) and 265.314(a) are met.

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Federal Authority: RCRA §3004(c); 40 CFR 264.314, 265.314 and 270.21(h) as amended July 15, 1985 (50 FR 28702) and May 28, 1986 (51 FR 19176).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XI. GROUND-WATER MONITORING

A. State statutes and regulations provide that the §3004 groundwater monitoring requirements applicable to surface impoundments, waste piles, land treatment units and landfills shall apply whether or not such units are located above the seasonal high water table, have two liners and a leachate collection system or have liners that are periodically inspected, as indicated in Revision Checklist 17 I.

Federal Authority: RCRA §3004(p); 40 CFR 264.222, 264.252, 264.253, and 264.302 as amended July 15, 1985 (50 FR 28702).²

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. [OPTIONAL: This is a reduced requirement.] State statutes and regulations may allow variances from the ground-water monitoring requirements as provided in §3004(p). However, those variances must be restricted as provided in RCRA §3004(p) as indicated in Revision Checklist 17 I.

Federal Authority: RCRA §3004(p); 40 CFR 264.90(b) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

C. State statutes and regulations provide that with regard to ground-water monitoring, all land based hazardous waste treatment, storage, and disposal facilities analyze for a specified core list (Part 264, Appendix IX) of chemicals plus those chemicals specified by the Regional Administrator on a site-specific basis as indicated in Revision Checklist 40.

²Note that Revision Checklist 17 I reserved the cited sections of 40 CFR Part 264. Prior to Revision Checklist 17 I, these sections of code addressed exemptions from the Subpart F groundwater monitoring requirements.

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Federal Authority: RCRA §§1006, 2002(a), 3001, 3004, and 3005; 40 CFR 264.98, 264.99, Part 264 Appendix IX, and 270.14 as amended July 9, 1987 (52 FR 25942).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

D. State statutes and regulations specify statistical methods, sampling procedures, and performance standards that can be used in groundwater monitoring procedures to detect groundwater contamination at permitted hazardous waste facilities as indicated in Revision Checklist 55.

Federal Authority: RCRA §§1006, 2002(a), 3004 and 3005; 40 CFR 264.91, 264.92, 264.97, 264.98 and 264.99 as amended October 11, 1988 (53 FR 39720).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

E. [OPTIONAL: This is a reduced requirement.] State statutes and regulations allow owners and operators to demonstrate that an alternate hydraulically downgradient monitoring well location will meet 40 CFR 265.91(a)(3)(i)-(iii) criteria as specified in Revision Checklist 99.

Federal Authority: RCRA §§1006, 2002(a), 3001, 3004, 3005 and 3015; 40 CFR 260.10, and 264.91(a)(3) as amended December 23, 1991 (56 FR 66365).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XII. BURNING AND BLENDING OF HAZARDOUS WASTES

A. State statutes and regulations provide the following requirements:

- (1) The burning of fuel containing hazardous waste in a cement kiln is prohibited as specified in 40 CFR 266.31 and Revision Checklist 17 J.

Federal Authority: RCRA §3004(q); 40 CFR 266.31 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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- (2) Fuels containing hazardous waste and all persons who produce, distribute and market fuel containing hazardous wastes must be regulated as indicated in Revision Checklists 17 J, 17 K, and 19.

Federal Authority: RCRA §§3004(q)-(s); 40 CFR 261.31 and 266.34 as amended July 15, 1985 (50 FR 28702), November 29, 1985 (50 FR 49164), and November 19, 1986 (51 FR 41900).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. [OPTIONAL: This is a reduced requirement.] State statutes and regulations provide exceptions to the burning and blending of hazardous waste as specified in §§3004(q)(2)(A) and 3004(r)(2) & (3).

Federal Authority: RCRA §§3004(q)2(A) and 3004(r)(2) & (3).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XIII. CORRECTIVE ACTION

A. State statutes and regulations contain the following corrective action requirements as indicated in Revision Checklist 17 L:

- (1) Corrective action is required for releases of hazardous waste or constituents from any solid waste management unit at a facility seeking a permit, regardless of when the waste was placed in the unit, in all permits issued after November 8, 1984.

Federal Authority: RCRA §3004(u); 40 CFR 264.90, 264.101 and 270.60 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (2) Corrective action is required beyond a facility's boundary, in accordance with RCRA §3004(v). (States now may impose these requirements through a permit or a corrective action order. Once EPA promulgates the regulations required by RCRA §3004(v), States will need authority to impose corrective action in a permit following the RCRA §3004(v) regulations.)

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Federal Authority: RCRA §3004(v)(1).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (3) Corrective action is required beyond a facility's boundary in accordance with RCRA §3004(v) for all landfills, surface impoundments and waste pile units (including any new units, replacements of existing units or lateral expansions of existing units) which receive hazardous waste after July 26, 1982.

Federal Authority: RCRA §3004(v)(2).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (4) State statutes and regulations provide for the submission of evidence of financial responsibility for corrective action on- and off-site.

Federal Authority: RCRA §§3004(a)(6); (u); 40 CFR 264.90 and 264.101 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State statutes and regulations provide for additional information and engineering feasibility plan requirements regarding groundwater contamination detected at the time of Part B permit application as indicated in Revision Checklist 38.

Federal Authority: RCRA §§3004 and 3005; 40 CFR 270.14 as amended June 22, 1987 (52 FR 23447) and September 9, 1987 (52 FR 33936).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

C. State statutes and regulations require owners and operators of facilities seeking permits to provide descriptive information on the solid waste management units themselves and all available information pertaining to any releases from the units as indicated in Revision Checklist 44 A.

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Federal Authority: RCRA §3004(u); 40 CFR 270.14 as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

D. State statutes and regulations require that owners and operators of hazardous waste treatment, storage and disposal facilities (including permit-by-rule facilities subject to 264.101) institute corrective action beyond the facility boundary to protect human health and the environment, unless the owner/operator is denied access to adjacent lands despite the owner/operator's best efforts, as indicated in Revision Checklist 44 B.

Federal Authority: RCRA §3004(v); 40 CFR 264.100(e) and 264.101(c), as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

E. State statutes and regulations contain the following corrective action requirements for injection wells as indicated in Revision Checklist 44 C.

- (1) Hazardous waste injection wells now operating under RCRA interim status may retain interim status after issuance of a UIC permit. Until a RCRA permit or a RCRA "rider" to a UIC permit, which addresses Section 3004(u) corrective action, is issued, the well must comply with applicable interim status requirements imposed by §265.430, Parts 144, 146 and 147, and any UIC permit requirements.

Federal Authority: RCRA §3004(u); 40 CFR 144.1(h) as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (2) As part of the UIC permit process, available information regarding operating history and condition of the injection well must be submitted as well as any available information on known releases from the well or injection zone.

Federal Authority: RCRA §3004(u); 40 CFR 144.31(g) as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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- (3) UIC facility owners/operators must submit certain information related to corrective action with their UIC applications.

Federal Authority: RCRA §3004(u); 40 CFR 270.60(b)(3) as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

F. State statutes and regulations require that miscellaneous units comply with regulations (Subpart F) regarding releases from solid waste management units when necessary to comply with §§264.601 through 264.603 as indicated in Revision Checklist 45.

Federal Authority: RCRA §3004(u); 40 CFR 264.90(d) as amended December 10, 1987 (52 FR 46946).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XIV. HAZARDOUS WASTE EXPORTS

A. State statutes and regulations require generators and transporters of hazardous waste destined for export outside the United States to comply with standards equivalent to those as indicated in Revision Checklists 17 R, 31, 48, and 97 (with the latter two providing technical corrections to Checklist 31).

Federal Authority: RCRA §3017; 40 CFR 262.50 as amended July 15, 1985 (50 FR 28702), August 8, 1986 (51 FR 28664), July 19, 1988 (53 FR 27164), and September 4, 1991 (56 FR 45704).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XV. STANDARDS FOR FACILITIES³

A. State statutes and regulations prohibit the land disposal of hazardous waste prohibited under 40 CFR Parts 264 and 265 as indicated in Revision Checklist 17 E. Land disposal includes, but is not limited to, placement in landfills, surface impoundments, waste piles, deep injection wells, land treatment facilities, salt dome and bed formations and

³This section contains all changes to the Federal RCRA program concerning facility standards except for those specifically related to groundwater monitoring. This latter group of facility standard changes are addressed by Section XI.

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underground mines or caves. Deep injection well means a well used for the underground injection of hazardous wastes other than a well to which §3020 of RCRA applies.

Federal Authority: RCRA §3004(b)-(q); 40 CFR 264.18 and 265.18 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. Effective on November 8, 1984, State statutes and regulations prohibit the placement of any non-containerized or bulk liquid hazardous waste in any salt dome or salt bed formation any underground mine or cave except as provided in 40 CFR §§264.18(c) and 265.18(c) as indicated in Revision Checklist 17 E. Furthermore, State statutes and regulations prohibit the placement of any other hazardous waste in such formations until a permit is issued.

Federal Authority: RCRA §3004(b); 40 CFR 264.18 and 265.18 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

C. State statutes and regulations prohibit the use of waste oil or other materials contaminated with hazardous wastes (except ignitable wastes) as a dust suppressant as indicated in Revision Checklist 17 G.

Federal Authority: RCRA §3004(1); 40 CFR 266.23 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

D. State statutes and regulations require the permittee to take steps to minimize releases to the environment in accordance with 40 CFR Part 270.30(d) as indicated in Revision Checklist 2.

Federal Authority: RCRA §3005(c); 40 CFR Part 270 as amended September 1, 1983 (48 FR 39622).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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E. State statutes and regulations require that closure and post-closure requirements and special requirements for containers apply to interim status landfills as indicated in Revision Checklist 15.

Federal Authority: RCRA §3004; 40 CFR 265.310 and 265.315 as amended April 23, 1985 (50 FR 16044).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

F. State statutes and regulations require compliance with closure/post-closure and financial responsibility requirements applicable to owners and operators of hazardous waste treatment, storage and disposal facilities, as indicated in Revision Checklists 24, 36, and 45.

Federal Authority: RCRA §§3004 and 3005; 40 CFR Parts 260, 264, 265, and 270 as amended May 2, 1986 (51 FR 16422), March 19, 1987 (52 FR 8704) and December 10, 1987 (52 FR 46946).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

G. [OPTIONAL: This is a reduced requirement.] State statutes and regulations allow qualified companies that treat, store or dispose of hazardous waste to use a corporate guarantee to satisfy liability assurance requirements as indicated in Revision Checklists 27 and 43.

Federal Authority: RCRA §§2002, 3004, and 3005; 40 CFR 264.147, 264.151, and 265.147 as amended July 11, 1986 (51 FR 25350) and November 18, 1987 (52 FR 44314).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

H. State statutes and regulations require companies that generate, treat or store hazardous waste in tanks to comply with tank standards equivalent to those indicated in Revision Checklists 28 and 52.

Federal Authority: RCRA §§1006, 2002, 3001 - 3007, 3010, 3014, 3017 - 3019 and 7004; 40 CFR Parts 260, 261, 262, 264, 265, and 270 as amended July 14, 1986 (51 FR 25422), August 15, 1986 (51 FR 29430) and September 2, 1988 (53 FR 34079).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

SPA 12

I. State statutes and regulations require environmental performance standards; monitoring, testing, analytical data, inspection, response and reporting procedures; and post-closure care for miscellaneous units as indicated in Revision Checklist 45.

Federal Authority: RCRA §§3004 and 3005; 40 CFR 264.600, 264.601, 264.602, and 264.603 as amended December 10, 1987 (52 FR 46946).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

J. [OPTIONAL: This is a reduced requirement.] State statutes and regulations allow owners and operators of landfills, surface impoundments, or land treatment units, under limited circumstances, to remain open after the final receipt of hazardous wastes in order to receive non-hazardous wastes in that unit as indicated in Revision Checklist 64.

Federal Authority: RCRA §§1006, 2002(a), 3004, 3005 and 3006; 40 CFR 264.13, 264.112, 264.113, 264.142, 265.13, 265.112, 265.113, 265.142 and Appendix I to 270.42 as amended August 14, 1989 (54 FR 33376).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

K. State statutes and regulations require new and existing hazardous waste treatment, storage or disposal facilities to control organic air emissions from process vents and equipment leaks as indicated in Revision Checklists 79 and 87.

Federal Authority: RCRA §§1006, 2002, 3001-3007, 3010, 3014 and 7004; 40 CFR Parts 261, 264, 265 and 270 as amended June 21, 1990 (55 FR 25454) and April 26, 1991 (56 FR 19290).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

L. State statutes and regulations contain design, operating, inspection and closure requirements for drip pads and associated tanks, sumps and other devices used to assist in the collection of treated wood drippage as indicated in Revision Checklists 82 and 92.

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Federal Authority: RCRA §§2002(a) and 3001(b)&(e)(1); 40 CFR 262.34(a)(2), 264.190, 264.570, 264.571, 264.572, 264.573, 264.574, 264.575, 265.190, 265.440, 265.441, 265.442, 265.443, 265.444, 265.445 as amended December 6, 1990 (55 FR 50450), and July 1, 1991 (56 FR 30192).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

M. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations contain an administrative stay for the requirement that new drip pads be impermeable as indicated in Revision Checklist 91.

Federal Authority: 5 U.S.C. 705; RCRA §§2002(a) and 3001(b)&(e)(1); 40 CFR 264.572(a)(4), and 265.443(a)(4) as amended June 13, 1991 (56 FR 27332).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XVI. REQUIREMENTS FOR PERMITS

A. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations allow a facility (1) to construct an approved TSCA facility for burning PCBs without first obtaining a RCRA permit and (2) to subsequently apply for a RCRA permit in accordance with Revision Checklist 17 M.

Federal Authority: RCRA §3005(a); 40 CFR 270.10(f)(3) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State statutes and regulations require review of land disposal permits every five years and modification of such permits as necessary to assure compliance with the requirements in Parts 124, 260 through 266, and 270, as indicated in Revision Checklist 17 N.

Federal Authority: RCRA §3005(c)(3); 40 CFR 270.41(a)(6) and 270.50(d) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

SPA 12

C. State statutes and regulations require permits to contain any conditions necessary to protect human health and the environment in addition to any conditions required by regulations as indicated in Revision Checklist 17 O.

Federal Authority: RCRA §3005(c)(3); 40 CFR 270.32(b) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

D. State statutes and regulations require that:

- (1) For land disposal facilities granted interim status prior to 11/8/84, interim status terminates 11/8/85; unless a Part B application and certification of compliance with applicable groundwater monitoring and financial responsibility requirements are submitted by 11/8/85, as indicated in Revision Checklist 17 P.

Federal Authority: RCRA §3005(e); 40 CFR 270.73(c) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (2) For land disposal facilities in existence on the effective date of statutory or regulatory changes under this Act that render the facility subject to the requirement to have a permit and which is granted interim status, interim status terminates 12 months after the date the facility first becomes subject to such permit requirement unless a Part B application and certification of compliance with applicable groundwater monitoring and financial responsibility requirements are submitted by that date as indicated in Revision Checklist 17 P.

Federal Authority: RCRA §3005(e); 40 CFR 270.73(d) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (3) Interim status terminates for incinerator facilities on 11/8/89 unless the owner/operator submits a Part B application by 11/8/86 as indicated in Revision Checklist 17 P.

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Federal Authority: RCRA §3005(c)(2)(C); 40 CFR 270.73(e) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (4) Interim status terminates for any facility other than a land disposal or an incineration facility on 11/8/92 unless the owner/operator submits a Part B application by 11/8/88 as indicated in Revision Checklist 17 P.

Federal Authority: RCRA §3005(c)(2)(C); 40 CFR 270.73(f) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

E. [OPTIONAL: This is a reduced requirement.] State statutes and regulations allow facilities to qualify for interim status if they (1) are in existence on the effective date of statutory or regulatory changes that render the facility subject to the requirement to have a permit and (2) comply with §270.70(a) as indicated in Revision Checklist 17 P.

Federal Authority: RCRA §3005(e); 40 CFR 270.70(a) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

F. State statutes and regulations provide that facilities may not qualify for interim status under the State's analogue to Section 3005(e) if they were previously denied a Section 3005(c) permit or if authority to operate the facility has been terminated as indicated in Revision Checklist 17 P.

Federal Authority: RCRA §3005(c)(3); 40 CFR 270.70(c) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

G. [OPTIONAL: This is a reduced requirement.] State statutes and regulations allow the issuance of a one-year research, development, and demonstration permit (renewable each year, but not for a period longer than three years) for any hazardous waste treatment facility which proposes an innovative and experimental hazardous waste treatment technology or process not yet regulated as indicated in Revision Checklist 17 Q. If adopted, however, the State must require the facility to meet RCRA's financial

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responsibility and public participation requirements and retain authority to terminate experimental activity if necessary to protect health or the environment.

Federal Authority: RCRA §3005(g); 40 CFR 270.65 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

H. State statutes and regulations require landfills, surface impoundments, land treatment units, and waste piles that received waste after July 26, 1982 and which qualify for interim status to comply with the groundwater monitoring, unsaturated zone monitoring, and corrective action requirements applicable to new units at the time of permitting as indicated in Revision Checklist 17 L.

Federal Authority: RCRA §3005(i); 40 CFR 264.90(a) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

I. State statutes and regulations require:

- (1) Surface impoundments in existence on November 8, 1984 [or subsequently becoming subject to RCRA pursuant to §3005(j)(6)(A) or (B)] to comply with the double liner, leachate collection, and groundwater monitoring requirements applicable to new units by November 8, 1988 [or the date specified in §3005(j)(6)(A) or (B)] or to stop treating, receiving, or storing hazardous waste, unless the surface impoundment qualifies for a special exemption under §3005(j).

Federal Authority: RCRA §3005(j)(1)&(6)(A).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

- (2) [OPTIONAL]: This is a reduced requirement.] State statutes and regulations may allow variances from the above requirements as provided in RCRA §3005(j)(2-9) and (13). However, the availability of such variances must be restricted as provided in RCRA §3005(j).

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Federal Authority: RCRA §3005(j)(2-9).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

J. [OPTIONAL: This is a reduced requirement.] Facility owners or operators are given the opportunity to cure deficient Part A applications in accordance with 40 CFR 270.70(b) before failing to qualify for interim status as indicated in Revision Checklist 6.

Federal Authority: RCRA §3005; 40 CFR Part 270 as amended April 24, 1984 (49 FR 17716).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

K. State statutes and regulations allow the permit granting agency to initiate modifications to a permit without first receiving a request from the permittee, in cases where statutory changes, new or amended regulatory standards or judicial decisions affect the basis of the permit as indicated in Revision Checklist 44 D.

Federal Authority: RCRA §3005(c); 40 CFR 270.41(a)(3) as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

L. State statutes and regulations require that permittees must comply with new requirements imposed by the land disposal restrictions promulgated under Part 268 even when there are contrary permit conditions, as indicated in Revision Checklist 44 E.

Federal Authority: RCRA §3006(g); 40 CFR 270.4(a) as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

M. State statutes and regulations require information from permit applicants concerning permit conditions necessary to protect human health and the environment as indicated in Revision Checklist 44 F.

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Federal Authority: RCRA §3005(c); 40 CFR 270.10 as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

N. State statutes and regulations require post-closure permits for all landfills, surface impoundments, waste piles and land treatment units receiving hazardous waste after July 26, 1982 as indicated in Revision Checklist 44 G.

Federal Authority: RCRA §3005(i); 40 CFR 270.1(c) as amended December 1, 1987 (52 FR 45788).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

O. State statutes and regulations require that all owners and operators of units that treat, store, or dispose of hazardous waste in miscellaneous units must comply with the general application requirements (including Part A permit requirements), the Part B general application requirements of §270.14, and specific Part B information requirements for miscellaneous units as indicated in Revision Checklists 45 and 59.

Federal Authority: RCRA §§3004 and 3005; 40 CFR 264.600, 270.14 and 270.23 as amended December 10, 1987 (52 FR 46946) and January 9, 1989 (54 FR 615).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

P. [OPTIONAL: This is a reduced requirement.] State statutes and regulations provide owners and operators more flexibility to change specified permit conditions, to expand public notification and participation opportunities, and allow for expedited approval if no public concern exists for a proposed permit modification. Owner/operator permit modifications are categorized into three classes with administrative procedures for approving modifications established in each class. These changes are as indicated in Revision Checklist 54.

Federal Authority: RCRA §§2002(a), 3004, 3005, and 3006; 40 CFR Parts 124, 264, 265, and 270 as amended September 28, 1988 (53 FR 37912) and October 24, 1988 (53 FR 41649).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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Q. State statutes and regulations make it clear that existing incinerator facilities must either conduct a trial burn or submit other information as specified in 270.19(a) or (c) before a permit can be issued for that facility as indicated in Revision Checklist 60.

Federal Authority: RCRA §3005(b); 40 CFR Part 270 as amended January 30, 1989 [54 FR 4286).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

R. [OPTIONAL: This is a reduced requirement.] State statutes and regulations allow greater flexibility to interim status facilities to make changes during interim status following director approval as indicated in Revision Checklist 61.

Federal Authority: RCRA §§2002(a), 3004, 3005 and 3006; 40 CFR 270.72 as amended March 7, 1989 (54 FR 9596).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

S. [OPTIONAL: This is a reduced requirement.] State statutes and regulations lift the reconstruction limit for changes: 1) to certain interim status units necessary to comply with Federal, State, or local requirements, 2) necessary to allow continued handling of newly listed or identified hazardous waste, 3) made in accordance with an approved closure plan, and 4) made pursuant to a corrective action order as indicated in Revision Checklist 61.

Federal Authority: RCRA §§2002(a), 3004, 3005, and 3006; 40 CFR 270.72 as amended March 7, 1989 (54 FR 9596).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

T. [OPTIONAL: This is a reduced requirement.] State statutes and regulations that clarify that a permit can be denied for the active life of a facility while a decision on post closure permitting is pending as indicated in Revision Checklist 61.

Federal Authority: RCRA §§2002(a), 3004, 3005, and 3006; 40 CFR 124.1, 124.15, 124.19, 270.1, 270.10 and 270.29 as amended March 7, 1989 (54 FR 9596).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

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U. [OPTIONAL]: This is a reduced requirement.] State statutes and regulations that classify as Class 1 certain permit modifications requested by owners/operators necessary to enable permitted facilities to comply with the land disposal restrictions as indicated in Revision Checklist 61. Specifically these modifications include 1) adding restricted wastes treated to meet applicable 40 CFR Part 268 treatment standards or adding residues from treating "soft hammer" wastes, 2) adding certain wastewater treatment residues and incinerator ash, 3) adding new wastes for treatment in tanks or containers under certain limited conditions, and 4) adding new treatment processes, necessary to treat restricted wastes to meet treatment standards, that take place in tanks or containers.

Federal Authority: RCRA §§2002(a), 3004, 3005 and 3006; 40 CFR 270.42 as amended March 7, 1989 (54 FR 9596).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

V. State statutes and regulations incorporate updates to 40 CFR Part 124 as indicated in Revision Checklist 70.

Federal Authority: RCRA §§6901 and 6902; 40 CFR 124.3, 124.5, 124.6, 124.10 and 124.12 as amended April 1, 1983 (48 FR 14146), June 30, 1983 (48 FR 30113), July 26, 1988 (53 FR 28118), September 26, 1988 (53 FR 37396) and January 4, 1989 (54 FR 246).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

W. State statutes and regulations contain Special Part B information requirements for drip pads as indicated in Revision Checklists 82 and 92.

Federal Authority: RCRA §§2002(a) and 3001(b)&(e)(I); 40 CFR 270.22 as amended December 6, 1990 (55 FR 50450) and July 1, 1991 (56 FR 30192).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

X. State statutes and regulations include permitting requirements for boilers and industrial furnaces burning hazardous waste as indicated in Revision Checklists 85 and 94.

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Federal Authority: RCRA §§1006, 2002, 3001 through 3007; 40 CFR 270.22, 270.42(g), 270.42 Appendix I, 270.66, 270.72(a)(6)&(b)(7) and 270.73(f)&(g) as amended February 21, 1991 (56 FR 7134) and July 17, 1991 (56 FR 32688).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XVII. MINIMUM TECHNOLOGICAL REQUIREMENTS

A. State statutes and regulations require that new units, expansions, and replacements of interim status waste piles meet the requirements for a single liner and leachate collection system in regulations applicable to permitted waste piles as indicated in the Revision Checklist 17 H.

Federal Authority: RCRA §3015(a); 40 CFR 265.254 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State statutes and regulation require:

- (1) New units, expansions, and replacement units at interim status landfills and surface impoundments and landfills and surface impoundments for which Part B of the permit application is received by the proper authority after November 8, 1984, meet the requirements for double liners and leachate collection systems applicable to new permitted landfills and surface impoundments in 40 CFR 264.221 and 264.301 and 265.221 and 265.301 as indicated in Revision Checklists 17 H and 77.

Federal Authority: RCRA §§1006, 2002(a), 3004, 3005 and 3015(b); 40 CFR 264.221, 265.221, 264.301 and 265.301 as amended July 15, 1985 (50 FR 28702) and May 9, 1990 (55 FR 19262).

- (2) [OPTIONAL: This is a reduced requirement.] Facilities which comply in good faith need not retrofit at permit issuance unless the liner is leaking as provided in §§265.221(e) and 265.301(e) as indicated in Revision Checklist 17 H.

Federal Authority: RCRA §3015(b); 40 CFR 264.221, 265.221 and 265.301 as amended July 15, 1985 (50 FR 28702).

- (3) [OPTIONAL: This is a reduced requirement.] Variances from the above requirements are optional. However, the availability of such variances is restricted as provided in §§264.221(d) and (e), 264.301(d) and (e), 265.221(c) and (d), and 265.301(c) and (d) as indicated in Revision Checklist 17 H.

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Federal Authority: RCRA §3015(b); 40 CFR 264.221, 265.221 and 265.301 as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XVIII. EXPOSURE ASSESSMENTS

A. State laws and regulations require permit applicants for landfills or surface impoundments to submit exposure information as indicated in Revision Checklist 17 S.

Federal Authority: RCRA §3019(a); 40 CFR 270.10(j) as amended July 15, 1985 (50 FR 28702).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State laws and regulations allow the State to make assessment information available to the Agency for Toxic Substances and Disease Registry. [See CERCLA §104(i).]

Federal Authority: RCRA §3019(b).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XIX. AVAILABILITY OF INFORMATION

A. State statutes and regulations provide that:

- (1) All records shall be available to the public unless they are exempt from the disclosure requirements of the Federal Freedom of Information Act (FOIA), 5 U.S.C. 552;
- (2) All nonexempt records will be available to the public upon request regardless of whether any justification or need for such records has been shown by the requestor;
- (3) The same types of records would be available to the public from the State as would be available from EPA. [In making this certification, the Attorney General should be aware of the types of documents EPA generally releases under the FOIA, subject to claims of business confidentiality: permit applications; biennial reports from facilities; closure plans; notification of a facility closure; contingency plan incident reports; delisting petitions; financial

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responsibility instruments; ground-water monitoring data (note that exemption 5 U.S.C.552(b)(9) of the FOIA applies to such wells as oil and gas, rather than to ground-water wells); transporter spill reports; international shipment reports; manifest exception, discrepancy and unmanifested waste reports; facility EPA identification numbers; withdrawal requests; enforcement orders; and, inspection reports]; and,

- (4) Information is provided to the public in substantially the same manner as EPA as indicated in 40 CFR Part 2 and the Revision Checklist in Appendix N of the State Authorization Manual. [OPTIONAL: Where the State agrees to implement selected provisions through the use of a Memorandum of Agreement (MOA) the Attorney General must certify that: "The State has the authority to enter into and carry out the MOA provisions and there are no State statutes (e.g., State Administrative Procedures Acts) which require notice and comment or promulgation of regulations for the MOA procedures to be binding.]
- (5) [OPTIONAL: The State statutes and regulations protect Confidential Business Information (CBI) to the same degree as indicated in 40 CFR 2 and the Revision Checklist in Appendix N of the State Authorization Manual. Note, that States do not have to protect CBI, to satisfy 3006(f). However, if a State does extend protection to CBI then it cannot restrict the release of information that EPA would require to be disclosed.]

Federal Authority: RCRA §3006(f); 40 CFR §271.17(c).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XX. STANDARDS FOR THE MANAGEMENT OF WASTE FUEL AND USED OIL AND FOR THE BURNING OF THESE MATERIALS IN BOILERS AND INDUSTRIAL FURNACES

A. State statutes and regulations contain the following requirements regarding the burning of waste fuel and used oil fuel for energy recovery in boilers and industrial furnaces as indicated in Revision Checklist 19:

- (1) Waste fuels and used oil fuels are identified as solid wastes so as to encompass all such wastes controlled under 40 CFR 261.3, 261.5 and 261.6.
- (2) Special management standards for generators, transporters, marketers and burners of hazardous waste and used oil burned for energy, as set forth in 40 CFR 264.340, 265.340, 266.30-35 and 266.40-44.

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Federal Authority: RCRA §§3001, 3004 and 3014(a); 40 CFR Parts 261, 264, 265 and 266 as amended November 29, 1985 (50 FR 49164), November 19, 1986 (51 FR 41900) and April 13, 1987 (52 FR 11819).

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

B. [OPTIONAL: This is a reduced requirement.] State statutes and regulations provide the authority to obtain criminal penalties for violations of the waste fuel and used oil fuel requirements, as set forth in 40 CFR 266.40-44.

Federal Authority: RCRA §§3006(h), 3008(d) and 3014; 40 CFR 271.16.

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

C. State statutes and regulations include control standards for emissions of toxic organic compounds, toxic metals, hydrogen chloride, chlorine gas and particulate matter from boilers and industrial furnaces burning hazardous waste, and require owners and operators of such facilities to comply with the general facility standards applicable to hazardous waste treatment, storage and disposal facilities, as indicated in Revision Checklists 85, 94 and 96. Hazardous waste storage units at regulated burners are subject to the 40 CFR Part 264 requirements.

Federal Authority: RCRA §§1006, 2002, 3001 through 3007, 3010 and 7004; 40 CFR 260.10, 260.11, 261.3, 261.6, 264.112, 264.340, 265.112, 265.113, 265.340, 265.370, Part 266 Subpart H, and Part 266 Appendices I-X as amended February 21, 1991 (56 FR 7134), July 17, 1991 (56 FR 32688) and August 27, 1991 (56 FR 42504).

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

D. [OPTIONAL: This is a reduced requirement.] State statutes and regulations contain an administrative stay of the permitting standards for boilers and industrial furnaces as they apply to coke ovens burning certain hazardous wastes from the coke by-products recovery process as indicated in Revision Checklist 98.

Federal Authority: 5 U.S.C. 705; RCRA §§2002(a) and 3001(b)&(e)(1); 40 CFR 266.100(a) as amended September 5, 1991 (56 FR 43874).

Citation of Laws and Regulations; Date of Enactment and AdoptionRemarks of the Attorney General

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XXI. LAND DISPOSAL RESTRICTIONS

A. State statutes and regulations provide for the restrictions of the land disposal of certain spent solvents and dioxin-containing hazardous wastes as indicated in Revision Checklists 34, 39, and 50.

Federal Authority: §3004(d)-(k) and (m); 40 CFR Parts 260, 261, 262, 263, 264, 265, 268 and 270 as amended on November 7, 1986 (51 FR 40572), June 4, 1987 (52 FR 21010), July 8, 1987 (52 FR 25760), and August 17, 1988 (53 FR 31138).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

B. State statutes and regulations for restricting the disposal of certain California list wastes, including liquid hazardous waste containing polychlorinated biphenyls (PCBs) above specified concentrations, and hazardous waste containing halogenated organic compounds (HOCs) above specified concentrations as indicated in Revision Checklists 39, 50, and 66.

Federal Authority: RCRA §3004(d)-(k) and (m); 40 CFR Parts 262, 264, 265, 268 and 270 as amended on July 8, 1987 (52 FR 25760), October 27, 1987 (52 FR 41295), August 17, 1988 (53 FR 31138), and September 6, 1989 (54 FR 36967).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

C. State statutes and regulations for specific treatment standards and effective dates for certain wastes from the "First Third" of the schedule of restricted wastes listed in 40 CFR 268.10 as well as land disposal restrictions for those First Third wastes for which a treatment standard is not established as indicated in Revision Checklists 50, 62 and 66.

Federal Authority: RCRA §3004 (d)-(k) and (m); 40 CFR Parts 264, 265, 266, and 268 as amended on August 17, 1988 (53 FR 31138), February 27, 1989 (54 FR 8264), May 2, 1989 (54 FR 18836), September 6, 1989 (54 FR 36967) and June 13, 1990 (55 FR 23935).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

D. State statutes and regulations for certain treatment standards and prohibition effective dates for certain Second Third wastes and for imposing the "soft hammer"

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provisions⁴ of 40 CFR 268.8 on Second Third wastes for which the Agency is not establishing treatment standards as indicated in Revision Checklist 63.

Federal Authority: RCRA §3004(d)-(k) and (m); 40 CFR Part 268 as amended June 23, 1989 (54 FR 26594).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

E. State statutes and standards for treatment standards and effective dates for certain First Third "soft hammer" wastes⁴ as well as for certain wastes originally contained in the Third Third of the Schedule as indicated in Revision Checklist 63.

Federal Authority: RCRA §3004(d)-(k) and (m); 40 CFR Parts 264, 265 and 268 as amended June 23, 1989 (54 FR 26594).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

F. State statutes and regulations provide specific treatment standards and effective dates for the "Third Third" wastes, "soft hammer" First and Second Third wastes⁴, five newly listed wastes, four wastes that fall into the F002 and F005 (spent solvent) waste codes, F025, mixed radioactive/hazardous wastes, characteristic wastes, and multi-source leachate, as well as establish revised treatment standards for petroleum refining hazardous wastes (K048-K052) as indicated in Revision Checklists 78 and 83.

Federal Authority: RCRA §§3001 and 3004 (d)-(k) and (m); 40 CFR 261, 262, 264, 265, 268, and 270 as amended June 1, 1990 (55 FR 22520) and January 31, 1991 (56 FR 3864).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

⁴ "Soft hammer" wastes are those wastes for which EPA did not promulgate treatment standards by their respective effective dates. These wastes could continue to be disposed of in a landfill or surface impoundment until May 8, 1990 if certain demonstrations were made and the technology requirements of RCRA §3004(o) were met. Other types of land disposal (e.g., underground injection) were not similarly restricted. On May 6, 1990, wastes for which EPA had not established treatment standards became prohibited from all types of land disposal. This latter requirement is referred to as the "hard hammer" provision and ended the soft hammer provisions which were in effect prior to May 6, 1990.

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G. [OPTIONAL: This is a reduced requirement.] State statutes and regulations provide for alternate treatment standards for lab packs meeting certain criteria as indicated in Revision Checklists 78 and 83.

Federal Authority: RCRA §3004(d)-(k) and (m); 40 CFR 264.316(f), 265.316(f), 268.7(a)(7), 268.7(a)(8), 268.42(c), 268.42(c)(1)-(4), and Part 268 Appendices IV and V, as amended June 1, 1990 (55 FR 22520) and January 31, 1991, (56 FR 3864).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

H. State statutes and regulations contain treatment standards under the land disposal restrictions program for K061 as indicated in Revision Checklist 95.

Federal Authority: RCRA §3004(d)-(k) and (m); 40 CFR 268.41 and 268.42 as amended August 19, 1991 (56 FR 41164).

Citation of Laws and Regulations; Date of Enactment and Adoption

Remarks of the Attorney General

XXII. MEMORANDUM OF AGREEMENT (MOA)

[If the State uses the MOA to satisfy Federal procedural requirements, the Attorney General must certify the following:

- (1) The State has the authority to enter into the agreement,
- (2) The State has the authority to carry out the agreement, and
- (3) No applicable State statute (including the State Administrative Procedure Act) requires that the procedure be promulgated as a rule in order to be binding.]

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Seal of Office

Signature

Name (Type or Print)

Title

Date

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**I. Index to the checklist entries found in the
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17 M. Pre-construction Ban	XVI A
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17 P. Interim Status	XVI D(1),(2),(3)&(4); XVI E & F
17 Q. Research & Development Permits	XVI G
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17 S. Exposure Information	XVIII A
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42. Exception Reporting for Small Quantity Generators	VII B
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**I. Index to the checklist entries found in the
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51. Liability Coverage for Owners/ Operators of Treatment, Storage, and Disposal Facilities	See Checklist 113
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54. Permit Modifications for Waste Management Facilities	XVI P
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56. Removal of Iron Dextran from the Lists of Hazardous Wastes	I A(11)
57. Removal of Strontium Sulfide from the Lists of Hazardous Wastes	I A(12)
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67. Testing and Monitoring Activities	I K
68. Reportable Quantity Adjustment Methyl Bromide Production Waste	I A(13)
69. Reportable Quantity Adjustment	I A(14)
70. Changes to Part 124 Not Accounted for by Present Checklists	XVI V
71. Mining Waste Exclusion II	I J(2); VII E
72. Modification of F019 Listing	I A(15)
73. Testing and Monitoring Activities; Technical Corrections	I K
74. Toxicity Characteristic Revisions	I L
75. Listing of 1,1-Dimethylhydrazine Production Wastes	I A(16)
76. Criteria for Listing Toxic Wastes; Technical Amendment	I M
77. HSWA Codification Rule, Double Liners; Correction	XVII B(1)
78. Land Disposal Restrictions for Third Third Scheduled Wastes	I A(17); XXI F & G
79. Organic Air Emission Standards for Process Vents and Equipment Leaks	I N; XV K
80. Toxicity Characteristic; Hydrocarbon Recovery Operations	I O
81. Petroleum Refinery Primary and Secondary Oil/Water/Solids Separation Sludge Listings (F037 and F038)	I A(18); I P
82. Wood Preserving Listings	I A(19); I Q & R, XV L, XVI W
83. Land Disposal Restrictions for Third Third Scheduled Wastes; Technical Amendments	I A(17); XXI F & G
84. Toxicity Characteristic; Chlorofluorocarbon Refrigerants	I S
85. Burning of Hazardous Waste in Boilers and Industrial Furnaces	I T & U; II B; XVI X; XX C

Continued...

**I. Index to the checklist entries found in the
Model Revision Attorney General's Statement (cont'd)**

SPA 12

Revision checklist number/name	Subsections pertaining to checklist
86. Removal of Strontium Sulfide from the List of Hazardous Waste; Technical Amendment	I A(12)
87. Organic Air Emission Standards for Process Vents and Equipment Leaks; Technical Amendment	XV K
88. Administrative Stay for K069 Listing . . .	I A(20)
89. Revision to F037 and F038 Listings . . .	I A(21)
90. Mining Exclusion III	I J(2)
91. Administrative Stay for F032, F034 and F035 Listings	I A(22); XV M
92. Wood Preserving Corrections	I Q & R; XV L; XVI W
93. Liability Requirements; Technical Amendments	See Checklist 113
94. Boilers and Industrial Furnaces Correction/Technical Amendment I	XVI X; XX C
95. Land Disposal Restrictions for Electric Arc Furnace Dust (K061)	I V & W; XXI H
96. Boilers and Industrial Furnaces Technical Amendments II	II B; XX C
97. Exports of Hazardous Waste; Technical Correction	XIV A
98. Administrative Stay for Certain Coke Ovens	XX D
99. Amendments to Interim Status Standards for Downgradient Ground-Water Monitoring Well Locations	XI E

SPA 12

II. Index to the non-checklist entries found in the Model Revision Attorney General's Statement

Description	Pertinent subsections
Agency for Toxic Substances and Disease Registry, making assessment information available to	XVIII B
Availability of Information	XIX A(1)-(5)
Burning and blending of hazardous waste, RCRA §§3004(q)(2)(A) & 3004(r)(2) & (3) exceptions	XII B
Criminal penalties for waste fuel and used oil fuel requirement violations	XX B
Radioactive mixed wastes, hazardous components of	I G
Surface Impoundments:	
1. existing units subject to Sub- title C on November 8, 1984, must comply with new unit requirements by November 8, 1988 or stop hazardous waste activity; newly regulated surface impoundments must comply within 4 years after listing or characteristic is promulgated (after November 8, 1984)	XVI I(1)
2. disposal of waste prohibited from land disposal under RCRA §3004(d), (e) or (g)	Not Needed ^{1/}
3. variance under RCRA §3005(j)(2-9) and (13)	XVI I(2)
Third party direct action against financial responsibility insurer or granter	Not Delegable

^{1/} These requirements are taken care of when State adopts an analog to 40 CFR 268.4, per the Land Disposal Restriction checklists.

Checklist Linkage Table

The following pages (numbered 3 through 7)
should replace pages 3 through 7 of
SAM Appendix H

SPA 12

Revision Checklist Linkage Table
as of December 31, 1991

Revision Checklist Number	Linked Checklists	Topic or Explanation
1	17 D, 30	Biennial Report
2	---	Permit - Settlement Agreement ¹
3	10	Interim Status - Applicability
4	---	Chlorinated Aliphatic Hydrocarbon Listing
5	17 D,32,58	National Uniform Manifest Requirements
6	---	Permit - Settlement Agreement ¹
7	---	Warfarin & Zinc Phosphate Listing
8	13	Lime Stabilized Pickle Liquor Sludge
9	17 C	Household Waste Exclusion
10	3	Interim Status - Applicability
11	35,67,73	Corrections to Test Methods Manual
12	---	Satellite Accumulation
13	8,37	Definition of Solid Waste
14	---	Dioxin Waste Listing and Management Standards
15	---	Landfill Interim Status
16	25	Paint Filter Test
17 A ²	23,42,47	Small Quantity Generators
17 B	---	Delisting
17 C	9	Household Waste Exclusion
17 D	1,5,30,32,58	Biennial Report/National Uniform Manifest
17 E	---	Salt Domes, Salt Beds, Underground Mines and Caves Standards
17 F	---	Liquids in Landfills
17 G	---	Dust Suppression
17 H	77	Double Liners
17 I	---	Ground-Water Monitoring
17 J	---	Cement Kilns
17 K ³	19	Fuel Labeling
17 L	---	Corrective Action
17 M	---	Pre-construction Ban
17 N	---	Permit Life
17 O	---	Omnibus Provision

Continued...

Revision Checklist Linkage Table (cont'd)

SPA 12

Revision Checklist Number	Linked Checklists	Topic or Explanation
17 P	---	Interim Status
17 Q	---	Research and Development Permits
17 R ⁴	31,48,97	Hazardous Waste Exports
17 S	---	Exposure Information
* 18	---	TDI, TDA, & DNT Listing
19 ⁵	85	Waste Fuel/Used Oil Fuel
* 20	22	Spent Solvents Listing
* 21	---	EDB Waste Listing
* 22	20	Four Spent Solvents Listing
23	17 A,42,47	Small Quantity Generators
24	64	Financial Responsibility - Settlement Agreement
25	16	Paint Filter Test
* 26	---	Spent Pickle Liquor Listing
27	43	Corporate Guarantee
28 ⁶	52	Hazardous Waste Tank Systems
* 29 ⁷	46	Listings - 261.33(e)&(f) and Associated Appendices
30	1,17 D	Biennial Report
31	17 R,48,97	Exports of Hazardous Waste
32	5,17 D,58	National Uniform Hazardous Waste Manifest
33	---	EDBC Listing
34	39,50,62,63,66,78,83	Land Disposal Restrictions
35	11,67,73	Corrections - Test Methods Manual
36	---	Surface Impoundments: Closure/Post Closure Care
37	13	Definition of Solid Waste
38	---	Part B Information Requirements Amendment
39	34,50,62,63,66,78,83	Land Disposal Restrictions
40	---	List of Hazardous Constituents for Ground-Water Monitoring
41	---	Container/Liner Residues
42	17 A,23,47	Small Quantity Generators
43	27	Corporate Guarantee

Continued...

Revision Checklist Linkage Table (cont'd)

SPA 12

Revision Checklist Number	Linked Checklists	Topic or Explanation
44 A	---	Permits/Corrective Action
44 B	---	Corrective Action Beyond Facility Boundary
44 C	---	Corrective Action for Injection Wells
44 D	54	Permit Modification
44 E	---	Permit as a Shield Provision
44 F	---	Permit Conditions/Health-Environment
44 G	---	Post-Closure Permits, Scope of Requirement
45	59	Miscellaneous Units
* 46	29	Listings 261.33(e),(f) and Associated Appendices
47	17 A,23,42	Small Quantity Generators
48	17 R,31,97	Hazardous Waste Exports
49	---	Sample Exemption
50	34,39,62,63,66,78,83,95	Land Disposal Restrictions
51	93	Liability Coverage
52	28	Hazardous Waste Tank Systems
* 53	---	Smelting Waste Listing
54	44 D	Permit Modification
55	---	Ground-Water Monitoring Statistical Methods
* 56	---	Iron Dextran Listing Removal
* 57	86	Strontium Sulfide Listing Removal
58	5,17 D,32	National Uniform Manifest
59	45	Miscellaneous Units
60	---	Incinerator Permits
61	---	Changes to Interim Status Facilities
	---	Reconstruction Limits
	54	Modifications to Hazardous Waste Management Permits
	---	Procedures for Post-closure Permitting
62	34,39,50,63,66,78,83	Land Disposal Restrictions
63	34,39,50,62,66,78,83	Land Disposal Restrictions
64	24	Delay of Closure Period for Hazardous Waste Management Facilities
65	71,90	Mining Waste Exclusion I

Continued...

Revision Checklist Linkage Table (cont'd)

SPA 12

Revision Checklist Number	Linked Checklists	Topic or Explanation
66	34,39,50,62,63,78,83	Land Disposal Restrictions
67	11,35,73	Testing and Monitoring Activities
* 68	---	Methyl Bromide Production Wastes
* 69	---	Chlorinated Aliphatic Hydrocarbon Production Wastes
70	---	Updates to Part 124
71	65,90	Mining Waste Exclusion II
* 72	---	Modification of F019 Listing
73	11,35,67	Analytical Test Methods
74	80,84	Revision of Toxicity Characteristics
* 75	---	1,1-Dimethylhydrazine Production Wastes Listing
76	---	Criteria for Listing Toxic Wastes
77	17 H	Corrections - Double Liners
* 78	34,39,50,62,63,66,83	Land Disposal Restrictions
79	87	Organic Air Emission Standards for Process Vents and Equipment Leaks
80	74,84	Toxicity Characteristic; Hydrocarbon Recovery Operations
* 81	89	Petroleum Refinery Primary and Secondary Oil/Water/Solids Separation Sludge Listings (F037 and F038)
* 82	91,92	Wood Preserving Listings
83	34,39,50,62,63,66,78	Land Disposal Restrictions
84	74,80	Toxicity Characteristic
85	19,94,96,98	Burning of Hazardous Waste in Boilers and Industrial Furnaces
86	57	Strontium Sulfide Listing Removal
87	79	Organic Air Emission Standards for Process Vents and Equipment Leaks
88	---	Administrative Stay for K069 Listing
89	81	Revision to F037 and F038 Listing
90	65,71	Mining Waste III
91	82,92	Administrative Stay for Wood Preserving Wastes
92	82,91	Wood Preserving Listings; Technical Corrections

Continued...

Revision Checklist Linkage Table (cont'd)

SPA 12

Revision Checklist Number	Linked Checklists	Topic or Explanation
93	51	Liability Requirements; Technical Amendment
94	85,96,98	Boilers and Industrial Furnaces; Technical Amendments I
95	50	Land Disposal Restrictions for Electric Arc Furnace Dust (K061)
96	85,94,98	Boilers and Industrial Furnaces; Technical Amendments II
97	31	Exports of Hazardous Waste; Technical Correction
98	85,94,96	Coke Ovens Administrative Stay
99	---	Downgradient Ground-Water Monitoring Well Locations

*These are checklists affecting the lists of hazardous waste in 40 CFR 261, Subpart D.

¹ While Revision Checklists 2 and 6 address similar topics, they affect different sections of code.

² Superseded by Revision Checklist 23.

³ Superseded by Revision Checklist 19.

⁴ Superseded by Revision Checklist 31.

⁵ Superseded by Revision Checklist 85.

⁶ Contains sections superseded by Revision Checklist 52.

⁷ Superseded by Revision Checklist 46.

ATTACHMENT C

Consolidated Boilers and Industrial Furnaces Checklist

Consolidated Wood Preserving Listings Checklist

Consolidated Boilers and Industrial Furnaces Checklist

SPA 12

CONSOLIDATED CHECKLIST
for the
Burning of Hazardous Waste in Boilers and Industrial Furnaces
as of December 31, 1991

- 1) This checklist consolidates changes to Federal code addressed by the following Boilers and Industrial Furnaces (BIF) checklists: Revision Checklist 85 [56 FR 7134 (February 21, 1991)]; Revision Checklist 94 [56 FR 32688 (July 17, 1991)]; Revision Checklist 96 [56 FR 42504 (August 27, 1991)]; and Revision Checklist 98 [56 FR 43874 (September 5, 1991)]. The "Checklist Reference" column indicates which of these checklists have affected each listed citation.
- 2) Note that the regulations addressed by this checklist typically do not make a distinction between the various types of burning devices. However, the provisions in the regulations as they apply to sludge dryers, carbon regeneration units, infrared incinerators, and plasma arc incinerators are considered to be non-HSWA requirements, while the regulations as they apply to all other types of burning devices are HSWA provisions. EPA will implement the HSWA requirements in authorized States until the States modify their programs and such modifications are approved by EPA. The non-HSWA requirements are applicable only in those States which are unauthorized. In authorized States, the non-HSWA requirements will not be applicable until the States revise their programs to adopt equivalent requirements under State law.
- 3) Revision Checklist 98 addresses an administrative stay of the permitting standards for boilers and industrial furnaces (BIFs) adopted pursuant to the February 21, 1991 (56 FR 7134; Revision Checklist 85) final rule as it applies to coke ovens burning certain hazardous wastes from the coke by-products recovery process. The primary effect of the stay is to halt the application of industrial furnace standards to coke ovens when they reprocess non-K087 hazardous wastes while the Agency can evaluate comments on a pending regulatory proposal to exclude certain wastes from Subtitle C jurisdiction when recycled by reprocessing in coke ovens. This means that on August 21, 1991 coke ovens may continue to process residues from the by-products recovery process that exhibit the TC without the coke oven having to comply with the BIF regulations. The effects of the administrative stay are uniform in all States, as the BIF rule is based on HSWA authority. The Agency encourages States to follow deferring the effective date of the BIF rule for coke ovens as is announced in this stay. However, States may elect to implement the BIF rule with an earlier effective date than specified in this stay, as a matter of State law. Because this stay makes existing Federal requirements less stringent, the changes addressed by Revision Checklist 98 are optional.

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

change "Parts 260 through 265 and 268" to "Parts 260 through 266 and 268"	85	260.10(intro)				
"carbon regeneration unit"	85	260.10				
revise "incinerator"	85	260.10(1)&(2)				
replace "controlled flame devices" with "thermal treatment" in introductory text of the definition for "industrial furnace"	85	260.10				
redesignate paragraph (12) in the definition for "industrial furnace" as paragraph (13); add new paragraph (12) that adds halogen acid furnaces to the list of devices considered industrial furnaces	85	260.10(12)&(13)				
"infrared incinerator"	85	260.10				
"plasma arc incinerator"	85	260.10				
"sludge dryer"	85	260.10				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

REFERENCES

add to the first set of listings, in alphabetical order: "U.S. EPA, Screening Procedures for Estimating the Air Quality Impact of Stationary Sources..."	85	260.11(a)				
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PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

1 DEFINITION OF SOLID WASTE

redesignate (d)(2) as (d)(3); add paragraph regarding secondary materials fed to a halogen acid furnace that exhibit a characteristic or are a listed waste; exception for brominated material that meets certain criteria	85,94,96	261.2(d)(2)				
material must contain a bromine concentration of at least 45%	96	261.2(d)(2)(i)				
material must contain less than a total of 1% of toxic organic compounds listed in Appendix VIII	96	261.2(d)(2)(ii)				
material is processed continually on-site in the halogen acid furnace via direct conveyance	96	261.2(d)(2)(iii)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
redesignate old 261.2(d)(2) as 261.2(d)(3)	85,94	261.2(d)(3)				

DEFINITION OF HAZARDOUS WASTE

2 replace "261.6(a)(3)(v) through (ix)" with "261.6(a)(3)(v) through (viii)"	94,96	261.3(c)(2)(ii)(B)				
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EXCLUSIONS

† add exclusion for coke and coal tar when used as a fuel that contains or is produced from K087; production process in a coke oven also excluded from regulation	85	261.4(a)(10)				
insert "except as provided by §266.112 of this chapter for facilities that burn or process hazardous waste" at end of paragraph	85	261.4(b)(4)				
revise first sentence to include phosphate rock and overburden from the mining of uranium ore in the existing parenthetical phrase; insert "except as provided by §266.112 of this chapter for facilities that burn or process hazardous waste" at end of first sentence	85	261.4(b)(7)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add "except as provided by §266.112 of this chapter for facilities that burn or process hazardous waste" to end of paragraph	85	261.4(b)(8)				
REQUIREMENTS FOR RECYCLABLE MATERIALS						
replace the letter "G" with "H"	94	261.6(a)(2)				
replace "Subpart D" with "Subpart H"	94	261.6(a)(2)(ii)				
remove existing paragraph 261.6(a)(3)(vii) and redesignate 261.6(a)(3)(viii) as 261.6(a)(3)(vii)	85	261.6(a)(3)(vii)				
redesignate 261.6(a)(3)(ix) as 261.6(a)(3)(viii)	85	261.6(a)(3)(viii)				

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

SUBPART G - CLOSURE AND POST-CLOSURE

CLOSURE OF PLAN; AMENDMENT OF PLAN

add sentence regarding written notification of Regional Administrator at least 45 days prior to partial or final closure of a boiler or industrial furnace	85	264.112(d)(1)				
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SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART O - INCINERATORS

APPLICABILITY

regulations apply to owners and operators of hazardous waste incinerators (as defined in 260.10) except as 264.1 provides otherwise	85	264.340(a)				
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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

CLOSURE PLAN; AMENDMENT OF PLAN

insert "or by six months after the effective date of the rule that first subjects a facility to provisions of this section" after "By May 19, 1981"	85	265.112(a)				
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SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add sentence regarding submittal of closure plan at least 45 days prior to beginning partial or final closure of a boiler or industrial furnace; add sentence regarding written notification at least 45 days prior to beginning partial or final closure of a boiler or industrial furnace when the owner or operator has an approved closure plan	85	265.112(d)(1)				
date when owner or operator "ex-pects to begin closure" must be either	85,96	265.112(d)(2)				
3 compliance dates for hazardous waste units receiving final or most recent volume of hazardous wastes; extension by Regional Administrator, or	85,96	265.112(d)(2)(i)				
3 compliance dates for hazardous waste units meeting 265.113(d) require-ments receiving final volume or most recent volume non-hazardous wastes; extension by Regional Administrator	85,96	265.112(d)(2)(ii)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
CLOSURE; TIME ALLOWED FOR CLOSURE						
3 within 90 days after receiving final volume of hazardous or non-hazardous wastes if owner/operator complies with 265.113(d)&(e) requirements or 90 days after approval of closure plan, whichever is later; criteria for extension by Regional Administrator	85,96	265.113(a)				
3 complete partial and final closure within 180 days after receiving final volume of hazardous or non-hazardous waste if owner/operator complies with 265.113(d)&(e) requirements or 180 days after approval of closure plan, whichever is later; extension by Regional Administrator	85.96	265.113(b)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART O - INCINERATORS

APPLICABILITY

regulations apply to owners and operators of hazardous waste incinerators (as defined in 260.10) except as 264.1 provides otherwise	85	265.340(a)				
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SUBPART P - THERMAL TREATMENT

OTHER THERMAL TREATMENT

delete "." at the end and insert ", and Subpart H of Part 266, if the unit is a boiler or an industrial furnace as defined in §260.10."	94	265.370				
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**PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES
AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES**

SUBPART D - HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

remove and reserve Subpart D	85	266.30-266.35				
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SUBPART E - USED OIL BURNED FOR ENERGY RECOVERY

APPLICABILITY

4 replace "Subpart D of Part 266" with "Subpart H of Part 266"	94,96	266.40(c)				
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SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
replace "Subpart D" with "Subpart H"	94,96	266.40(d)				

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

APPLICABILITY

5 regulations apply to hazardous waste burned or processed in a boiler or industrial furnace, irrespective of purpose, except as 266.100(b),(c), and (d) provide; definition of "burn"; 266.104-266.107 emissions standards apply to interim status or permitted facilities; note stating the provision does not apply to coke ovens processing coke by-products wastes exhibiting the Toxicity Characteristic identified in 261.24 pending completion of proposed July 26 1991 rulemaking	85, 96,198	266.100(a)				
hazardous wastes and facilities not subject to regulation under Subpart H:	85	266.100(b)				
used oil burned for energy recovery that is hazardous solely because it exhibits a characteristic; regulated under 266, Subpart E	85	266.100(b)(1)				
gas recovered from landfills and burned for energy recovery	85,94	266.100(b)(2)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
exempt hazardous wastes under 261.4 and 261.6(a)(3)(v)-(viii); CESQG hazardous wastes under 261.5	85,94	266.100(b)(3)				
coke ovens burning only K087	85	266.100(b)(4)				
owners and operators of smelting, melting and refining furnaces processing hazardous waste solely for metal recovery conditionally exempt, except for 266.101 and 266.112	85	266.100(c)				
requirements for exemption from 266.102 through 266.111 for owner or operator of metal recovery furnace; owner or operator of a lead or a nickel-chromium recovery furnace, or certain metal recovery furnaces subject to 266.100(c)(3) requirements	85,96	266.100(c)(1)				
one-time written notice indicating:	85	266.100(c)(1)(i)				
owner or operator claims 266.100(c) exemption	85	266.100(c)(1)(i)(A)				
metal recovery as per 266.100(c)(2) provisions	85	266.100(c)(1)(i)(B)				
recoverable levels of metals	85	266.100(c)(1)(i)(C)				
compliance with 266.100 sampling and analysis and record-keeping requirements	85	266.100(c)(1)(i)(D)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
sample and analyze hazardous waste and other feedstocks as necessary using specified procedures or alternative methods that meet or exceed SW-846 method performance capabilities; situation where "best available method" is used	85,96	266.100(c)(1)(ii)				
maintain specified records at facility for at least three years	85	266.100(c)(1)(iii)				
criteria under which a hazardous waste is not processed solely for metal recovery	85	266.100(c)(2)				
total concentration of 261, Appendix VIII organic compounds exceeds 500 ppm by weight and are considered burned for destruction; reduction of organic compound concentration to the 500 ppm limit by bona fide treatment; blending for dilution to meet the 500 ppm limit is prohibited; retention of documentation in records required by 266.100(c)(1)(iii)	85,96	266.100(c)(2)(i)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
heating value of 5,000 Btu/lb or more and considered burned as fuel; reduction of the heating value to below 5,000 Btu/lb by bona fide treatment; blending for dilution to meet the 5,000 Btu/lb limit is prohibited; retention of documentation in records required by 266.100(c)(1)(iii)	85,96	266.100(c)(2)(ii)				
requirements for exemption from 266.102 through 266.111 for owner or operator of certain metal recovery furnaces; written notice to director; 266.100(c)(1) compliance	96	266.100(c)(3)				
exemption from 266.100(c)(1) requirements for hazardous wastes listed in Appendices XI and XII, Part 266, and baghouse bags used to capture metallic dusts emitted by steel manufacturing, provided:	96	266.100(c)(3)(i)				
waste contains recoverable levels of specified metals	96	266.100(c)(3)(i)(A)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
waste does not exhibit the Toxicity Characteristic of 261.24 for an organic constituent	96	266.100(c)(3)(i)(B)				
waste is not a hazardous waste listed in Part 261 Subpart D because it is listed for an organic constituent as identified in Appendix VII of Part 261	96	266.100(c)(3)(i)(C)				
certification by owner or operator under 266.100(c)(3) regarding hazardous waste; sampling and analysis or other information to assure compliance; sampling and analysis conducted according to 266.100(c)(1)(ii); maintain records to document compliance with (c)(3) for at least three years	96	266.100(c)(3)(i)(D)				
basis for case-by-case decisions regarding toxic organic constituents; metal recovery furnace subject to Subpart H requirements after adequate notice and opportunity for comment; factors Director will consider:	96	266.100(c)(3)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
concentration and toxicity of organic constituents in the material	96	266.100(c)(3)(ii)(A)				
level of destruction of toxic constituents provided by the furnace	96	266.100(c)(3)(ii)(B)				
acceptable ambient levels established in Appendices IV or V exceeded for any toxic organic compound that may be emitted based on certain conditions	96	266.100(c)(3)(ii)(C)				
266.111 direct transfer operation standards apply only to facilities subject to 266.102 or 266.103 standards	85	266.100(d)				
266.112 residue management standards apply to any boiler or industrial furnace burning hazardous waste	85	266.100(e)				
conditional exemption from Subpart H requirements for owners or operators of certain smelting, melting, and refining furnaces, except for 266.112; to be exempt from 266.101 through 266.111, an owner or operator must:	96	266.100(f)				
provide a one-time written notice indicating:	96	266.100(f)(1)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator claims 266.100(f) exemption	96	266.100(f)(1)(i)				
hazardous waste is burned for legitimate recovery of precious metal	96	266.100(f)(1)(ii)				
compliance with 266.100(f) sampling and analysis and recordkeeping requirements	96	266.100(f)(1)(iii)				
sample and analyze hazardous waste as necessary using specified procedures	96	266.100(f)(2)				
maintain specified records at facility for at least three years	96	266.100(f)(3)				
MANAGEMENT PRIOR TO BURNING						
generators of hazard- ous waste that is burned in a boiler or industrial furnace subject to Part 262	85	266.101(a)				
transporters of hazard- ous waste that is burned in a boiler or industrial furnace subject to Part 263	85	266.101(b)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
owners and operators of facilities that store hazardous waste burned in a boiler or industrial furnace subject to 264 and 265, subparts A through L, and 270, except as provided by 266.101(c)(2); standards applicable to storage by burners and intermediary facilities	85	266.101(c)(1)				
generators of hazardous waste who burn on-site in boilers or industrial furnaces exempt from regulation under 266.108 small quantity burner provisions are exempt from regulation under 264 and 265, subparts A through L, and 270 with respect to storage of mixtures of hazardous waste and the primary fuel in tanks that feed mixture directly to burner; hazardous waste storage prior to mixing subject to 266.101(c)(1) regulation	85	266.101(c)(2)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
PERMIT STANDARDS FOR BURNERS						
owners and operators not operating under interim status and not exempt under 266.108 small quantity burner exemption are subject to 266.102, 270.22 and 270.66 requirements	85	266.102(a)(1)				
applicable 264 provisions:	85	266.102(a)(2)				
		266.102(a)(2)(i)				
		266.102(a)(2)(ii)				
		266.102(a)(2)(iii)				
		266.102(a)(2)(iv)				
		266.102(a)(2)(v)				
		266.102(a)(2)(vi)				
		266.102(a)(2)(vii)				
		266.102(a)(2)(viii)				
		266.102(a)(2)(ix)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
analysis to quantify concentration of any 261, Appendix VIII constituent at levels detectable by specified analytical procedures, alternative methods or best available method; identification; explanation of constituents excluded from analysis; analysis provides 270.22 and 270.66 information to prescribe permit conditions; analysis included in Part B permit application or in trial burn plan for interim status facilities; owners/operators of units not operating under interim status include 270.22 or 270.66(c) information in Part B application, to extent possible	85,94,96	266.102(b)(1)				
sampling and analysis throughout normal operation to ensure permit-specified physical and chemical composition limits are met	85	266.102(b)(2)				
compliance with 266.104 through 266.107 emissions standards	85	266.102(c)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
burn only hazardous wastes specified in permit under 266.102(e) operating conditions; exception for approved trial burns under 270.66 conditions	85	266.102(d)(1)				
new permit or permit modification necessary to burn hazardous waste not specified in permit; trial burn results or Part B alternative data form basis for new waste operating requirements	85	266.102(d)(2)				
266.103 interim status boilers and industrial furnaces permitted under 270.66(g) procedures	85	266.102(d)(3)				
permit for new boiler or industrial furnace must establish appropriate conditions for each applicable 266.102 requirement in order to comply with specified standards:	85	266.102(d)(4)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for period beginning with initial introduction of hazardous waste and ending with initiation of trial burn; such period not to exceed 720 hours; operating requirements in compliance with 266.104-266.107 emissions standards; applicable provisions when seeking waiver from a trial burn; extension for up to 720 additional hours by Director based on good cause demonstration	85	266.102(d)(4)(i)				
during trial burn, operating requirements sufficient for 266.104-266.107 emissions compliance and in accordance with approved trial burn plan	85	266.102(d)(4)(ii)				
immediately after trial burn, for minimum period needed to allow sample analysis, data computation, submission and review of trial burn results, and permit modification, operating requirements to ensure 266.104-266.107 emissions compliance	85	266.102(d)(4)(iii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
6 for duration of permit, operating requirements based on trial burn or 270.22 alternative data, sufficient to ensure 266.104-266.107 emissions compliance	85,94	266.102(d)(4)(iv)				
operating requirements specified in the permit apply at all times where hazardous waste is in unit	85	266.102(e)(1)				
operating conditions, either case-by-case for each hazardous waste to ensure compliance with 266.104(a) DRE performance standard or special operating requirements provided by 266.104(a)(4) DRE trial burn waiver; when no waiver, each set of operating requirements will specify composition of hazardous waste to which they apply; permit-specified operating limits for each hazardous waste include:	85	266.102(e)(2)(i)				
feed rate of hazardous waste and other fuels as per 266.102(e)(6)	85	266.102(e)(2)(i)(A)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
minimum and maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(2)(i)(B)				
appropriate controls of hazardous waste firing system	85	266.102(e)(2)(i)(C)				
allowable variation in boiler and industrial furnace system design or operating procedures	85	266.102(e)(2)(i)(D)				
minimum combustion gas temperature measured at a location indicative of combustion chamber temperature as per 266.102(e)(6)	85	266.102(e)(2)(i)(E)				
appropriate indicator of combustion gas velocity as per 266.102(e)(6), unless 270.66 documentation	85	266.102(e)(2)(i)(F)				
other operating requirements to ensure 266.104(a) DRE compliance	85	266.102(e)(2)(i)(G)				
permit must incorporate carbon monoxide (CO) limit and, as appropriate, hydrocarbon (HC) limit as per 266.104(b)-(f); permit limits specified:	85	266.102(e)(2)(ii)				
when complying with 266.104(b)(1) CO standard, permit limit is 100 ppmv	85	266.102(e)(2)(ii)(A)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
when complying with 266.104(c) alternative CO standard, permit limit based on trial burn, established as specified average, and permit limit for HC is 20 ppmv, except as 266.104(f) provides	85	266.102(e)(2)(ii)(B)				
when complying with 266.104(f) alternative HC limit, permit limit for HC and CO is baseline level when hazardous waste is not burned	85	266.102(e)(2)(ii)(C)				
no hazardous waste as feed during start-up and shut-down, unless device is operating within permit conditions; exception	85	266.102(e)(2)(iii)				
except as provided in 266.102(e)(3)(ii) and (iii), operating requirements the permit will specify to ensure 266.105 particulate standard compliance:	85	266.102(e)(3)(i)				
total ash feed rate from hazardous waste, other fuels, and industrial furnace feedstocks, as per 266.102(e)(6)	85	266.102(e)(3)(i)(A)				
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(3)(i)(B)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
operation and main- tenance controls for hazardous waste firing system and air pollu- tion control system	85	266.102(e)(3)(i)(C)				
allowable variation in system design including air pollution control system or operating procedures	85	266.102(e)(3)(i)(D)				
other operating requirements to ensure 266.111(b) particulate standard compliance	85	266.102(e)(3)(i)(E)				
no permit conditions to ensure particulate standard compliance for 266.105(b) exempt facilities	85	266.102(e)(3)(ii)				
for cement kilns and light-weight aggregate kilns, permit conditions shall not limit ash content of hazardous waste or other feed materials	85	266.102(e)(3)(iii)				
operating requirements the permit will specify to conform with 266.106(b) or (e) Tier I or adjusted Tier I metals feed rate screening limits:	85	266.102(e)(4)(i)				
total feed rate of each metal in hazardous waste, other fuels, and industrial furnace feedstocks as per 266.102(e)(6)	85	266.102(e)(4)(i)(A)				
total feed rate of hazardous waste as per 266.102(e)(6)	85	266.102(e)(4)(i)(B)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
sampling and metals analysis program	85,94	266.102(e)(4)(i)(C)				
operating requirements the permit will specify to conform with 266.106(c) Tier II metals emission rate screening limits and 266.106(d) Tier III metals controls:	85	266.102(e)(4)(ii)				
maximum emission rate for each metal based on average rate during trial burn	85	266.102(e)(4)(ii)(A)				
feed rate of total and pumpable hazardous waste as per 266.102(e)(6)(i)	85	266.102(e)(4)(ii)(B)				
7 feed rate of each metal in specified feedstreams, measured and specified as per 266.102(e)(6)	85	266.102(e)(4)(ii)(C)				
		266.102(e)(4)(ii)(C)(1)				
		266.102(e)(4)(ii)(C)(2)				
	85,96	266.102(e)(4)(ii)(C)(3)				
total feed rate of chlorine and chloride in total feedstreams as per 266.102(e)(6)	85	266.102(e)(4)(ii)(D)				
maximum combustion gas temperature measured at location indicative of combus- tion chamber tempera- ture as per 266.102(e)(6)	85	266.102(e)(4)(ii)(E)				
maximum flue gas temperature at inlet to particulate matter air pollution control system as per 266.102(e)(6)	85	266.102(e)(4)(ii)(F)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(4)(ii)(G)				
operation and main- tenance controls of hazardous waste firing system and any air pollution control system	85	266.102(e)(4)(ii)(H)				
allowable variation in system design including air pollution control system or operating procedures	85	266.102(e)(4)(ii)(I)				
other operating requirements to ensure 266.106(c) or (d) metals standards compliance	85	266.102(e)(4)(ii)(J)				
operating require- ments the permit will specify to conform with 266.106(f) alter- native implementation approach:	85	266.102(e)(4)(iii)				
maximum emission rate for each metal based on average rate	85	266.102(e)(4)(iii)(A)				
feed rate of total and pumpable hazardous waste as per 266.102(e)(6)(i)	85	266.102(e)(4)(iii)(B)				
7,8 feed rate of each metal in specified feedstreams, measures and specified as per 266.102(e)(6)	85	266.102(e)(4)(iii)(C)				
		266.102(e)(4)(iii)(C)(1)				
	85,96	266.102(e)(4)(iii)(C)(2)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
total feed rate of chlorine and chloride in total feedstreams as per 266.102(e)(6)	85	266.102(e)(4)(iii)(D)				
maximum combustion gas temperature measured at location indicative of combustion chamber temperature as per 266.102(e)(6)	85	266.102(e)(4)(iii)(E)				
maximum flue gas temperature at inlet to particulate matter air pollution control system as per 266.102(e)(6)	85	266.102(e)(4)(iii)(F)				
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(4)(iii)(G)				
operation and maintenance controls of hazardous waste firing system and any air pollution control system	85	266.102(e)(4)(iii)(H)				
allowable variation in system design including air pollution control system or operating procedures	85	266.102(e)(4)(iii)(I)				
other operating requirements to ensure 266.106(c) or (d) metals standards compliance	85	266.102(e)(4)(iii)(J)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
operating requirements the permit will specify to ensure 266.107(b)(1) Tier I total chloride and chlorine feed rate screening limits conformance:	85	266.102(e)(5)(i)				
feed rate of total chloride and chlorine in hazardous waste, other fuels; and industrial furnace feedstocks as per 266.102(e)(6)	85	266.102(e)(5)(i)(A)				
feed rate of total hazardous waste as per 266.102(e)(6)	85	266.102(e)(5)(i)(B)				
sampling and analysis program for total chloride and chlorine	85	266.102(e)(5)(i)(C)				
operating requirements the permit will specify for 266.107(b)(2) Tier II and 266.107(c) Tier III HCl and Cl ₂ emission rate screening limits conformance:	85	266.102(e)(5)(ii)				
maximum emission rate for HCl and Cl ₂ based on average rate	85	266.102(e)(5)(ii)(A)				
feed rate of total hazardous waste as per 266.102(e)(6)	85	266.102(e)(5)(ii)(B)				
total feed rate of chlorine and chloride in total feedstreams as per 266.102(e)(6)	85	266.102(e)(5)(ii)(C)				
maximum device production rate when producing normal product as per 266.102(e)(6)	85	266.102(e)(5)(ii)(D)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
operation and main- tenance controls of hazardous waste firing system and any air pollution control system	85	266.102(e)(5)(ii)(E)				
allowable variation in system design including air pollution control system or operating procedures	85	266.102(e)(5)(ii)(F)				
other operating requirements to ensure 266.107(b)(2) or (c) HCl or Cl ₂ standards compliance	85	266.102(e)(5)(ii)(G)				
measuring parameters and establishing limits based on trial burn data	85,94	266.102(e)(6)				
as specified in 266.102(e)(2)-(5), each operating parameter shall be measured and permit limits on the parameter established according to following procedures:	85	266.102(e)(6)(i)				
measured and re- corded on instan- taneous basis and permit limit based on time-weighted average	85	266.102(e)(6)(i)(A)				
hourly rolling average basis as defined	85	266.102(e)(6)(i)(B)(1)				
		266.102(e)(6)(i)(B)(1) (i)				
	85,94	266.102(e)(6)(i)(B)(1) (ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
9 permit limit based on average overall valid test runs of highest hourly rolling average value per run	85,94	266.102(e)(6)(i)(B)(2)				
feed rate limits for carcinogenic metals and lead established on either an hourly rolling average basis or on (up to) to 24-hour rolling average basis; requirements for 2 to 24 hour average period:	85,94	266.102(e)(6)(ii)				
feed rate of each metal limited to ten times the allowable hourly rolling average basis feed rate	85	266.102(e)(6)(ii)(A)				
9 specifications the continuous monitor shall meet	85	266.102(e)(6)(ii)(B)				
		266.102(e)(6)(ii)(B)(1)				
	85,94	266.102(e)(6)(ii)(B)(2)				
feed rate permit limit based on specified average	85	266.102(e)(6)(ii)(C)				
feed rate limits for metals, total chloride and chlorine, and ash established and monitored based on feedstream concentration and flow rate; flow rate continuously monitored as per 266.102(e)(6)(i) and (ii)	85	266.102(e)(6)(iii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
if no simultaneous demonstration of 266.104-266.107 compliance during a set of test runs, operating conditions of additional test runs as close as possible to original operating conditions	85	266.102(e)(6)(iv)(A)				
facility to operate under trial burn conditions and reach steady-state operations before obtaining test data to demonstrate 266.104-266.107 emissions standards compliance or establishing operating parameter limits; specific industrial furnaces need not reach steady-state conditions for flow of metals prior to beginning metals emissions compliance testing	85,94	266.102(e)(6)(iv)(B)				
trial burn data obtained during emissions sampling are used to establish operating parameter limits in the permit when parameter must be established as per 266.102(e)	85	266.102(e)(6)(iv)(C)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
requirements for controlling fugitive emissions	85	266.102(e)(7)(i)				
		266.102(e)(7)(i)(A)				
		266.102(e)(7)(i)(B)				
		266.102(e)(7)(i)(C)				
automatic waste feed cutoff required; Director may limit number of cutoffs per operating period; additional requirements include:	85	266.102(e)(7)(ii)				
maintenance of permit limit for minimum combustion chamber temperature while hazardous waste or residues remain in chamber	85	266.102(e)(7)(ii)(A)				
exhaust gases ducted to air pollution control system while hazardous waste or residues remain in chamber	85	266.102(e)(7)(ii)(B)				
continued monitoring of parameters with limits during cutoff and hazardous waste feed not restarted until parameters comply with limits; for parameters monitored on instantaneous basis, conditions for restarting hazardous waste feed	85	266.102(e)(7)(ii)(C)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
cease burning hazardous waste when changes in combustion properties, feed rates, or design or operating conditions deviate from permit limits	85	266.102(e)(7)(iii)				
owner or operator, while burning hazardous waste, must monitor and record:	85	266.102(e)(8)(i)				
specified feed rates and composition of specified materials	85	266.102(e)(8)(i)(A)				
CO, HC, and oxygen on a continuous basis as specified; monitors installed, operated and maintained as per 266, Appendix IX methods	85	266.102(e)(8)(i)(B)				
sampling and analysis as requested to verify that requirements established in permit achieve 266.104-266.107 standards	85	266.102(e)(8)(i)(C)				
monitors record data in permit limit units, unless permit allows otherwise	85	266.102(e)(8)(ii)				
daily visual inspection of boiler or industrial furnace and associated equipment when they contain hazardous waste	85	266.102(e)(8)(iii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
test automatic feed cutoff system and associated alarms at least once every 7 days when hazardous waste is burned unless specified conditions are demonstrated; operational testing at least once every 30 days	85	266.102(e)(8)(iv)				
monitoring and inspection data recorded and placed in 264.73 operating record	85	266.102(e)(8)(v)				
compliance with 266.111 if direct transfer of hazardous waste to boiler or industrial furnace without use of storage unit	85	266.102(e)(9)				
all 266.102-required information and data in facility operating record until closure of the facility	85,96	266.102(e)(10)				
remove all hazardous waste and hazardous waste residues at closure	85	266.102(e)(11)				

INTERIM STATUS STANDARDS FOR BURNERS

establish minimum national standards for owners and operators of existing boilers and industrial furnaces until permitted under 266.102(d) or closed	85	266.103(a)(1)(i)				
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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
definition of "existing or in existence"; facility has commenced construction if all permits necessary to begin physical construction are obtained and either:	85,94	266.103(a)(1)(ii)				
continuous on-site, physical construction program has begun	85	266.103(a)(1)(ii)(A)				
contractual obligations cannot be cancelled or modified without substantial loss and physical construction is to be completed within reasonable time	85	266.103(a)(1)(ii)(B)				
if boiler or industrial furnace at facility with permit or interim status, then compliance with 270.42 permit modification or 270.72 interim status changes	85	266.103(a)(1)(iii)				
266.103 requirements not applicable to hazardous waste and facilities exempt under 266.100(b) or 266.108	85	266.103(a)(2)				
F020-F023, F026 or F027 hazardous waste listed for dioxin and hazardous waste derived from these wastes may not be burned in interim status boiler or industrial furnace	85,96	266.103(a)(3)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
interim status owners and operators subject to specified 265 provisions:	85	266.103(a)(4)				
		266.103(a)(4)(i)				
		266.103(a)(4)(ii)				
		266.103(a)(4)(iii)				
		266.103(a)(4)(iv)				
		266.103(a)(4)(v)				
		266.103(a)(4)(vi)				
		266.103(a)(4)(vii)				
		266.103(a)(4)(viii)				
controls that apply to interim status industrial furnaces that feed hazardous waste for a purpose other than solely as an ingredient at any location other than the hot end or where fuels are normally fired:	85,96	266.103(a)(5)				
fed at location where temperatures are at least 1800° F	85	266.103(a)(5)(i)(A)				
determination and documentation in facility record of adequate oxygen	85	266.103(a)(5)(i)(B)				
for cement kiln systems, hazardous waste fed into kiln	85	266.103(a)(5)(i)(C)				
applicability of 266.104(c) or 266.104(c)(5) hydrocarbon controls	85,96	266.103(a)(5)(i)(D)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
criteria for burning hazardous waste for a purpose other than solely as an ingredient:	85	266.103(a)(5)(ii)				
total concentration of 261, Appendix VIII nonmetal compounds exceed 500 ppm by weight as fired and considered burned for destruction; reduction of the concentration of nonmetal compounds to the 500 ppm limit by bona fide treatment; blending for dilution to meet the 500 ppm limit prohibited; retention of documentation in facility record	85,96	266.103(a)(5)(ii)(A)				
heating value of 5,000 Btu/lb or more, as fired, and considered burned as fuel; reduction of the heating value of a waste as-generated to below 5,000 Btu/lb limit by bona fide treatment; blending to augment heating value to meet the 5,000 Btu/lb limit prohibited; retention of documentation in facility record	85,96	266.103(a)(5)(ii)(B)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
burning hazardous waste with heating value less than 5,000 Btu/lb prohibited; situation where 5,000 Btu/lb limit can be exceeded; exceptions:	85,96	266.103(a)(6)				
hazardous waste burned solely as an ingredient	96	266.103(a)(6)(i)				
hazardous waste burned for purposes of compliance testing for a total period of time not to exceed 720 hours	96	266.103(a)(6)(ii)				
waste burned if Director has documentation to show that, prior to August 21, 1991:	96	266.103(a)(6)(iii)				
boiler or industrial furnace operating under Part 265, Subpart O or P requirements	96	266.103(a)(6)(iii)(A)				
boiler or industrial furnace met 270.70 interim status eligibility requirements for Part 265, Subpart O or Subpart P	96	266.103(a)(6)(iii)(B)				
hazardous waste with a heating value less than 5,000 Btu/lb burned prior to August 21, 1991	96	266.103(a)(6)(iii)(C)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
such waste burned in halogen acid furnace if waste burned as an excluded ingredient under 261.2(e) prior to February 21, 1991 and documentation kept on file	96	266.103(a)(6)(iv)				
266.111 compliance if hazardous waste directly transferred from transport vehicle to boiler or industrial furnace without storage unit use	85	266.103(a)(7)				
August 21, 1991 submittal date for 266.103(b)(2) information; establish limits for 266.103(b)(3) parameters; certificate of precompliance; burning limited to 266.103(b)(3) conditions until 266.103(b)(8) revised certification of pre-compliance, or 266.103(c) certification of compliance, or permit is issued	85	266.103(b)(1)				
information to be submitted with certification of precompliance to support determination and compliance with operating parameter limits	85	266.103(b)(2)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
general facility information	85	266.103(b)(2)(i)				
		266.103(b)(2)(i)(A)				
		266.103(b)(2)(i)(B)				
		266.103(b)(2)(i)(C)				
		266.103(b)(2)(i)(D)				
		266.103(b)(2)(i)(E)				
except for facilities complying with Tier I feed rate screening limits provided by 266.106(b) or (e) and 266.107(b)(1) or (e), estimated uncontrolled emissions of particulate matter, each 266.106 metal, hydrogen chloride and chlorine, and following infor- mation to support determinations:	85	266.103(b)(2)(ii)				
feed rate of specified materials in each feedstream	85,94	266.103(b)(2)(ii)(A)				
estimated partitioning factor to combustion gas for 266.103(b)(2)(ii)(A) materials, basis for estimate, and estimate of partitioning to HCl and Cl ₂ of total chloride and chlorine in feed materials; use best engineering judgment or 266, Appendix IX procedures	85,94	266.103(b)(2)(ii)(B)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for industrial furnaces that recycle collected particulate matter and certify compliance with 266.103(c)(ii)(A) metals emissions standards, estimated enrichment factor for each metal, using best engineering judgment or specified Appendix IX procedures	85	266.103(b)(2)(ii)(C)				
basis for best engineering judgment; 270.11(d) certification of determinations included in certification of precompliance	85,94	266.103(b)(2)(ii)(D)				
for facilities complying with Tier I feed rate screening limits, the feed rate of specified materials in each feedstream	85	266.103(b)(2)(iii)				
for facilities complying with Tier II or III emission limits for metals or HCl or Cl ₂ , estimated controlled emissions rates of particulate matter, each 266.106 metal, HCl and Cl ₂ , and following information to support determinations:	85,94	266.103(b)(2)(iv)				
estimated air pollution control system (APCS) removal efficiency for specified materials	85	266.103(b)(2)(iv)(A)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
use best engineering judgment or 266, Appendix IX procedures	85	266.103(b)(2)(iv)(B)				
basis for best engineering judgment in conformance with 266.103(b)(2)(ii)(D)	85	266.103(b)(2)(iv)(C)				
determination of allowable emissions rates for specified materials and information to support such determinations to include:	85	266.103(b)(2)(v)				
	85	266.103(b)(2)(v)(A)				
		266.103(b)(2)(v)(A)(1)				
		266.103(b)(2)(v)(A)(2)				
		266.103(b)(2)(v)(A)(3)				
		266.103(b)(2)(v)(A)(4)				
	85,94	266.103(b)(2)(v)(A)(5)				
	85	266.103(b)(2)(v)(A)(6)				
for all facilities:		266.103(b)(2)(v)(A)(7)				
for owners or operators using Tier III site specific dispersion modeling to determine 266.106(d) or 266.107(c) allowable levels, or adjusted Tier I feed rate screening limits under 266.106(e) or 266.107(e):	85	266.103(b)(2)(v)(B)				
		266.103(b)(2)(v)(B)(1)				
		266.103(b)(2)(v)(B)(2)				
		266.103(b)(2)(v)(B)(3)				
	85	266.103(b)(2)(v)(B)(4)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for facilities complying with Tier II or III emissions rate controls for metals or HCl and Cl ₂ , comparison of 266.103(b)(2)(iv) estimated rates with 266.103(b)(2)(v) allowable rates	85,94	266.103(b)(2)(vi)				
for facilities complying with Tier I or adjusted Tier I feed rate screening limits for metals or total chloride and chlorine, comparison of actual feed rates determined under 266.103(b)(2)(iii) to Tier I allowable feed rates	85	266.103(b)(2)(vii)				
for industrial furnaces that feed hazardous waste for any purpose other than solely as an ingredient at any location other than product discharge end of device, documentation of 266.103(a)(5)(i)(A)-(C) compliance	85	266.103(b)(2)(viii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for industrial furnaces that recycle collected particulate matter back into the furnace and that will certify 266.103(c)(3)(ii)(A) metals emissions standards compliance, applicable particulate matter standard and precompliance limit on metal concentration	85	266.103(b)(2)(ix)				
		266.103(b)(2)(ix)(A)				
		266.103(b)(2)(ix)(B)				
establish limits on 266.103(b)(3)(i)-(v) parameters consistent with 266.103(b)(2) determinations and certify the facility will operate within the limits during interim status when there is hazardous waste in the unit until certain conditions are met	85	266.103(b)(3)				
feed rate of total hazardous waste and pumpable hazardous waste	85	266.103(b)(3)(i)				
feed rate of each metal in specified feedstreams	85,94	266.103(b)(3)(ii)				
	85	266.103(b)(3)(ii)(A)				
		266.103(b)(3)(ii)(B)				
		266.103(b)(3)(ii)(C)				
total feed rate of chlorine and chloride in total feedstreams	85	266.103(b)(3)(iii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
total feed rate of ash in total feedstreams, except ash feed rate for cement kilns and light-weight aggregate kilns is not limited	85	266.103(b)(3)(iv)				
maximum production rate when producing normal product	85	266.103(b)(3)(v)				
special operating requirements under 266, Appendix IX for furnaces that recycle collected particulate matter back into furnace and that certify compliance with metals emissions controls under 266.103(c)(3)(ii)(A)	85	266.103(b)(4)				
limits on 266.103(b)(3) parameters established and continuously monitoring under:	85	266.103(b)(5)(i)				
instantaneous limits	85,96	266.103(b)(5)(i)(A)				
9 hourly rolling average basis as defined	85	266.103(b)(5)(i)(B)				
		266.103(b)(5)(i)(B)(1)				
	85,94	266.103(b)(5)(i)(B)(2)				
feed rate limits for carcinogenic metals and lead established on either an hourly rolling average basis or on (up to) 24 hour rolling average basis; requirements for 2 to 24 hour average period:	85	266.103(b)(5)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
feed rate of each metal limited to ten times the allowable hourly rolling average basis feed rate	85	266.103(b)(5)(ii)(A)				
9 specifications the continuous monitor shall meet:	85,94	266.103(b)(5)(ii)(B)				
		266.103(b)(5)(ii)(B)(1)				
		266.103(b)(5)(ii)(B)(2)				
feed rate limits for metals, total chloride and chlorine, and ash established and monitored based on feedstream concentration and flow rate; flow rate continuously monitored as per 266.103(b)(5)(i) and (ii)	85	266.103(b)(5)(iii)				
on or before August 21, 1991, owner or operator submits notice to major local newspaper and sends copy of notice to State and local government units; provide evidence of notice submittal for publication with certification of pre-compliance to Director; notice must bear specified title and include:	85,94	266.103(b)(6)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
		266.103(b)(6)(i)				
		266.103(b)(6)(ii)				
		266.103(b)(6)(iii)				
		266.103(b)(6)(iv)				
		266.103(b)(6)(v)				
		266.103(b)(6)(vi)				
	85	266.103(b)(6)(vii)				
	85,96	266.103(b)(6)(viii)				
		266.103(b)(6)(viii)(A)				
		266.103(b)(6)(viii)(B)				
information to include in public notice	85	266.103(b)(6)(ix)				
	85	266.103(b)(6)(x)				
when monitoring systems for 266.103(c)(1)(v)-(xiii) operating parameters are installed and operating in con- formance with vendor or 266, Appendix IX specifications, con- tinuous monitoring required and records maintained in operating record	85	266.103(b)(7)				
submittal of revised certification of pre- compliance under 266.103(b)(2)&(3) procedures	85	266.103(b)(8)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
266.103(b)(6) public notice requirements not applicable to recertifications	85	266.103(b)(8)(i)				
operation of facility within limits established for 266.103(b)(3) parameters until 266.103(b) revised certification or 266.103(c) certification of compliance is submitted	85	266.103(b)(8)(ii)				
language of signed statement that must be included with the certification of precompliance	85	266.103(b)(9)				
conduct emissions testing to document compliance with 266.104(b)-(e), 266.105-266.107 and 266.103(a)(5)(i)(D) emissions standards; submittal of certification of compliance on or before August 21, 1992	85,94	266.103(c)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
establish limits and all applicable emission standards on 266.103(c)(1)(i)-(xiii) parameters based on operations during compliance test and include with certification of compliance; device will be operated within these limits and applicable emission standards of 266.104(b)-(e), 266.105, 266.106, 266.107 and 266.103(a)(5)(i)(D) when hazardous waste is in the unit	85,94,96	266.103(c)(1)				
feed rate of total hazardous waste and pumpable hazardous waste	85	266.103(c)(1)(i)				
feed rate of each metal in specified feedstreams	85	266.103(c)(1)(ii)				
		266.103(c)(1)(ii)(A)				
		266.103(c)(1)(ii)(B)				
		266.103(c)(1)(ii)(C)				
total feed rate of chlorine and chloride in total feedstreams	85	266.103(c)(1)(iii)				
total feed rate of ash in total feedstreams, except ash feed rate for cement kilns and light-weight aggregate kilns is not limited	85,94	266.103(c)(1)(iv)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
carbon monoxide concentration and, where required, hydrocarbon concentration in stack gas; CO and HC limits	85	266.103(c)(1)(v)				
maximum production rate when producing normal product	85	266.103(c)(1)(vi)				
maximum combustion chamber temperature with temperature measured where specified; exception	85	266.103(c)(1)(vii)				
maximum flue gas temperature entering a particulate matter control device; exception	85	266.103(c)(1)(viii)				
limits for systems using wet scrubbers, including wet ionizing scrubbers; exception: systems using venturi scrubbers, the minimum differential gas pressure across the venturi; exception	85,94	266.103(c)(1)(ix)				
	85	266.103(c)(1)(ix)(A)				
		266.103(c)(1)(ix)(B)				
		266.103(c)(1)(ix)(C)				
limits for systems using dry scrubbers; exception:	85	266.103(c)(1)(x)				
limits for systems using dry scrubbers; exception:	85,94	266.103(c)(1)(xi)				
	85	266.103(c)(1)(xi)(A)				
		266.103(c)(1)(xi)(B)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
limits for systems using wet ionizing scrubbers or electrostatic precipitators; exception:	85,94	266.103(c)(1)(xii)				
		266.103(c)(1)(xii)(A)				
	85	266.103(c)(1)(xii)(B)				
systems using fabric filters, the minimum pressure drop; exception	85	266.103(c)(1)(xiii)				
at least 30 days prior to 266.103(c)(3) compliance testing, notify Director and submit required information:	85	266.103(c)(2)				
general facility information	85	266.103(c)(2)(i)				
		266.103(c)(2)(i)(A)				
		266.103(c)(2)(i)(B)				
		266.103(c)(2)(i)(C)				
		266.103(c)(2)(i)(D)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
specific information on each device to be tested	85	266.103(c)(2)(ii)				
		266.103(c)(2)(ii)(A)				
		266.103(c)(2)(ii)(B)				
		266.103(c)(2)(ii)(C)				
		266.103(c)(2)(ii)(D)				
		266.103(c)(2)(ii)(D)(1)				
		266.103(c)(2)(ii)(D)(2)				
		266.103(c)(2)(ii)(D)(3)				
		266.103(c)(2)(ii)(E)				
		266.103(c)(2)(ii)(F)				
information on testing planned, including complete copy of test protocol and QA/QC plan, and summary description for each test that provides specified information	85	266.103(c)(2)(iii)				
		266.103(c)(2)(iii)(A)				
		266.103(c)(2)(iii)(B)				
compliance testing	85	266.103(c)(3)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
compliance testing under 266.103(b) and 266.103(c)(2) conditions; case by case approval to use compliance test data from one unit in lieu of testing a similar on-site unit; information required to support owner or operator request; approval based on 266.103(c) requirements	85,96	266.103(c)(3)(i)				
industrial furnaces that recycle collected particulate matter from air pollution control system must test to determine 266.106(c) or (d) metals standards compliance using one of the following procedures:	85	266.103(c)(3)(ii)				
266, Appendix IX testing requirements in "Alternative Method for Implementing Metals Controls"	85	266.103(c)(3)(ii)(A)				
stack emissions testing for 6 hrs/day while hazardous waste is burned during interim status; conditions for testing; analysis for metals content to assure 266.106(c) or (d) compliance; parameters for which operating limits must be established under 266.103(c)(3)	85	266.103(c)(3)(ii)(B)				
		266.103(c)(3)(ii)(B)(1)				
		266.103(c)(3)(ii)(B)(2)				
		266.103(c)(3)(ii)(B)(3)				
		266.103(c)(3)(ii)(B)(4)				
	85	266.103(c)(3)(ii)(B)(5)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
conduct compliance testing and establish limits on 266.103(c)(1) parameters after kiln system has been conditioned and has reached equilibrium with metals feed and metals emissions; conditions to be met during conditioning	85	266.103(c)(3)(ii)(C)				
if no simultaneous demonstration of 266.104-266.107 compliance during a set of test runs, operating conditions of additional test runs as close as possible to original operating conditions	85	266.103(c)(3)(iii)(A)				
facility to operate under compliance test conditions and reach steady-state operations before obtaining test data to demonstrate 266.104-266.107 emissions standards compliance or establishing operating parameter limits; specific industrial furnaces need not reach steady-state conditions prior to beginning metals compliance testing	85	266.103(c)(3)(iii)(B)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
compliance test data obtained during emissions sampling are used to establish operating parameter limits in the certification of compliance when parameter must be established as per 266.103(c)(1)	85	266.103(c)(3)(iii)(C)				
within 90 days of completing compliance testing, certification to Director of compliance with 266.104(b), (c) and (e), 266.105-266.107 and 266.103(a)(5)(i)(D) emissions standards; certification must include:	85	266.103(c)(4)				
general facility and testing information	85	266.103(c)(4)(i)				
		266.103(c)(4)(i)(A)				
		266.103(c)(4)(i)(B)				
	85,94	266.103(c)(4)(i)(C)				
		266.103(c)(4)(i)(D)				
		266.103(c)(4)(i)(E)				
		266.103(c)(4)(i)(F)				
		266.103(c)(4)(i)(G)				
		266.103(c)(4)(i)(H)				
	85	266.103(c)(4)(i)(I)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
		266.103(c)(4)(ii)				
		266.103(c)(4)(ii)(A)				
		266.103(c)(4)(ii)(B)				
		266.103(c)(4)(ii)(B)(1)				
		266.103(c)(4)(ii)(B)(2)				
		266.103(c)(4)(ii)(B)(3)				
	85	266.103(c)(4)(ii)(B)(4)				
	85,94	266.103(c)(4)(ii)(B)(5)				
		266.103(c)(4)(ii)(B)(6)				
		266.103(c)(4)(ii)(B)(7)				
		266.103(c)(4)(ii)(B)(8)				
	85	266.103(c)(4)(ii)(B)(9)				
specific information on each test	85	266.103(c)(4)(ii)(B)(9)				
comparison of actual emissions per test with emissions limits prescribed by 266.104(b),(c)&(e) and 266.105-266.107 and established in 266.103(b) certifica- tion of precompliance	85	266.103(c)(4)(iii)				
determination of operating limits based on all valid runs for 266.103(c)(1) para- meters using one of two procedures:	85	266.103(c)(4)(iv)				
instantaneous limits	85	266.103(c)(4)(iv)(A)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
hourly rolling average basis as defined	85	266.103(c)(4)(iv)(B) (1)				
		266.103(c)(4)(iv)(B) (1)(i)				
		266.103(c)(4)(iv)(B) (1)(ii)				
parameter operating limit based on com- pliance test data and specific average	85	266.103(c)(4)(iv)(B) (2)				
feed rate limits for carcinogenic metals and lead established on either an hourly rolling average basis or on (up to) 24 hour rolling average basis; requirements for 2 to 24 hour average period:	85	266.103(c)(4)(iv)(C)				
feed rate of each metal limited to ten times the allow- able hourly rolling average basis feed rate	85	266.103(c)(4)(iv)(C) (1)				
specifications the continuous monitor shall meet	85	266.103(c)(4)(iv)(C) (2)				
		266.103(c)(4)(iv)(C) (2)(i)				
	85,94	266.103(c)(4)(iv)(C) (2)(ii)				
operating limit for feed rate of each metal established based on compliance test data as the specified average	85	266.103(c)(4)(iv)(C) (3)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
feed rate limits for metals, total chloride and chlorine, and ash established and monitored based on feed-stream concentration and flow rate; flow rate continuously monitored as per 266.103(c)(4)(iv)(A)-(C)	85	266.103(c)(4)(iv)(D)				
language of statement to accompany the certification of compliance	85	266.103(c)(4)(v)				
if required to comply with 266.104(c) or 266.103(a)(5)(i)(D) HC controls, conditioned gas monitoring system may be used in conformance with 266, Appendix IX specifications, provided certification of compliance is submitted without 266.103(c)(7) time extension	85	266.103(c)(5)				
special operating requirements for industrial furnaces that recycle collected particulate matter from air pollution control system:	85	266.103(c)(6)				
266, Appendix IX operating requirements in "Alternative Method to Implement the Metals Controls" if complying with 266.103(c)(3)(ii)(A)	85	266.103(c)(6)(i)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
operating require- ments of 266.103(c)(3)(ii)(B) if complying with that paragraph	85	266.103(c)(6)(ii)				
requirements if fail to submit complete certification of com- pliance for 266.104- 266.107 emissions standards by August 21, 1992:	85	266.103(c)(7)(i)				
stop burning hazar- dous waste and begin 266.103(l) closure	85,94	266.103(c)(7)(i)(A)				
limit hazardous waste burning only for purposes of com- pliance testing (and pretesting to prepare for compliance testing) to a total period of 720 hours beginning August 21, 1992; submit notifi- cation to Director by August 21, 1992, stating operation under restricted interim status and intention to resume hazardous waste burning; submit com- plete certification of compliance by August 23, 1993	85,94	266.103(c)(7)(i)(B)				
obtain case-by-case time extension under 266.103(c)(7)(ii)	85	266.103(c)(7)(i)(C)				
condition under which a case-by-case time extension may be requested for any 266.103(c) time limit	85	266.103(c)(7)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
in granting extension, Director may apply specified conditions	85	266.103(c)(7)(ii)(A)				
if time extension requested to obtain RCRA permit because 266.104(c) HC limit cannot be met:	85	266.103(c)(7)(ii)(B)				
what Director shall consider:	85	266.103(c)(7)(ii)(B)(1)				
determine if complete Part B permit appli- cation that includes 270.22(b) information has been submitted	85	266.103(c)(7)(ii)(B) (1)(i)				
consider if good faith effort to certify compliance with all other emission con- trols has been made	85,94	266.103(c)(7)(ii)(B) (1)(ii)				
9 if extension granted, require facility to operate under 266.104(f)(1) baseline CO and HC flue gas concentration limits	85,94	266.103(c)(7)(ii)(B) (2)				
submit at any time a revised certification of compliance under specific procedures:	85	266.103(c)(8)				
prior to submittal, may not burn hazardous waste for more than 720 hours under operating conditions that exceed those in current certification of compliance; such burning conducted only to determine if 266.104-266.107 emis- sions standards can be met under revised conditions	85	266.103(c)(8)(i)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
at least 30 days prior to first burning under revised conditions, notify Director and submit specific information:	85	266.103(c)(8)(ii)				
EPA facility ID number, facility name, contact person, telephone number and address	85	266.103(c)(8)(ii)(A)				
operating conditions owner/operator is seeking to revise and description of changes that prompted need to revise	85	266.103(c)(8)(ii)(B)				
determination that under revised operating conditions, 266.104-266.107 standards unlikely to be exceeded; 266.103(b)(2) information for documentation	85	266.103(c)(8)(ii)(C)				
complete emissions testing protocol for pretesting and new compliance test, including schedule for 266.104-266.107 emission standards compliance; 30-day prior written notice if revision in compliance test date	85	266.103(c)(8)(ii)(D)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
conduct compliance test under revised operating conditions and submitted protocol to determine 266.104-266.107 emissions standards compliance	85	266.103(c)(8)(iii)				
submit revised certification of compliance under 266.103(c)(4)	85	266.103(c)(8)(iv)				
recertification of compliance within three years; if recertification under new operating conditions, 266.103(c)(8) compliance	85	266.103(d)				
if noncompliance with interim status compliance schedule, burning is to terminate on date deadline is missed, closure to begin under 266.103(l), and no resumption of burning except under 270.66 operating permit; criteria for compliance with 266.103(l), 266.112(d)(2) and 266.113 provisions	85,96	266.103(e)				
no hazardous waste as feed during start-up and shut-down unless device is operating within certification conditions	85	266.103(f)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
during 266.103(c)(3) compliance test and upon certification of compliance, automatic waste feed cutoff required; additional requirements include:	85	266.103(g)				
maintenance of minimum combustion chamber temperature while hazardous waste or residues remain in chamber to minimize emissions of organic compounds	85,94	266.103(g)(1)				
if compliance with combustion chamber temperature limit is based on hourly rolling average, minimum temperature during compliance test is averaged over all runs of the lowest hourly rolling average for each run	85	266.103(g)(1)(i)				
if compliance with combustion chamber temperature limit is based on instantaneous temperature measurement, minimum temperature during compliance test is time-weighted average during all test runs	85	266.103(g)(1)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
continued monitoring of operating parameters with limits during cutoff; no restart of hazardous waste feed until parameters comply with limits established in compliance certification	85	266.103(g)(2)				
requirements for controlling fugitive emissions	85	266.103(h)				
		266.103(h)(1)				
		266.103(h)(2)				
		266.103(h)(3)				
cease burning hazardous waste when changes in combustion properties, feed rates, feed stocks/fuels or design or operating conditions deviate from permit limits	85	266.103(i)				
owner or operator, while burning hazardous waste, must monitor and record:	85	266.103(j)(1)				
specified feed rates and composition of specified materials to ensure conformance with certification	85	266.103(j)(1)(i)				
CO, HC and oxygen on a continuous basis as specified; monitors installed, operated and maintained as per 266, Appendix IX methods	85	266.103(j)(1)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
sampling and analysis as requested by Director to verify compliance with 266.104-266.107 standards	85	266.103(j)(1)(iii)				
daily visual inspection of boiler or industrial furnace and associated equipment when they contain hazardous waste	85	266.103(j)(2)				
test automatic feed cutoff system and associated alarms at least once every 7 days when hazardous waste is burned unless specified conditions are demonstrated; operational testing at least once every 30 days	85	266.103(j)(3)				
monitoring and inspection data recorded and placed in operating log	85	266.103(j)(4)				
all 266.103-required information and data kept in facility operating record until closure of the boiler or industrial furnace unit	85,96	266.103(k)				
remove all hazardous waste and hazardous waste residues at closure and comply with 265.111-265.115	85	266.103(l)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS TO CONTROL ORGANIC EMISSIONS						
except as 266.104(a)(3) provides, DRE of 99.99% required for all organic hazardous constituents; demonstration during trial burn for each POHC in permit for each waste feed; DRE equation	85,94	266.104(a)(1)				
POHC compliance with DRE require- ments to be demonstrated in trial burn in conformance with 270.66 procedures; designation of POHCs for each waste feed by Director based on degree of difficulty of destruction and on waste feed concentrations con- sidering analyses sub- mitted with Part B; 261, Appendix VIII compounds unless demonstration of other compound is suitable indicator of DRE requirements	85	266.104(a)(2)				
DRE of 99.9999% for F020-F023, F026 or F027 as determined from 266.104(a)(1) equation; notification of intent to burn such wastes	85,94	266.104(a)(3)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
owners and operators of boilers operating under 266.110 requirements are exempt from DRE trial burn	85	266.104(a)(4)				
owners and operators of boilers or industrial furnaces in compliance with 266.109(a) are exempt from DRE trial burn	85	266.104(a)(5)				
except as 266.104(c) provides, CO stack gas concentration cannot exceed 100 ppmv on an hourly rolling average basis, continuously corrected to 7% oxygen, dry gas basis	85	266.104(b)(1)				
continuous monitoring of CO and oxygen in conformance with 266, Appendix IX specifications	85,94	266.104(b)(2)				
demonstration of 100 ppmv CO compliance during trial burn or compliance test; highest hourly rolling average CO must not exceed 100 ppmv	85	266.104(b)(3)				
stack gas concentration of CO may exceed 100 ppmv if HC concentrations do not exceed 20 ppmv; exception under 266.104(f)	85	266.104(c)(1)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
HC limits established on hourly rolling average basis, reported as propane, continuously corrected to 7% oxygen, dry gas basis	85	266.104(c)(2)				
HC continuously monitored under 266, Appendix IX specifications; CO and oxygen continuously monitored under 266.104(b)(2)	85,94	266.104(c)(3)				
alternative CO standard based on trial burn data (new facility) and compliance test (interim status facility); definition and implementation	85	266.104(c)(4)				
industrial furnaces that feed hazardous waste for purpose other than solely as an ingredient at any location other than end where products are normally discharged and fuels are normally fired must comply with 266.104(c) or (f) hydrocarbon limits, irrespective of whether 266.104(b) standard is met	85	266.104(d)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
site-specific risk assessment for specific boilers and industrial furnaces to demonstrate that chlorinated dibenzo-p-dioxins and dibenzofurans emissions do not result in increased lifetime cancer risk exceeding 1 in 100,000 MEI; assessment requirements:	85	266.104(e)				
determine emission rates of certain tetra-octa congeners during trial burn or compliance test using 266, Appendix IX Method 23	85,94	266.104(e)(1)				
estimate 2,3,7,8-TCDD toxicity equivalence of specified congeners using 266, Appendix IX procedures; formula for estimation of equivalent emission rate	85,94	266.104(e)(2)				
conduct dispersion modeling using recommended methods to predict maximum annual average off-site ground level concentrations of 2,3,7,8-TCDD equivalents; maximum annual average on-site concentration used when a person resides on-site	85	266.104(e)(3)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
specified 2,3,7,8-TCDD ratio shall not exceed 1.0	85,94,96	266.104(e)(4)				
for industrial furnaces that cannot meet the 20 ppmv HC limit because of organic matter in raw material, Director may establish alternative HC limit on case-by-case basis; cement kilns equipped with by-pass duct meeting 266.104(g) requirements not eligible for alterna- tive limit	85	266.104(f)				
demonstrate that facility is designed and operated to minimize HC emissions from fuels and raw materials when baseline HC (and CO) level is determined; baseline level defined; may be multiple baseline levels	85	266.104(f)(1)				
develop approach to monitor over time changes in facility operation that could reduce baseline HC level	85	266.104(f)(2)				
conduct emissions testing during trial burn to:	85	266.104(f)(3)				
determine baseline HC (and CO) level	85	266.104(f)(3)(i)				
demonstrate that HC (and CO) levels do not exceed baseline level when hazardous waste is burned	85	266.104(f)(3)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
identify types and concentrations of 261, Appendix VIII organic compounds that are emitted; conduct dispersion modeling; on-site ground level concentrations evaluated if person resides on-site	85,94	266.104(f)(3)(iii)				
		266.104(f)(3)(iii)(A)				
	85	266.104(f)(3)(iii)(B)				
demonstrate that maximum annual average ground level concentrations of 266.104(f)(3)(iii) compounds do not exceed specified levels	85	266.104(f)(3)(iv)				
	85	266.104(f)(3)(iv)(A)				
	85	266.104(f)(3)(iv)(B)				
	85	266.104(f)(3)(iv)(C)				
monitor and report all 266.104(f) hydrocarbon levels as 266.104(c)(1)&(2) specify	85	266.104(f)(4)				
cement kilns may comply with CO and HC limits under 266.104(b)-(d) by monitoring in the by-pass duct provided:	85	266.104(g)				
fire hazardous waste only into the kiln	85	266.104(g)(1)				
10 by-pass duct diverts minimum of 10% of kiln off-gas into duct	85,94	266.104(g)(2)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
simultaneous demonstration of 266.104 compliance by emissions testing or during separate runs under identical operating conditions; data to demonstrate compliance with CO and HC limits or to establish alternative limits must be obtained during DRE testing, CDD/CDF testing and comprehensive organic emissions testing	85	266.104(h)				
compliance with permit operating requirements regarded as compliance with 266.104; if such compliance is insufficient, modification or revocation and re-issuance of permit under 270.41	85	266.104(i)				
STANDARDS TO CONTROL PARTICULATE MATTER						
particulate matter emissions limited to 180 milligrams per dry standard cubic meter after specified correction using Part 60, Appendix A, Methods 1-5 and 266, Appendix IX procedures	85	266.105(a)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator meeting 266.109(b) requirements for low risk waste exemption is exempt from particulate matter standard	85	266.105(b)				
compliance with permit operating requirements regarded as compliance with 266.105; if such compliance is insufficient, modification or revocation and re-issuance of permit under 270.41	85	266.105(c)				

STANDARDS TO CONTROL METALS EMISSIONS

compliance with 266.106(b), (c), (d), (e), or (f) for each 266.106(b) metal that is detectable in waste using specified procedures	85,94	266.106(a)				
Tier I feed rate screening limits for metals specified in 266, Appendix I as a function of terrain-adjusted effective stack height and terrain and land use in facility vicinity; criteria for ineligible facilities in 266.107(b)(7)	85	266.106(b)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
feed rates of antimony, barium, lead, mercury, thallium and silver in all feedstreams shall not exceed 266, Appendix I screening limits	85	266.106(b)(1)				
what feed rate screening limits for antimony, barium, mercury, thallium, and silver are based on	85	266.106(b)(1)(i)				
		266.106(b)(1)(i)(A)				
		266.106(b)(1)(i)(B)				
what feed rate screening limit for lead is based on	85	266.106(b)(1)(ii)				
		266.106(b)(1)(ii)(A)				
		266.106(b)(1)(ii)(B)				
		266.106(b)(1)(ii)(C)				
feed rates of arsenic, cadmium, beryllium and chromium in all feedstreams shall not exceed values derived from 266, Appendix I screening limits; feed rate limit equation	85,94	266.106(b)(2)(i)				
what feed rate screening limits for carcinogenic metals are based on	85	266.106(b)(2)(ii)				
		266.106(b)(2)(ii)(A)				
		266.106(b)(2)(ii)(B)				
equation for terrain-adjusted effective stack height (TESH)	85	266.106(b)(3)(i)				
stack height may not exceed 40 CFR 51.100(ii) good engineering practice	85	266.106(b)(3)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
if TESH for a particular facility is not listed in table in appendices, nearest lower TESH to be used; if TESH \leq 4 meters, a value of 4 meters shall be used	85	266.106(b)(3)(iii)				
screening limits function of non-complex or complex terrain; criteria; use U.S. Geological Survey 7.5-minute topographic maps	85	266.106(b)(4)				
screening limits function of urban or rural land use; determination using 266, Appendices IX or X	85,94	266.106(b)(5)				
facilities with multiple stacks must comply with screening limits for all units assuming all hazardous waste is fed into device with worst-case stack; worst-case stack equation, with lowest K value the worst-case stack	85,94	266.106(b)(6)				
criteria under which Tier III standards apply instead of Tier I and Tier II screening limits	85	266.106(b)(7)				
		266.106(b)(7)(i)				
		266.106(b)(7)(ii)				
		266.106(b)(7)(iii)				
		266.106(b)(7)(iv)				
		266.106(b)(7)(v)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
monitor feed rate of metals in each feed-stream to ensure screening limits are not exceeded	85	266.106(b)(8)				
Tier II emission rate screening limits function of stack height and terrain and land use in facility vicinity; ineligible facilities comply with 266.106(b)(7) criteria	85	266.106(c)				
emission rates of antimony, barium, lead, mercury, thallium and silver shall not exceed 266, Appendix I screening limits	85	266.106(c)(1)				
emission rates of arsenic, cadmium, beryllium and chromium shall not exceed values derived from 266, Appendix I screening limits; emission rate equation	85,94	266.106(c)(2)				
emission rate limits implemented by limiting individual metal feed rates to trial burn or compliance test levels; averaging periods; monitoring of metals feed rate in each feedstream to ensure compliance with 266.102 or 266.103 limits	85	266.106(c)(3)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
266.106(b) definitions and limitations for specified terms also apply to 266.106(c) Tier II emission rate screening limits	85	266.106(c)(4)				
facilities with multiple stacks must comply with emissions screening limits for any such stacks assuming all hazardous waste is fed into device with worst-case stack	85	266.106(c)(5)(i)				
worst-case stack determined by 266.106(b)(6) procedures	85	266.106(c)(5)(ii)				
for each metal, total emissions from those stacks shall not exceed worst-case stack screening limit	85	266.106(c)(5)(iii)				
conformance with Tier III metals control demonstrated by emissions testing, air dispersion modeling, and demonstration that acceptable ambient levels are not exceeded	85	266.106(d)(1)				
266, Appendices IV and V list acceptable ambient levels; RACs listed for noncarcinogenic metals and 10^{-5} RSDs listed for carcinogenic metals; RSD defined	85	266.106(d)(2)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
sum of the ratios of predicted ambient concentrations to risk-specific dose for all carcinogenic metals emitted shall not exceed 1.0; equation	85,94	266.106(d)(3)				
for noncarcinogenic metals, predicted maximum annual average off-site ground level concentration shall not exceed the RAC	85	266.106(d)(4)				
owners/operators with multiple stacks must conduct emissions testing and dispersion modeling to demonstrate that aggregate emissions do not exceed acceptable ambient levels	85	266.106(d)(5)				
under Tier III, feed rates limited to trial burn or compliance test levels; averaging periods same as under 266.106(b)(1)(i)-(ii) and (b)(2)(ii); monitor metals feed rate in each feedstream to ensure 266.102 or 266.103 compliance	85	266.106(d)(6)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
adjusted Tier I feed rate screening limits to account for site-specific dispersion modeling; how to estimate adjusted feed rate; feed rate screening limits for carcinogenic metals implemented under 266.106(b)(2)	85,94	266.106(e)				
alternative implementation approaches approved by Director on a case-by-case basis for Tier II or III metals emission limits	85	266.106(f)(1)				
determination of 266.106(d) emissions limits for each noncarcinogenic and carcinogenic metal use 266, Appendix IX Multiple Metals Train to conduct emissions testing	85,94	266.106(f)(2)				
		266.106(f)(2)(i)				
		266.106(f)(2)(ii)				
	85	266.106(f)(2)(ii)(A)				
	85,94	266.106(f)(2)(ii)(B)				
chromium emissions assumed to be hexavalent chromium unless owner/operator determines otherwise	85	266.106(g)(1)				
	85	266.106(g)(2)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
dispersion modeling conducted according to specified methods to predict maximum annual average off-site ground level concentration; on-site concentrations when person resides on-site	85	266.106(h)				
compliance with 266.102 permit operating requirements regarded as 266.106 compliance unless evidence indicates otherwise; modification or revocation and re-issuance of permit under 270.41	85	266.106(i)				

STANDARDS TO CONTROL HYDROGEN CHLORIDE (HCl) AND CHLORINE GAS (Cl₂) EMISSIONS

compliance with HCl and Cl ₂ controls under 266.107(b) or (c)	85,94	266.107(a)				
Tier I feed rate screening limits for total chlorine specified in 266, Appendix II as a function of stack height and terrain and land use in facility vicinity; feed rate of total chlorine and chloride in all feedstreams not to exceed specified levels	85	266.107(b)(1)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
Tier II emission rate screening limits for HCl and Cl ₂ specified in 266, Appendix III as a function of terrain-adjusted effective stack height and terrain and land use in facility vicinity; stack emission rates not to exceed specified levels	85,94	266.107(b)(2)				
266.106(b) definitions and limitations for specified terms also apply to 266.107(b) screening limits	85,94	266.107(b)(3)				
facilities with multiple stacks subject to HCl or Cl ₂ emissions controls must comply with Tier I and II screening limits assuming all hazardous waste is fed into device with worst-case stack	85	266.107(b)(4)				
worst-case stack determined by 266.106(b)(6) procedures	85	266.107(b)(4)(i)				
under Tier I, total feed rate of chlorine and chloride to all subject devices not to exceed worst-case stack screening limit	85	266.107(b)(4)(ii)				
under Tier II, total HCl and Cl ₂ emissions from all subject stacks not to exceed worst-case stack screening limit	85	266.107(b)(4)(iii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
conformance with Tier III controls demonstrated by HCl and Cl ₂ emissions testing, air dispersion modeling, and demonstration that acceptable ambient levels are not exceeded	85	266.107(c)(1)				
266, Appendix IV lists RACs for HCl and Cl ₂	85	266.107(c)(2)				
facilities with multiple stacks subject to HCl or Cl ₂ emissions controls must conduct emissions testing and dispersion modeling to demonstrate that aggregate emissions do not exceed acceptable ambient levels for HCl and Cl ₂	85	266.107(c)(3)				
11 HCl and Cl ₂ controls implemented by limiting feed rate of total chlorine and chloride in all feedstreams; feed rate under Tier I limited to Tier I screening limits; feed rate under Tiers II and III limited to trial burn or compliance test feed rates; feed rate limits based on:	85	266.107(d)				
		266.107(d)(1)				
	85,94	266.107(d)(2)				
adjusted Tier I feed rate screening limits to account for site-specific dispersion modeling; how to determine these adjusted rates	85,94	266.107(e)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
emissions testing for HCl and Cl ₂ conducted using 266, Appendix IX procedures	85	266.107(f)				
dispersion modeling conducted according to 266.106(h) provisions	85	266.107(g)				
compliance with 266.102 permit operating requirements regarded as 266.107 compliance unless evidence indicates otherwise; modification or revocation and re-issuance of permit under 270.41	85,94	266.107(h)				

SMALL QUANTITY ON-SITE BURNER EXEMPTION

owners and operators that burn hazardous waste in on-site boiler or industrial furnace exempt from 266.108 requirements provided:	85,94	266.108(a)				
quantity of hazardous waste burned for a calendar month does not exceed limits shown in table titled "Exempt Quantities for Small Quantity Burner Exemption" based on 266.106(b)(3) terrain-adjusted effective stack height; table	85,94	266.108(a)(1)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
maximum hazardous waste firing rate does not exceed 1% of total fuel requirements on a total heat input or mass input basis, whichever results in the lower mass feed rate of hazardous waste	85,96	266.108(a)(2)				
minimum heating value of 5,000 Btu/lb	85	266.108(a)(3)				
does not contain F020-F023, F026 or F027	85	266.108(a)(4)				
if mixed with non-hazardous waste, compliance with 266.108(a) quantity before mixing	85	266.108(b)				
equation for implementing 266.108(a)(1) quantity limits if burning in more than one exempt on-site boiler or industrial furnace	85,94	266.108(c)				
one-time signed, written notification requirements for small quantity burner exemption	85	266.108(d)				
		266.108(d)(1)				
		266.108(d)(2)				
		266.108(d)(3)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
maintain for at least 3 years sufficient records documenting quantity firing rate and heating value limits compliance, including quantity burned per calendar month and heating value	85	266.108(e)				
LOW RISK WASTE EXEMPTION						
waiver of 266.104(a) DRE standard if device is operated in conformance with 266.109(a)(1) and burning will not result in unacceptable adverse health effects as per 266.109(a)(2) procedures	85	266.109(a)				
operating requirements for device	85	266.109(a)(1)				
	85,94,96	266.109(a)(1)(i)				
		266.109(a)(1)(ii)				
		266.109(a)(1)(iii)				
	85	266.109(a)(1)(iv)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
procedures to demon- strate that hazardous waste burning will not pose unacceptable adverse public health effects	85	266.109(a)(2)				
		266.109(a)(2)(i)				
		266.109(a)(2)(ii)				
		266.109(a)(2)(iii)				
		266.109(a)(2)(iii)(A)				
		266.109(a)(2)(iii)(B)				
	85,94	266.109(a)(2)(iv)				
		266.109(a)(2)(iv)(A)				
	85	266.109(a)(2)(iv)(B)				
		266.109(a)(2)(iv)(C)				
conditions under which the 266.105 particulate matter standard is waived	85	266.109(b)				
		266.109(b)(1)				
	85,94	266.109(b)(2)				

WAIVER OF DRE TRIAL BURN FOR BOILERS

boilers operating under 266.110 requirements and that do not burn F020-F023, F026 or F027 considered in compliance with 266.104(a) DRE stan- dard, and trial burn to demonstrate DRE is waived; when burning hazardous waste:	85	266.110				
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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
"primary fuel" defined; minimum of 50% primary fuel firing rate, determined on total heat or mass input basis, whichever results in the greater mass feed rate	85,96	266.110(a)				
boiler load defined and not less than 40% minimum as-fired heating value of 8,000 Btu/lb	85	266.110(b)				
conformance with 266.104(b)(1) carbon monoxide standard; boilers subject to 266.110 DRE waiver not eligible for 266.104(c) alternative carbon monoxide standard	85	266.110(c)				
boiler must be water- tube type that does not feed fuel using a stoker or stoker type mechanism	85	266.110(d)				
conditions under which hazardous waste shall be fired directly into primary fuel flame zone of combustion chamber with an air or steam, mechanical or rotary cup atomization system		266.110(e)				
		266.110(f)				
		266.110(f)(1)				
	85	266.110(f)(2)				
	85,94	266.110(f)(3)				
	85	266.110(f)(4)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
STANDARDS FOR DIRECT TRANSFER						
266.111 regulations apply to boilers and industrial furnaces subject to 266.102 or 266.103 if direct transfer of hazardous waste from transport vehicle to boiler or industrial furnace without use of storage unit	85	266.111(a)				
for 266.111, terms have meanings given in 266.111(b)(1)	85	266.111(b)(1)intro				
"direct transfer equipment"	85	266.111(b)(1)				
"container"	85	266.111(b)(1)				
"tank systems" means direct transfer equipment when Subparts I and J of Parts 264 and 265 are referenced	85	266.111(b)(2)				
no direct transfer of pumpable hazardous waste from open-top container to boiler or industrial furnace	85	266.111(c)(1)				
direct transfer equipment requirements	85	266.111(c)(2)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
direct transfer of hazardous waste to boiler or industrial furnace conducted so that it does not result in any 266.111(c)(3)(i)-(vi) situation	85	266.111(c)(3)				
		266.111(c)(3)(i)				
		266.111(c)(3)(ii)				
		266.111(c)(3)(iii)				
		266.111(c)(3)(iv)				
		266.111(c)(3)(v)				
		266.111(c)(3)(vi)				
conditions under which hazardous waste shall not be placed in direct transfer equipment	85	266.111(c)(4)				
appropriate controls and practices to prevent spills and overflows from direct transfer equipment or its secondary containment system	85	266.111(c)(5)				
		266.111(c)(5)(i)				
		266.111(c)(5)(ii)				
applying 266.111(b)(1) definition of container, owners and operators must comply with:	85	266.111(d)				
264.175 containment requirements	85	266.111(d)(1)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
use and management requirements of Subpart I, Part 265 requirements, except 265.170 and 265.174; compliance with specified maintenance and protective distances in lieu of 265.176 requirements; written certification by local fire marshal to be kept on file	85,96	266.111(d)(2)				
264.178 closure requirements	85	266.111(d)(3)				
direct transfer equipment must meet following requirements:	85	266.111(e)				
secondary containment requirements for new and existing equipment	85	266.111(e)(1)				
		266.111(e)(1)(i)				
		266.111(e)(1)(ii)				
for existing direct transfer equipment without secondary containment, determination whether leaking or unfit for use; assessment written, reviewed and certified by qualified, registered professional engineer in accordance with 270.11(d) by August 21, 1992	85	266.111(e)(2)(i)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
minimum considera- tions for assessment if, due to 266.111(e)(2)(i)&(ii) assessment, direct transfer equipment found to be leaking or unfit for use, compliance with 265.196(a) and (b)	85	266.111(e)(2)(ii)				
		266.111(e)(2)(ii)(A)				
		266.111(e)(2)(ii)(B)				
		266.111(e)(2)(ii)(C)				
		266.111(e)(2)(ii)(D)				
		266.111(e)(2)(ii)(E)				
inspection requirements at least once each operating hour when trans- ferring hazardous waste from container to boiler or industrial furnace	85	266.111(e)(2)(iii)				
inspect cathodic pro- tection systems to ensure 265.195(b) compliance	85	266.111(e)(3)(i)				
		266.111(e)(3)(i)(A)				
		266.111(e)(3)(i)(B)				
		266.111(e)(3)(i)(C)				
records of inspections maintained in operating record for at least 3 years	85	266.111(e)(3)(iii)				
265.192 compliance for design and installation of new ancillary equipment	85	266.111(e)(4)				
265.196 compliance for response to leaks or spills	85	266.111(e)(5)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
265.197 closure compliance, except 265.197(c)(2)-(4)	85	266.111(e)(6)				

12 REGULATION OF RESIDUES

residue derived from burning or processing of hazardous waste is not excluded under 261.4(b)(4), (7) or (8) unless device and owner or operator meet the following requirements:	85,94	266.112				
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	85	266.112(a)				
	85,96	266.112(a)(1)				
		266.112(a)(2)				
criteria the device must meet:	85	266.112(a)(3)				
demonstration by owner or operator that hazardous waste does not significantly affect residue by demonstrating conformance with either of two criteria:	85	266.112(b)				
comparison of waste-derived residue with normal residue for 261, Appendix VIII constituents; procedures to be used	85	266.112(b)(1)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
determination of concentrations of toxic constituents of concern in normal residue based on analyses of a minimum of 10 samples representing a minimum of 10 days of operation; determine compositing period not to exceed 24 hours; upper tolerance limit (at 95% confidence with a 95% proportion of the sample distribution for the statistically-derived concentration; when to revise; how to determine the upper tolerance limit	85,96	266.112(b)(1)(i)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
13 sampling and analysis of waste-derived residue to determine whether residue generated during each 24-hour period has concentrations of toxic constituents higher than 266.112(b)(1)(i) normal residue concentrations; if so, residue not excluded from definition of hazardous waste; toxic constituent concentrations based on analysis of samples obtained over 24-hour period; for multiple samples, concentration of toxic constituent is arithmetic mean; no results may be disregarded	85,96	266.112(b)(1)(ii)				
concentration of non-metal toxic constituents of concern in water derived residue may not exceed health-based limits specified in 266, Appendix VII; if no limit in Appendix VII, limit is 0.002 mg/kg or level of detection, whichever is higher	85	266.112(b)(2)(i)				
for metal constituents, in extract concentration obtained using 261.24 TCLP not to exceed 266, Appendix VII limits	85	266.112(b)(2)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
sampling and analysis of waste-derived residue to determine whether residue generated during each 24-hour period has concentrations of toxic constituents higher than health-based levels; determination of toxic concentrations based on analysis of one or more samples obtained over 24-hour period; for multiple samples, concentration of toxic constituent is arithmetic mean of concentrations in samples; no results may be disregarded	96	266.112(b)(2)(iii)				
	85,96	266.112(c)				
records to document 266.112 compliance to be retained until closure of boiler or industrial furnace unit; information to be recorded		266.112(c)(1)				
		266.112(c)(2)				
		266.112(c)(2)(i)				
	85	266.112(c)(2)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX I TO PART 266

TIER I AND TIER II FEED RATE AND EMISSIONS SCREENING LIMITS FOR METALS

Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic Metals for Facilities in Noncomplex Terrain (see 56 FR 7728 and 56 FR 32690)	85,94	Appendix I/Table I-A				
Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic Metals for Facilities in Noncomplex Terrain (see 56 FR 7229)	85	Appendix I/Table I-B				
Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic Metals for Facilities in Complex Terrain (see 56 FR 7729)	85	Appendix I/Table I-C				
Tier I and Tier II Feed Rate and Emissions Screening Limits for Carcinogenic Metals for Facilities in Noncomplex Terrain (see 56 FR 7230 and 56 FR 32690)	85,94	Appendix I/Table I-D				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
Tier I and Tier II Feed Rate and Emis- sions Screening Limits for Carcinogenic Metals for Facilities in Complex Terrain (see 56 FR 7230 and 56 FR 32690, or the July 1, 1991 CFR)	85,94	Appendix I/Table I-E				

APPENDIX II TO PART 266

TIER I FEED RATE SCREENING LIMITS FOR TOTAL CHLORINE AND CHLORIDE

14 Tier I Feed Rate Screening Limits for Chlorine for Facilities in Noncomplex and Complex Terrain (see 56 FR 32690-32691 or the July 1, 1991 CFR)	85,94	Appendix II				
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APPENDIX III TO PART 266

**TIER II EMISSION RATE SCREENING LIMITS FOR FREE CHLORINE AND HYDROGEN
CHLORIDE**

14 Tier II Emissions Screening Limits for Cl ₂ and HCl in Non- complex Terrain (see 56 FR 32691 or the July 1, 1991 CFR)	85,94	Appendix III				
14 Tier II Emissions Screening Limits for Cl ₂ and HCl in Com- plex Terrain (see 56 FR 32691 or the July 1, 1991 CFR)	85,94	Appendix III				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX IV TO PART 266

REFERENCE AIR CONCENTRATIONS

Constituents, CAS Nos. and RAC (see 56 FR 7232 and 56 FR 32691, Correction 81 or the July 1, 1991 CFR)	85,94	Appendix IV				
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APPENDIX V TO PART 266

RISK SPECIFIC DOSES

Constituents, CAS Nos., Unit risk and RSD (see 56 FR 7232- 7233 or the July 1, 1991 CFR)	85	Appendix V				
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APPENDIX VI TO PART 266

STACK PLUME RISE

flow rates and ex- haust temperatures (see 56 FR 7233- 7234 or the July 1, 1991 CFR)	85	Appendix VI				
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APPENDIX VII TO PART 266

HEALTH-BASED LIMITS FOR EXCLUSION OF WASTE-DERIVED RESIDUES

Metals--TCLP Extract Concentration Limits (56 FR 7234 and 56 FR 32691, Correction 82 or the July 1, 1991 CFR)	85,94	Appendix VII				
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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
Nonmetals--Residue Concentration Limits (see 56 FR 7234 and 56 FR 32691, Correction 83 or the July 1, 1991 CFR)	85,94	Appendix VII				

APPENDIX VIII TO PART 266

POTENTIAL PICs FOR DETERMINATION OF EXCLUSION OF WASTE-DERIVED RESIDUES

PICs Found in Stack Effluents (see 56 FR 7235 and 56 FR 32691, Correction 84 or the July 1, 1991 CFR)	85,94	Appendix VIII				
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APPENDIX IX TO PART 266

METHODS MANUAL FOR COMPLIANCE WITH BIF REGULATIONS

15	Burning Hazardous Waste in Boilers and Industrial Furnaces (see 56 FR 32692-32795 or the July 1, 1991 CFR)	85,94	Appendix IX			
15,16	Statistical Methodology for Bevill Residue Determinations (see 56 FR 42516 & 42517)	85,94,96	Appendix IX/ Section 7.0			

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
15 Special procedures for chlorine, HCl and Cl ₂ (see 56 FR 32786-32787 and 56 FR 42512, Corrections 6 and 7 under Part 270; note these corrections should have been placed under Part 266)	85,94,96	Appendix IX/ Section 9.2				
17 Determination of Enrichment Factor (see 56 FR 32796 or the July 1, 1991 CFR)	85,94	Appendix A to Appendix IX				

17

APPENDIX X TO PART 266

GUIDELINE ON AIR QUALITY MODELS (REVISED)

Guideline on Air Quality Models (see 56 FR 32796-32819 or the July 1, 1991 CFR)	85,94	Appendix X				
Summaries of Preferred Air Quality Models (see 56 FR 32819-32828 or the July 1, 1991 CFR)	85,94	Appendix A to Appendix X				
Summaries of Alternative Air Quality Models (see 56 FR 32828-32849) or the July 1, 1991 CFR	85,94	Appendix B to Appendix X				
Example Air Quality Analysis Checklist (see 56 FR 32849-32852 of the July 1, 1991 CFR)	85,94	Appendix C to Appendix X				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX XI TO PART 266

LEAD-BEARING MATERIALS THAT MAY BE PROCESSED IN EXEMPT LEAD SMELTERS

add new appendix addressing lead-bearing materials that may be processed in exempt lead smelters, (see 56 FR 42517)	96	Appendix XI				
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APPENDIX XII TO PART 266

**NICKEL OR CHROMIUM-BEARING MATERIALS THAT MAY BE PROCESSED IN EXEMPT
NICKEL-CHROMIUM RECOVERY FURNACES**

add new appendix addressing nickel or chromium-bearing materials that may be processed in exempt nickel-chromium recovery furnaces (see 56 FR 42517)	96	Appendix XII				
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**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE
PERMIT PROGRAM**

SUBPART B - PERMIT APPLICATION

**18 SPECIFIC PART B INFORMATION REQUIREMENTS FOR BOILERS AND INDUSTRIAL
FURNACES BURNING HAZARDOUS WASTE**

owners and operators subject to 266.104-266.107 must conduct a trial burn and must submit a trial burn plan or results in accordance with 270.66	85	270.22(a)(1)				
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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
waiver of trial burn to demonstrate conformance with a particular emission standard under 266.104-266.107 and 270.22(a)(2)-(a)(5)	85	270.22(a)(1)(i)				
data in lieu of a trial burn as 270.22(a)(6) specifies	85	270.22(a)(1)(ii)				
boiler owners and operators seeking to be permitted under 266.104(a)(4) and 266.110, must submit documentation showing boiler compliance with special operating requirements at 266.110; trial burn waived	85	270.22(a)(2)(i)				
information that must be submitted for boilers and industrial furnaces seeking to be permitted under the low risk waste provisions of 266.104(a)(5) and 266.109(a) without a trial burn		270.22(a)(2)(ii)				
	85	270.22(a)(2)(ii)(A)				
		270.22(a)(2)(ii)(B)				
	85,94	270.22(a)(2)(ii)(C)				
		270.22(a)(2)(ii)(D)				
	85	270.22(a)(2)(ii)(E)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
information that must be submitted when seeking to be permitted under Tier I metals feed rate screening limits at 266.106(b)&(e) without a trial burn	85	270.22(a)(3)				
		270.22(a)(3)(i)				
		270.22(a)(3)(ii)				
		270.22(a)(3)(iii)				
		270.22(a)(3)(iv)				
		270.22(a)(3)(v)				
		270.22(a)(3)(vi)				
		270.22(a)(3)(vii)				
when seeking to be permitted under the low risk waste provisions of 266.109(b) which waives the particulate standard, submit documentation supporting 270.22(a)(2)(ii) and (a)(3) conformance	85	270.22(a)(4)				
information to be submitted when seeking to be permitted under Tier I feed rate screening limits for total chloride and chlorine under 266.107(b)(1) and (e) provisions without a trial burn	85	270.22(a)(5)				
		270.22(a)(5)(i)				
		270.22(a)(5)(ii)				
		270.22(a)(5)(iii)				
		270.22(a)(5)(iv)				
		270.22(a)(5)(v)				
		270.22(a)(5)(vi)				
	85,94	270.22(a)(5)(vii)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator may seek exemption from trial burn requirements demonstrating 266.104-266.107 conformance, by providing information from previous compliance testing of the device or compliance testing or trial burns of similar boilers or industrial furnaces; burning similar wastes under similar conditions 270.66 design and operation information required; conditions under which Director shall approve a permit application in lieu of a trial burn; additional information to be submitted	85,94	270.22(a)(6)				
		270.22(a)(6)(i)				
		270.22(a)(6)(i)(A)				
		270.22(a)(6)(i)(B)				
for a waiver from any trial burn:	85	270.22(a)(6)(i)(C)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for a waiver of the DRE trial burn, basis for selection of POHCs used in other burns which demonstrate 266.104(a) compliance; analysis should specify 261, Appendix VIII constituents in hazardous waste for which a permit is sought and any differences from POHCs for which data are provided	85	270.22(a)(6)(ii)				
	85	270.22(b)				
	85,94	270.22(b)(1)				
		270.22(b)(2)				
		270.22(b)(3)				
		270.22(b)(4)				
		270.22(b)(4)(i)				
		270.22(b)(4)(ii)				
		270.22(b)(5)				
minimum information to be submitted for industrial furnaces with organic matter in raw materials requesting an alternative HC limit under 266.104(f)	85	270.22(b)(6)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
when seeking to be permitted under 266.106(f) alternative metals implementation approach, submit documentation that ensures 266.106(c) or (d) compliance and how approach can be implemented and monitored; provide other information as Director finds necessary	85	270.22(c)				
describe automatic waste feed cutoff system, including any pre-alarm systems	85	270.22(d)				
use of direct transfer operations requires submittal of information supporting 266.111 conformance	85	270.22(e)				
demonstration of 266.112 conformance if claim is made that residues are excluded from regulation	85	270.22(f)				

SUBPART D - CHANGES TO PERMITS

19 PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

replace "270.21" with "270.22" and "and 270.63" with "270.63 and 270.66"	94	270.42(c)(1)(iv)				
paragraph heading is changed to "Newly regulated wastes and units"	85	270.42(g)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
add wording at end of paragraph regarding the continued management of hazardous waste in units newly regulated as hazardous waste management units; change "wates" to "wastes"	85,94	270.42(g)(1)				
insert "The unit" before "was in existence"; add "or newly regulated waste management unit" after "characterized waste"; add "or regulating the unit" at end of paragraph; change "effective" to "effective"	85,94	270.42(g)(1)(i)				
insert "The permittee" before "submits"; insert "or unit" after "waste"	85	270.42(g)(1)(ii)				
insert "The permittee" before "is"; insert "applicable" before "standards"; change "Part 265" to "Parts 265 and 266 of this chapter"	85	270.42(g)(1)(iii)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
delete "In the case of Classes 2 and 3 modifications,"; insert "The permittee" before "also"; replace "permit modification" with "Class 2 or 3 modification"; change "180 days after" to "180 days of"; add "or subjecting the unit to RCRA Subtitle C management standards" to end of paragraph	85,94	270.42(g)(1)(iv)				
20 insert "the permittee" before "certifies"; insert "each" before "such unit"; change "Part 265" to "requirements of Part 265 of this chapter for"; add ", or regulating the unit as a hazardous waste management unit" after "hazardous"; change "clarify" to "certify"; insert "all" before "these requirements"; change "shall lose" to "will lose"	85	270.42(g)(1)(v)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
change the heading of "L." to read "Incinerators, Boilers, and Industrial Furnaces"; in "L.1." replace "a waste feed rate limit, or an organic feed rate limit" with "a feedstream feed rate limit, a chlorine/chloride feed rate limit, a metal feed rate limit, or an ash feed rate limit"; in "L.4." insert ", boiler, or industrial furnace" after "incinerator"; in "L.5." replace "." after "requirements" with ":"; in "L.5.a." insert "or maximum" before "combustion gas temperature" & add "flue gas carbon monoxide and hydrocarbon concentration, maximum temperature at the inlet to the particulate matter emission control system, or operating parameters for the air pollution control system" after "chamber"; change "L.6." heading to read "Burning different wastes:"; in L.6.a.&b. change all "to incinerate" to "to burn"; in "7.b." change "waste incineration" to "waste burning"; in "L.8." insert "nonhazardous waste" before "fuel"	85,94	270.42/Appendix I				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

SUBPART F - SPECIAL FORMS OF PERMITS

PERMITS FOR BOILERS AND INDUSTRIAL FURNACES BURNING HAZARDOUS WASTE

new boilers and industrial furnaces subject to 270.66(b)-(f); those under interim status standards of 266.103 subject to 270.66(g)	85	270.66(a)				
permit for new boiler or industrial furnace shall specify appropriate conditions for the following operating periods:	85	270.66(b)				
pretrial burn period described; Director must establish in Pretrial Burn Period of permit conditions, allowable hazardous waste feed rates and operating conditions; extension of period for up to 720 additional hours; permit may be modified to reflect extension as per 270.42	85,94	270.66(b)(1)				
submittal of statement with Part B that suggests operating conditions for 266.104-266.107 compliance during period, including restrictions on 266.102(e) operating requirements	85	270.66(b)(1)(i)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
review of Part B materials and specification by Director of requirements sufficient to meet 266.104-266.107 performance standards based on engineering judgment	85	270.66(b)(1)(ii)				
for duration of trial burn, Director establishes conditions in permit to determine feasibility of compliance with 266.104-266.107 standards and to determine adequate 266.102(e) operating conditions; applicants must propose a trial burn plan as per 270.66(c) and submit with Part B	85	270.66(b)(2)				
for defined minimum period immediately following trial burn, during which submission and review of trial burn results and modification of permit by Director occurs, Director establishes operating requirements most likely to ensure compliance with 266.104-266.107 standards	85	270.66(b)(3)(i)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
submittal of statement with Part B that identifies operating conditions for 266.104-266.107 compliance during period, including restrictions on 266.102(e) operating requirements	85	270.66(b)(3)(ii)				
review and specification by Director of requirements sufficient to meet 266.104-266.107 performance standards based on engineering judgment	85	270.66(b)(3)(iii)				
for final period of operation, Director develops operating requirements in conformance with 266.102(e) and 266.104-266.107 standards; Director shall make necessary modifications to permit as per 270.42 based on trial burn results to ensure compliance	85,94	270.66(b)(4)				
information the trial burn plan must include; Director may require supplemental information	85	270.66(c)				
		270.66(c)(1)				
		270.66(c)(1)(i)				
analysis of each feedstream, as fired	85	270.66(c)(1)(ii)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
analysis of each hazardous waste, as fired	85	270.66(c)(2)				
		270.66(c)(2)(i)				
	85,94	270.66(c)(2)(ii)				
	85	270.66(c)(2)(iii)				
detailed engineering description of boiler or industrial furnace		270.66(c)(3)				
		270.66(c)(3)(i)				
		270.66(c)(3)(ii)				
		270.66(c)(3)(iii)				
		270.66(c)(3)(iv)				
	85	270.66(c)(3)(v)				
		270.66(c)(3)(vi)				
	85,94	270.66(c)(3)(vii)				
detailed description of sampling and monitoring procedures	85	270.66(c)(3)(viii)				
detailed test schedule for each hazardous waste for which the trial burn is planned	85	270.66(c)(4)				
	85	270.66(c)(5)				
detailed test protocol	85	270.66(c)(6)				
description of, and planned operating conditions for, any emission control equipment to be used	85	270.66(c)(7)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
procedures for rapid stopping of hazardous waste feed and emissions control if an equipment malfunction	85	270.66(c)(8)				
other information Director finds necessary	85	270.66(c)(9)				
trial burn conducted to demonstrate conformance with 266.104-266.107 standards under an approved trial burn plan	85	270.66(d)(1)				
findings under which the Director shall approve a trial burn plan	85	270.66(d)(2)				
		270.66(d)(2)(i)				
		270.66(d)(2)(ii)				
		270.66(d)(2)(iii)				
		270.66(d)(2)(iv)				
submit to Director within 90 days of trial burn completion a certification that trial burn was carried out in accordance with approved plan and results of all 270.66(c) required determinations	85	270.66(d)(3)				
submit all data collected during any trial burn	85	270.66(d)(4)				
270.66(d) submissions must be certified by signature of person authorized to sign permit application or 270.11 report	85	270.66(d)(5)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for DRE trial burn under 266.104(a), Director will specify trial POHCs; basis for specification	85	270.66(e)				
determinations to be made based on each trial burn:	85	270.66(f)				
quantitative analysis of specified materials in the feedstreams	85	270.66(f)(1)				
determinations needed when a DRE trial burn is required under 266.104(a)	85	270.66(f)(2)				
		270.66(f)(2)(i)				
		270.66(f)(2)(ii)				
		270.66(f)(2)(iii)				
quantitative analysis of stack gas and a computation showing conformance with the emission standard when a trial burn is required for chlorinated dioxins and furans under 266.104(e)	85,94	270.66(f)(3)				
quantitative analysis of stack gas and computations showing conformance with applicable emission standards when a trial burn is required for particulate matter, metals, or HCl/Cl ₂ under 266.105, 266.106(c) or (d), or 266.107(b)(2) or (c)	85	270.66(f)(4)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
quantitative analysis of scrubber water, ash residues, other residues and products to estimate fate of trial POHCs, metals, and chlorine/chloride when a trial burn is required for DRE, metals or HCl/Cl ₂ under 266.104(a), 266.106(c) or (d), or 266.107(b)(2) or (c)	85	270.66(f)(5)				
identification of sources of fugitive emissions and their means of control	85	270.66(f)(6)				
continuous measurement of CO, oxygen, and HC in stack gas	85	270.66(f)(7)				
such other information as Director specifies	85,94	270.66(f)(8)				

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
to determine feasibility of compliance with 266.104-266.107 performance standards and adequate operating conditions under 266.103, applicants of existing devices operated under interim status must either prepare and submit a trial burn plan and perform a trial burn or submit 270.22(a)(6) information; submit trial burn results with Part B application if plan approved before Part B submission; date for submission; requirements if submitting trial burn plan with Part B application	85	270.66(g)				

SUBPART G - INTERIM STATUS

CHANGES DURING INTERIM STATUS

add new paragraph regarding the addition of newly regulated units if a revised Part A permit application is submitted on or before the date the unit becomes subject to the new requirements	85	270.72(a)(6)				
add new paragraph regarding the addition of newly regulated units under 270.72(a)(6)	85	270.72(b)(7)				

SPA 12

**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
TERMINATION OF INTERIM STATUS						
insert "which has achieved interim status prior to November 8, 1984, interim status terminates" before "on November 8, 1989"	85,94	270.73(f)				
insert "which has achieved interim status prior to November 8, 1984, interim status terminates" before "on November 8, 1992"	85,94	270.73(g)				

- ¹ Revision Checklist 85 (February 21, 1991; 56 FR 7134) redesignated the old paragraph (d)(2) as (d)(3) and introduced a new paragraph (d)(2) into the code. Revision Checklist 94 (July 17, 1991; 56 FR 32688) made technical corrections to the February 21, 1991 amendatory language for 261.2 and incorrectly redesignated paragraph (d)(3) as (d)(4) and paragraph (d)(4) as (d)(5). The Federal code does not include 261.2(d)(3) or 261.2(d)(4). The technical correction addressed by Revision Checklist 96 (August 27, 1991; 56 FR 42504) fixed this error.
- ² The Federal Register addressed by Revision Checklist 94 designated this paragraph as "261.3(c)(2)(ii)(8)." This is a typographical error; the correct paragraph designation is "261.3(c)(2)(ii)(B)." This error was ultimately corrected by Revision Checklist 96.
- ³ Note that Revision Checklist 85 made revisions to paragraphs 265.112(d)(2), 265.112(d)(2)(i), 265.112(d)(2)(ii), 265.113(a) and 265.113(b). However, the technical correction addressed by Revision Checklist 96 reversed the revisions made by Revision Checklist 85 and retained the July 1990 CFR language. Thus States should not make any changes to paragraphs 265.112(d)(2), 265.113(a) or 265.113(b).
- ⁴ Note that there is a typographical error in the Federal Register addressed by Revision Checklist 94 (56 FR 32692; July 17, 1991). The "\$266.4" in the heading should be "\$266.40." This error was corrected by Revision Checklist 96 at 56 FR 42512 (August 27, 1991).
- ⁵ This paragraph was entered into the code by Revision Checklist 85 and was modified by Revision Checklist 96. Subsequently, Revision Checklist 98 issued an administrative stay of the BIF rule as it applies to coke ovens burning certain hazardous wastes from the coke by-products recovery process. The administrative stay is optional. Note also that Revision Checklist 98 incorrectly changed the reference 266.100(b), (c), (d) and (f) to 266.100(b), (c) and (d). It should read 266.100(b), (c), (d) and (f). There will be a technical correction addressing this error.

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
6						
Note that the <u>Federal Register</u> addressed by Revision Checklist 85 designated this paragraph as "266.102(d)(4)(D)." This is a typographical error; the correct designation is "266.102(d)(4)(iv)." See technical correction at 56 <u>FR</u> 32688 (July 17, 1991; Revision Checklist 94).						
7						
Note that in the February 21, 1991 rule addressed by Revision Checklist 85, the subparagraph designation was not italicized. This is a typographical error. The August 27, 1991 (56 <u>FR</u> 42504; Revision Checklist 96) technical correction fixes this error.						
8						
The <u>Federal Register</u> addressed by Revision Checklist 85 has a typographical error; the reference to "266.102(e)(4)(iii)(c)(1) and (2)" in this citation should be "266.102(e)(4)(iii)(C)(1) and (2)."						
9						
Note that in the <u>Federal Register</u> for Revision Checklist 85, the subparagraph designation was <u>not</u> italicized. This is a typographical error. The 56 <u>FR</u> 32688 (July 17, 1991; Revision Checklist 94) technical correction fixes this error.						
10						
In the <u>Federal Register</u> addressed by Revision Checklist 85, the designation for this subparagraph is 266.104(g)2. This is a typographical error; the correct designation is 266.104(g)(2). See the technical correction at 56 <u>FR</u> 32689 (July 17, 1991; Revision Checklist 94).						
11						
In the <u>Federal Register</u> addressed by Revision Checklist 85, the designations for these subparagraphs are 266.107(d)(i) and 266.107(d)(ii) (see 56 <u>FR</u> 7225). These are typographical errors. The subparagraphs should be designated 266.107(d)(1) and 266.107(d)(2). See technical corrections at 56 <u>FR</u> 32690 (July 17, 1991; Revision Checklist 94).						
12						
In the <u>Federal Register</u> addressed by Revision Checklist 85, the section designation for regulation of residues is 266.122 (see 56 <u>FR</u> 7227). This is a typographical error and the section should be designated 266.112. Revision Checklist 94 corrects this error at 56 <u>FR</u> 32688 (July 17, 1991).						
13						
Note that Revision Checklist 96 replaced the old paragraph introduced into the code by Revision Checklist 85.						
14						
Note that Revision Checklist 94 replaced the old Table introduced into the code by Revision Checklist 85.						
15						
Note that Revision Checklist 85 simply makes an announcement concerning the publishing of the Appendix at a future time. The Appendix was actually entered into the code by Revision Checklist 94 and then sections 7.0 and 9.2 were modified by Revision Checklist 96.						
16						
Note that Revision Checklist 96 replaced the old section 7.0 introduced into the code by Revision Checklist 94.						
17						
Note that Revision Checklist 85 simply makes an announcement concerning the publishing of the Appendix at a future date. The Appendix was actually entered into the code by Revision Checklist 94.						

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**CONSOLIDATED CHECKLIST: Burning of Hazardous Waste in
Boilers and Industrial Furnaces (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

- 18 Note that this is the same section of code which contained the specific Part B information requirements for the Wood Preserving listing (55 FR 50450). Thus, the Part B boilers/industrial furnace requirements were added so that the Part B information requirements for drip pads were inadvertently removed by the rule addressed by Revision Checklist 85 (56 FR 7134; February 21, 1991). On July 1, 1991 (56 FR 30192; Revision Checklist 92) a technical correction was published moving the wood preserving requirements to 270.26.
- 19 States only need to make changes if they have adopted, or plan to adopt, the provisions addressed by Revision Checklist 54 (53 FR 37912), because 270.42 is not required by 271.14 to be part of a State's permitting program.
- 20 The paragraph following 270.42(g)(1)(v) in Federal code, i.e., 270.42(g)(2), is included in the Federal Register for Revision Checklist 85 (56 FR 7237, February 21, 1991). However, no changes were made to the paragraph by the February 21, 1991 rule, so it has not been included in this consolidated checklist.

Consolidated Wood Preserving Listings Checklist

SPA 12

CONSOLIDATED CHECKLIST
for the
Wood Preserving Listings as of December 31, 1991

Notes: 1) This checklist consolidates the changes to the Federal code addressed by the following Wood Preserving Listings checklists: Revision Checklist 82 [55 FR 50450 (December 6, 1990)]; Revision Checklist 91 [56 FR 27332 (June 13, 1991)]; and Revision Checklist 92 [56 FR 30192 (July 1, 1991)].

2) This consolidated checklist adds three broad categories of wastes from wood preserving processes that use chlorophenolic, creosote, and/or inorganic (arsenical and chromium) preservatives to the list of wastes from non-specific sources. These wastes, F032, F034 and F035, include wastewaters, process residuals, preservative drippage and spent formulations. The listing of F032 and the permitting and interim status standards applicable to drip pads handling this waste are promulgated pursuant to HSWA. The listings of F034 and F035, the permitting and interim standards for drip pads that handle F034 and F035 wastes, and the addition of a test method to Appendix III of Part 261 are non-HSWA provisions. EPA will implement the addition of F032 to the list of hazardous wastes from non-specific sources in authorized States until the States modify their programs and such modifications are approved by EPA. The non-HSWA requirements are applicable only in those States that do not have interim or final authorization. In authorized States, the non-HSWA requirements will not be applicable until the States revise their programs to adopt equivalent requirements under State law, unless the wastes are designated as hazardous due to the Toxicity Characteristic, which would allow an owner or operator to comply with the drip pad standards administered under Federal law.

3) Note that double lines are used on the checklists to indicate the beginning and ending of optional provisions with subparagraphs or requirements that must all be adopted if the optional provision is adopted.

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

add "drip pad" in alphabetical order	82	260.10				
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SPA 12

**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

1 EXCLUSIONS

† Spent Wood Preserving Solutions and Wastewaters

add new paragraph which excludes as a solid waste spent wood pre- serving solutions that have been reclaimed and are reused for their original intended purpose	82,92	261.4(a)(9)(i)				
add new paragraph which excludes as a solid waste wastewaters from the wood preserving process that have been reclaimed and are reused to treat wood	92	261.4(a)(9)(ii)				

2 HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES

add the waste codes "F032", "F034" and "F035" in alphanumeric order to list as shown below; in- clude parenthetic note concerning administrative stay	82,†91	261.31(a)				
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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
Industry and EPA hazardous waste No.			Hazardous waste			Hazard code
	*	*	*	*	*	*
F032 . . . Wastewaters, process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with §261.35 of this chapter and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol. <u>(NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed administratively. The listing for plants that have previously used chlorophenolic formulations is administratively stayed whenever these wastes are covered by the F034 or F035 listings. These stays will remain in effect until further administrative action is taken.)</u>						(T)
F034 . . . Wastewaters, process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol. <u>(NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed administratively. The stay will remain in effect until further administrative action is taken.)</u>						(T)
F035 . . . Wastewaters, process residuals, preservative drippage, and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol. <u>(NOTE: The listing of wastewaters that have not come into contact with process contaminants is stayed administratively. The stay will remain in effect until further administrative action is taken.)</u>						(T)
	*	*	*	*	*	*

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
DELETION OF CERTAIN HAZARDOUS WASTE CODES FOLLOWING EQUIPMENT CLEANING AND REPLACEMENT						
wastes from wood preserving processes at plants that do not resume or initiate use of chlorophenolic preservatives will not meet the listing definition of F032 once the 261.35(b) and (c) requirements are met; wastes may continue to meet another hazardous waste listing description or exhibit one or more characteristics	82	261.35(a)				
generators must either clean or replace all specified process equipment that may have come into contact with chlorophenolic formulations or constituents	82,92	261.35(b)				
generators shall do one of the following:	82,92	261.35(b)(1)				
prepare and follow an equipment cleaning plan; clean equipment in accordance with 261.35	92	261.35(b)(1)(i)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
prepare and follow an equipment replacement plan; replace equipment in accordance with 261.35	92	261.35(b)(1)(ii)				
document cleaning and replacement in accordance with 261.35, carried out after termination of use of chlorophenolic preservations	92	261.35(b)(1)(iii)				
cleaning requirements	82,92	261.35(b)(2)				
prepare and sign a written equip- ment cleaning plan that describes:	92	261.35(b)(2)(i)				
equipment to be cleaned	92	261.35(b)(2)(i)(A)				
how equipment will be cleaned	92	261.35(b)(2)(i)(B)				
solvent to be used in cleaning	92	261.35(b)(2)(i)(C)				
how solvent rinses will be tested	92	261.35(b)(2)(i)(D)				
how cleaning residues will be disposed	92	261.35(b)(2)(i)(E)				
equipment must be cleaned as follows:	92	261.35(b)(2)(ii)				
remove all visible residues from pro- cess equipment	92	261.35(b)(2)(ii)(A)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
rinse with appropriate solvent until no dioxin or dibenzofuran detection in final solvent rinse	92	261.35(b)(2)(ii)(B)				
analytical requirements	92	261.35(b)(2)(iii)				
test rinses as per SW-846, Method 8290	92	261.35(b)(2)(iii)(A)				
"not detected" defined	92	261.35(b)(2)(iii)(B)				
generator manages cleaning process residues as F032 waste	92	261.35(b)(2)(iv)				
replacement requirements	82,92	261.35(b)(3)				
prepare and sign written equipment replacement plan that describes:	92	261.35(b)(3)(i)				
equipment to be replaced	92	261.35(b)(3)(i)(A)				
how equipment will be replaced	92	261.35(b)(3)(i)(B)				
how equipment will be disposed	92	261.35(b)(3)(i)(C)				
generator must manage discarded equipment as F032 waste	92	261.35(b)(3)(ii)				
documentation requirements	92	261.35(b)(4)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
document pre- vious equipment cleaning and/or replacement per- formed in accor- dance with 261.35 and occurred after cessation of chlorophenolic preservative use	92	261.35(b)(4)(i)				
documentation that must be maintained as part of the facility's operating record	82	261.35(c)				
name and address of the facility	82	261.35(c)(1)				
formulations pre- viously used and the date on which their use ceased in each process at the plant	82	261.35(c)(2)				
formulations currently used in each process at the plant	82	261.35(c)(3)				
equipment cleaning or replacement plan	82	261.35(c)(4)				
name and address of any persons who conducted the cleaning and replacement	82	261.35(c)(5)				
dates on which cleaning and replacement were accomplished	82	261.35(c)(6)				
dates of sampling and testing	82	261.35(c)(7)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
description of sample handling and preparation techniques	82	261.35(c)(8)				
description of the tests performed, the date, and the results of the tests	82	261.35(c)(9)				
name and model numbers of the instrument(s) used in performing the tests	82	261.35(c)(10)				
QA/QC documentation	82	261.35(c)(11)				
signed certification statement	82	261.35(c)(12)				

APPENDIX III TO PART 261

CHEMICAL ANALYSIS TEST METHODS

add the compound, "Benzo(k) fluoranthene", in alphabetical order, to Table 1	82	Table 1, Appendix III				
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**TABLE 1. --ANALYSIS METHODS FOR
ORGANIC CHEMICALS CONTAINED IN SW-846**

Compound	Method Nos.
* * * * *	
Benzo(k) fluoranthene	8100,8250,8270,8310
* * * * *	

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX VII TO PART 261

BASIS FOR LISTING HAZARDOUS WASTE

add "F032", "F034", and "F035" to list in alphanumeric order as shown below:	82	Appendix VII				
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EPA hazardous waste No.	Hazardous constituents for which listed
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F032.....	Benz(a)anthracene, benzo(a)pyrene, dibenz(a,h)-anthracene, indeno(1,2,3-cd)pyrene, pentachloro- phenol, arsenic, chromium, tetra-, penta-, hexa-, heptachlorodibenzo- p-dioxins, tetra-, penta-, hexa-, hep- tachlorodibenzofurans.
F034.....	Benz(a)anthracene, benzo(k)fluoranthene, benzo(a)pyrene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, naphtha- lene, arsenic, chromium.
F035.....	Arsenic, chromium, lead.

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

APPENDIX VIII TO PART 261

HAZARDOUS CONSTITUENTS

add the specified
hazardous
constituents in
alphabetical order
as shown below:

	82	Appendix VIII				

Common name	Chemical abstracts name	Chemical abstracts No.	Hazardous waste No.
* * * * *	* * * * *	* * * * *	* * * * *
Benzo(k)fluoranthene	Same	207-08-9	...
* * * * *	* * * * *	* * * * *	* * * * *
Heptachlorodibenzofurans
Heptachlorodibenzo-p-dioxins
* * * * *	* * * * *	* * * * *	* * * * *

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C - PRE-TRANSPORT REQUIREMENTS

4 ACCUMULATION TIME

5 the waste is placed:	92	262.34(a)(1)				
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SPA 12

CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
in containers and generator complies with Subpart I of Part 265; and/or	92	262.34(a)(1)(i)				
in tanks and generator complies with Subpart J of Part 265, except 265.197(c) and 265.200; and/or	92	262.34(a)(1)(ii)				
6 on drip pads and generator complies with Subpart W of Part 265 and maintains follow- ing records:	†82,92	262.34(a)(1)(iii)				
6 description of pro- cedures to ensure all wastes are removed from drip pad and associated collection system at least once every 90 days	†82,92	262.34(a)(1)(iii)(A)				
6 documentation of each waste re- moval, including quantity, date and time of removal; generator exempt from Subparts G and H of Part 265, except 265.111 and 265.114	†82,92	262.34(a)(1)(iii)(B)				
6 date each period of accumulation begins is marked and visible	82,92	262.34(a)(2)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART J - TANK SYSTEMS

APPLICABILITY

add reference to paragraph (c)	82	264.190				
add new paragraph subjecting tanks, sumps and other collection devices used in conjunction with Subpart W-regulated drip pads to Part 264, Subpart J requirements	82	264.190(c)				

7

SUBPART W - DRIP PADS

APPLICABILITY

Subpart W applies to owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water run-on to an associated collection system; existing drip pads defined	82,92	264.570(a)				
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SPA 12

**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator of certain drip pads inside or under a structure not subject to 264.573(e) or 264.573(f) regulations, as appropriate	82.92	264.570(b)				

ASSESSMENT OF EXISTING DRIP PAD INTEGRITY

evaluation of existing drip pads; by June 6, 1991, written assessment obtained and kept on file; annual review, update and recertification required until 264.573 standards are met, except 264.573(b) standards for liners and leak detection systems; documentation of drip pad age	82.92	264.571(a)				
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SPA 12

CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
8 development of written plan for upgrading, repairing and modifying drip pad to meet 264.573(b) requirements; submittal of plan to Regional Administrator no later than 2 years before completion of modifications; written plan documentation, review and certification requirements; conditions for completion of upgrades, repairs and modifications	82,92	264.571(b)				
for existing drip pads of known and documentable age, upgrades, repairs and modifications completed within two years of June 6, 1991, or when the drip pad has reached 15 years of age, whichever comes later	82	264.571(b)(1)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for existing drip pads with no documentable age, upgrades, repairs and modifications must be completed within 8 years of June 6, 1991; if facility is over 7 years old, completion by the time facility reaches 15 years or by two years after June 6, 1991, whichever comes later	82	264.571(b)(2)				
conditions under which owner or operator may petition Regional Administrator for extension of deadline; petition granted if drip pad meets all 264.573 requirements, except those for liners and leak detection systems specified in 264.573(b)	82,92	264.571(b)(3)				
submittal of required drawings and certification to Regional Administrator or State Director upon completion of all upgrades, repairs, and modifications	82,92	264.571(c)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
if drip pad found to be leaking or unfit for use, compliance with 264.573(m) provisions or close drip pad in accordance with 264.575	82,92	264.571(d)				
10 DESIGN AND INSTALLATION OF NEW DRIP PADS						
owners and operators of drip pads must ensure that the pads are designed, installed and operated in accordance with all applicable 264.573, 264.574 and 264.575 requirements	82,92	264.572				
10 DESIGN AND OPERATING REQUIREMENTS						
drip pads must:	82,92	264.573(a)				
be constructed of non-earthen materials, excluding wood and non-structurally supported asphalt	82,92	264.573(a)(1)				
be sloped for free-drainage to the associated collection system	82,92	264.573(a)(2)				
have a curb or berm around the perimeter	82,92	264.573(a)(3)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
11 be impermeable as specified; add note stating that the 264.573(a)(4) requirements for new drip pads are administratively stayed until further action is taken; add note addressing administrative stay until October 30, 1992, for the coating, sealer, or cover requirements for existing drip pads	82,†91, 92,†101	264.573(a)(4)				
be of sufficient structural strength and thickness to meet specified conditions	82,92	264.573(a)(5)				
a new drip pad or an existing drip pad, after the deadline established in §264.571(b) of this subpart, must have:	82,92	264.573(b)				
a synthetic liner that meets certain design, construction and installation specifications	82,92	264.573(b)(1)				
specific requirements for liner construction materials	82,92	264.573(b)(1)(i)				
foundation or base requirements	82,92	264.573(b)(1)(ii)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
liner must cover all surrounding earth that could come into contact with the waste or leakage	82,92	264.573(b)(1)(iii)				
leakage detection system immediately above the liner; detection system must be:	82,92	264.573(b)(2)				
constructed of materials that are:	82,92	264.573(b)(2)(i)				
chemically resistant to relevant waste and leakage	82,92	264.573(b)(2)(i)(A)				
of sufficient strength and thickness to prevent collapse	82,92	264.573(b)(2)(i)(B)				
designed and operated to function without clogging through the scheduled closure of the drip pad; and	82,92	264.573(b)(2)(ii)				
designed to detect drip pad failure or the release of hazardous waste or accumulated liquid at the earliest practicable time	82,92	264.573(b)(2)(iii)				
maintenance of drip pads; note regarding remedial action	82,92	264.573(c)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
convey, drain, and collect liquid resulting from drippage or precipitation in order to prevent run-off	82,92	264.573(d)				
run-on control system requirements	82,92	264.573(e)				
run-off manage- ment system requirements, unless system is protected by a structure, as described in 264.570(b)	82,92	264.573(f)				
evaluation of drip pad for com- pliance with 264.573(a) - (f) requirements; design certifi- cation required	82,92	264.573(g)				
removal of drippage and accumulated pre- cipitation from associated collection system as necessary to prevent over- flow onto the drip pad	82,92	264.573(h)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
thorough cleaning of drip pad surface at least once every seven days to meet specified conditions; documentation of date, time and cleaning procedure in facility's operating log	82,92	264.573(i)				
minimize tracking of hazardous waste or constituents off the drip pad	82,92	264.573(j)				
after removal from treatment vessel, treated wood from pressure and non-pressure processes must be held on pad until drippage has ceased; documentation required	82,92	264.573(k)				
collection and holding units for run-on and run-off control systems emptied or otherwise managed as soon as possible after storms to maintain design capacity	82,92	264.573(l)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
throughout the active life of the drip pad and as specified in the permit, repair of detected condition that may have caused or has caused a release of hazardous waste within a reasonable period of time, in accordance with the following procedures:	82,92	264.573(m)				
upon detection of a condition that may have caused or has caused a release of hazardous waste, the owner must:	82,92	264.573(m)(1)				
enter discovery in the facility operating log	82,92	264.573(m)(1)(i)				
immediately remove from service affected portion of drip pad	82,92	264.573(m)(1)(ii)				
determine steps to repair drip pad and clean up any leakage; establish schedule for repairs	82,92	264.573(m)(1)(iii)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
notify Regional Administrator within 24 hours after discovery; provide written notice as specified within 10 working days	82,92	264.573(m)(1)(iv)				
review, determination and notification by Regional Administrator	82,92	264.573(m)(2)				
written notification to Regional Administrator and certification of compliance with 264.573(m)(1)(iv) after repairs and clean up	82,92	264.573(m)(3)				
should a permit be necessary, Regional Administrator will specify in the permit all design and operating practices necessary to ensure that 264.573 requirements are met	82,92	264.573(n)				
documentation in operating log, as specified, of past operating and waste handling practices	82,92	264.573(o)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
10 INSPECTIONS						
inspection of liners and cover systems for uniformity, damage and imperfections during construction or installation; inspection and certification of liners to meet 264.573 requirements; maintenance of certification as part of the facility operating record; inspection of liners and covers after installation	82.92	264.574(a)				
drip pad must be inspected weekly and after storms to detect evidence of any of the following:	82.92	264.574(b)				
deterioration, malfunctions or improper operation of run-on and run-off control systems	82.92	264.574(b)(1)				
presence of leakage in and proper functioning of leak detection system	82.92	264.574(b)(2)				
deterioration or cracking of drip pad surface; note regarding remedial action	82.92	264.574(b)(3)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
10 CLOSURE at closure, removal and decontamination requirements; management as hazardous waste	82.92	264.575(a)				
conditions under which owner or operator must close facility and perform post- closure care in accordance with 264.310 requirements; for permitted units, permit requirement continues throughout post- closure period; drip pad is con- sidered a landfill and must meet Subparts G and H requirements of Part 264	82.92	264.575(b)				
owner or operator of an existing drip pad that does not comply with the 264.573(b)(1) liner requirements must:	82.92	264.575(c)(1)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
include in closure plans for drip pad under 264.112, a plan for 264.575(a) compliance and a contingent plan for 264.575(b) compliance	82,92	264.575(c)(1)(i)				
prepare a contingent post-closure plan under 264.118 for complying with 264.575(b) in case not all contaminated subsoils can be practicably removed at closure	82,92	264.575(c)(1)(ii)				
cost estimates calculated under 264.112 and 264.144 for closure and post-closure care of drip pad subject to 264.575(c) must include the cost of complying with the contingent closure plan and the contingent post-closure plan; cost of expected closure under 264.575(a) need not be included	82,92	264.575(c)(2)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART J - TANK SYSTEMS

APPLICABILITY

add reference to paragraph (c)	82	265.190				
add new paragraph subjecting tanks, sumps and other collection devices used in conjunction with Subpart W-regulated drip pads to Part 265, Subpart J requirements	82	265.190(c)				

SUBPART W - DRIP PADS

APPLICABILITY

Subpart W applies to owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water run-on to an associated collection system; existing drip pads defined	82,92	265.440(a)				
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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
owner or operator of certain drip pads inside or under a structure not subject to 265.443(e) or 265.443(f) regulations, as appropriate	82	265.440(b)				

ASSESSMENT OF EXISTING DRIP PAD INTEGRITY

evaluation of existing drip pads; by June 6, 1991, written assessment obtained and kept on file; annual review, update and recertification required until 265.443 standards are met, except for 265.443(b) standards for liners and leak detection systems; documentation of drip pad age	82	265.441(a)				
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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
development of written plan for upgrading, repairing and modifying drip pad to meet 265.443(b) requirements; submittal of plan to Regional Administrator no later than 2 years before completion of modifications; written plan documentation, review and certification requirements; conditions for completion of upgrades, repairs and modifications	82	265.441(b)				
for existing drip pads of known and documentable age, upgrades, repairs and modifications completed within two years of June 6, 1991; or when the drip pad has reached 15 years of age, whichever comes later	82	265.441(b)(1)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
for existing drip pads with no documentable age, upgrades, repairs and modifications must be completed within 8 years of June 6, 1991; if facility is over 7 years old, completion by the time facility reaches 15 years or by two years after June 6, 1991, whichever comes later	82	265.441(b)(2)				
conditions under which owner or operator may petition Regional Administrator for extension of deadline; petition granted if drip pad meets all 265.443 requirements, except those for liners and leak detection systems specified in 265.443(b)	82	265.441(b)(3)				
submittal of required drawings and certification to Regional Administrator or State Director upon completion of all repairs and modifications	82	265.441(c)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
if drip pad found to be leaking or unfit for use, comply with 265.443(m) provisions or close drip pad in accordance with 265.445	82	265.441(d)				

DESIGN AND INSTALLATION OF NEW DRIP PADS

owners and operators of new drip pads must ensure that the pads are designed, installed and operated in accordance with all applicable 265.443, 265.444 and 265.445 requirements	82	265.442				
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DESIGN AND OPERATING REQUIREMENTS

drip pads must:	82	265.443(a)				
be constructed of non-earthen materials, excluding wood and non-structurally supported asphalt	82	265.443(a)(1)				
be sloped to free-drain wastes to the associated collection system	82	265.443(a)(2)				
have a curb or berm around the perimeter	82	265.443(a)(3)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
be impermeable as specified; add a note stating that the 265.443(a)(4) requirements for new drip pads are administratively stayed until further administrative action is taken add note addressing administrative stay until October 30, 1992, for the coating, sealer, or cover requirements	82,†91 †101					
be of sufficient structural strength and thickness to meet specified conditions; note regarding structural integrity standards	82	265.443(a)(5)				
a new drip pad or an existing drip pad, after the 265.441(b) deadline, must have:	82	265.443(b)				
a synthetic liner that meets certain specifications	82	265.443(b)(1)				
specific requirements for liner construction materials	82	265.443(b)(1)(i)				
foundation or base requirements	82	265.443(b)(1)(ii)				
liner must cover all surrounding earth that could come into contact with the waste or leakage	82	265.443(b)(1)(iii)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
leakage detection system immediately above the liner; detection system must be:	82	265.443(b)(2)				
constructed of materials that are:	82	265.443(b)(2)(i)				
chemically resistant to relevant waste and leakage	82	265.443(b)(2)(i)(A)				
of sufficient strength and thickness to prevent collapse	82	265.443(b)(2)(i)(B)				
14 add a new paragraph regarding design and operation to function without clogging through scheduled drip pad closure	92	265.443(b)(2)(ii)				
14 designed to detect the failure of the drip pad or the presence of hazardous waste release or accumulated liquid at the earliest practicable time	82,92	265.443(b)(2)(iii)				
maintenance of drip pads; note regarding remedial action	82	265.443(c)				
convey, drain, and collect liquid resulting from drippage or precipitation in order to prevent run-off	82	265.443(d)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
run-on control system requirements, unless drip pad is protected by a structure, as described in 265.440(b)	82	265.443(e)				
run-off management system requirements, unless drip pad is protected by a structure, as described in 265.440(b)	82	265.443(f)				
evaluation of drip pad for compliance with 265.443(a)-(f) requirements; design certification required	82	265.443(g)				
removal of drippage and accumulated precipitation from associated collection system as necessary to prevent overflow onto the drip pad	82	265.443(h)				
thorough cleaning of drip pad surface at least once every seven days to meet specified conditions; documentation of date, time and cleaning procedure in facility's operating log	82	265.443(i)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
minimize tracking of hazardous waste or constituents off the drip pad	82	265.443(j)				
after removal from treatment vessel, treated wood from pressure and non-pressure processes must be held on pad until drippage has ceased; documentation required	82	265.443(k)				
collection and holding units for run-on and run-off control systems emptied or otherwise managed as soon as possible after storms to maintain design capacity	82	265.443(l)				
throughout the active life of the drip pad and as specified in the permit, repair of detected condition that may have caused or has caused a release of hazardous waste within a reasonable period of time, in accordance with the following procedures:	82,92	265.443(m)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
upon detection of a condition that may have caused or has caused a release of hazardous waste, the owner must:	82,92	265.443(m)(1)				
entry of discovery in the facility operating log	82	265.443(m)(1)(i)				
immediate removal from service of affected portion of drip pad	82	265.443(m)(1)(ii)				
determination of steps to repair drip pad, remove any leakage, and establish schedule for clean up and repairs	82	265.443(m)(1)(iii)				
notify Regional Administrator within 24 hours after discovery; provide written notice as specified within 10 working days	82	265.443(m)(1)(iv)				
review, determination and notification by Regional Administrator	82	265.443(m)(2)				
15 written notification to Regional Administrator and certification of compliance with 265.443(m)(1)(iv) after repairs and clean up	82,92	265.443(m)(3)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
documentation in operating log, as specified, of past operating and waste handling practices	82	265.443(n)				
INSPECTIONS						
inspection of liners and cover systems for uniformity, damage and imperfections during construction or installation; inspection and certification of liners to meet 265.443 requirements; maintenance of certification as part of the facility operating record; inspection of liners and covers after installation	82	265.444(a)				
drip pad must be inspected weekly and after storms to detect evidence of any of the following:	82	265.444(b)				
deterioration, malfunctions or improper operation of run-on and run-off control systems	82	265.444(b)(1)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
presence of leakage in and proper functioning of leak detection system	82	265.444(b)(2)				
deterioration or cracking of drip pad surface; note regarding remedial action	82	265.444(b)(3)				
CLOSURE						
at closure, removal and decontamination requirements; management as hazardous waste	82	265.445(a)				
closure and post-closure care of drip pad as a landfill under 265.310, if some contaminated sub-soils cannot be removed or decontaminated; for permitted units, permit requirement continues throughout post-closure period	82	265.445(b)				
owner or operator of an existing drip pad not in compliance with the 265.443(b)(1) liner requirements must:	82	265.445(c)(1)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
include in the closure plan for the drip pad under 265.112, a plan for 265.445(a) compliance and a contingent plan for 265.445(b) compliance	82	265.445(c)(1)(i)				
prepare contingent post-closure plan under 265.118 for complying with 265.445(b) in case not all contaminated subsoils can be practicably removed at closure	82	265.445(c)(1)(ii)				
cost estimates calculated under 265.112 and 265.144 for closure and post-closure care of drip pad subject to 265.445(c) must include cost of complying with contingent closure plan and contingent post-closure plan; cost of expected closure under 265.445(a) need not be included	82	265.445(c)(2)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE

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

SUBPART B - PERMIT APPLICATION

16 SPECIAL PART B INFORMATION REQUIREMENTS FOR DRIP PADS

additional information to be provided by owners and operators of hazardous waste treatment, storage, or disposal facilities that collect, store, or treat hazardous waste on drip pads, except as otherwise provided by 264.1	82	270.26				
list of hazardous wastes placed or to be placed on each drip pad	82	270.26(a)				
detailed plans and an engineering report describing how 264.90(b)(2) will be met, if an exemption is sought to Subpart F of Part 264	82	270.26(b)				

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**CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)**

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
detailed plans and an engineering report describing the design, construction, operation and maintenance of drip pad to meet 264.573 requirements; submission must address 264.571 items	82,92	270.26(c)				
design characteristics of the drip pad	82	270.26(c)(1)				
liner system	82	270.26(c)(2)				
leakage detection system	82	270.26(c)(3)				
practices designed to maintain drip pads	82	270.26(c)(4)				
associated collection system	82	270.26(c)(5)				
control of run-on to the drip pad	82	270.26(c)(6)				
control of run-off from the drip pad	82	270.26(c)(7)				
removal intervals and demonstration of sufficiency to prevent overflow	82	270.26(c)(8)				
procedures for cleaning drip pad at least once every seven days; provisions for documentation of date, time and cleaning procedure	82	270.26(c)(9)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
operating practices and procedures to minimize tracking of hazardous waste or waste constituents off the drip pad	82	270.26(c)(10)				
procedures for ensuring that treated wood from pressure and non-pressure processes is held on the drip pad until drippage has ceased; record-keeping practices	82	270.26(c)(11)				
provisions for ensuring that collection and holding units for run-on and run-off control systems are emptied or managed as soon as possible after storms to maintain design capacity	82	270.26(c)(12)				
if treatment is carried out on the drip pad, details of process equipment used, and the nature and quality of residuals	82	270.26(c)(13)				

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
description of drip pad inspections to meet 264.573 requirements; include in 270.14(b)(5) inspection plan	82,92	270.26(c)(14)				
certification that drip pad design meets 264.573(a)-(f) requirements	82,92	270.26(c)(15)				
description of removal procedures at closure under 264.575(a); for waste not removed at closure, submittal of detailed plan and engineering report to describe compliance with 264.310(a) and (b); information should be included in closure plan and, where applicable, 270.14(b)(13) post-closure plan	82,92	270.26(c)(16)				

- ¹ 261.4(a)(9)(i) was originally 261.4(a)(9) on Revision Checklist 82. Revision Checklist 92 redesignated it as 261.4(a)(9)(i) and added a new paragraph designated as 261.4(a)(9)(ii).
- ² Note the Federal Register 56 FR 27732 (June 13, 1991; Revision Checklist 91) incorrectly refers to 261.31 rather than to 261.31(a) as the place where the list of hazardous wastes from non-specific sources can be found. Revision Checklist 81 redesignated 261.31 as 261.31(a) and added 261.31(b).
- ³ Revision Checklist 82 originally introduced §261.35 into the code. Revision Checklist 92 made extensive formatting and word changes to 261.35(b).

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:		
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE
4						
Note Revision Checklist 82 redesignated 262.34(a)(2)-(4) as 262.34(a)(3)-(5). Revision Checklist 92 changed these paragraphs back to their original numbering, i.e., 262.34(a)(2)-(4). Because these two changes cancelled each other out, they were not directly addressed by this checklist.						
5						
The technical correction for §264.34 in the <u>Federal Register</u> 56 <u>FR</u> 30192 (July 1, 1991), contains the text of the introductory paragraph, 264.34(a). Since no revisions were made to this paragraph, it has not been included in this consolidated checklist. Also, as this technical correction made extensive changes to this section of the code, the Federal requirement summarizes the requirement rather than the changes.						
6						
An error in the July 1, 1991 <u>CFR</u> makes it appear that there are two paragraphs designated as 262.34(a)(2) (see the editorial note in the <u>CFR</u>). Revision Checklist 82 originally inserted the first 262.34(a)(2), 262.34(a)(2)(i), 262.34(a)(2)(ii) and redesignated the old 262.34(a)(2)-(4) as 262.34(a)(3)-(5). However, Revision Checklist 92 redesignated 262.34(a)(3) as 262.34(a)(2), effectively removing the first 262.34(a)(2) and incorporating these requirements into 262.34(a)(1) at 262.34(a)(1)(iii) and (iii)(A)&(B). It was not the Agency's intent to include these requirements both at 262.34(a)(1)(iii)(A)&(B) and at 262.34(a)(2) as is indicated in the July 1, 1991 <u>CFR</u> . The first 262.34(a)(2) in that <u>CFR</u> should not be in the code. Revision Checklist 92 also redesignated 262.34(a)(3)-(5) as 262.34(a)(2)-(4), i.e., returned these subparagraphs to their original numbering prior to the redesignation by Revision Checklist 82.						
7						
The entire text of Subpart W of Part 264 was printed in the <u>Federal Register</u> (56 <u>FR</u> 30192) for Revision Checklist 92. This was done to demonstrate the numeration of each citation following the redesignation of sections to correspond with Subpart W, Part 265. Numerous paragraphs within the redesignated sections had no revisions made to them; paragraphs in this consolidated checklist, where Revision Checklist 92 is indicated in the checklist reference column, reflect revisions to wording, internal references, or numbering that were addressed in Revision Checklist 92.						
8						
Note that a typographical error occurs in the text of 264.571(b) in the <u>Federal Register</u> 56 <u>FR</u> 30196 (July 1, 1991; Revision Checklist 92); "in sufficient detail" should not be changed to "insufficient detail."						
9						
Note that a typographical error occurs in the text of 264.571(b)(3) in the <u>Federal Register</u> 56 <u>FR</u> 30196 (July 1, 1991; Revision Checklist 92); "leak detection systems" should not be changed to "lead detection systems."						
10						
Revision Checklist 92 redesignated the original 264.575 (as introduced by Revision Checklist 82) as 264.572. Subsequently, the original 264.572, 264.573 and 264.574 were redesignated as 264.573, 264.574 and 264.575, respectively, by Revision Checklist 92.						

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CONSOLIDATED CHECKLIST : Wood Preserving Listings
as of December 31, 1991 (cont'd)

FEDERAL REQUIREMENT	CHECK- LIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	MORE STRINGENT	BROADER IN SCOPE	
11	This paragraph was originally 264.572(a)(4) in Revision Checklist 82. Revision Checklist 91 added a note on administrative stay for 264.572(a)(4). However, this paragraph was redesignated 264.573(a)(4) by Revision Checklist 92. Because of this redesignation, the administrative stay was incorrectly omitted in the July 1, 1991 <u>CFR</u> .						
12	Note that a typographical error occurs in the text of 264.573(a)(5) in the <u>Federal Register</u> 56 <u>FR</u> 30196 (July 1, 1991; Revision Checklist 92); "daily perations" should be "daily operations" as introduced into the code by Revision Checklist 82 (55 <u>FR</u> 50450; December 6, 1990).						
13	Note that paragraph 264.573(m)(3) was originally 564.572(m)(3) in the <u>Federal Register</u> 55 <u>FR</u> 50450 (December 6, 1990; Revision Checklist 82). This paragraph had an incorrect reference; "paragraph (m)(3) of this section" should be "paragraph (m)(1)(iv) of this section." This error was addressed by the July 1, 1991 technical corrections to the rule (56 <u>FR</u> 30192; Revision Checklist 92).						
14	Revision Checklist 92 added a new paragraph to the code and designated it as 264.443(b)(2)(ii). The original 264.443(b)(2)(ii) (as introduced by Revision Checklist 82) was subsequently redesignated as 264.443(b)(2)(iii) by Revision Checklist 92.						
15	Note that 265.443(m)(3) in the <u>Federal Register</u> 55 <u>FR</u> 50450 (December 6, 1990) has an incorrect reference. The reference to "paragraph (m)(3) of this section" should be to "paragraph (m)(1)(iv) of this section." This error was addressed by the July 1, 1990 technical corrections to the rule (56 <u>FR</u> 30192; Revision Checklist 92).						
16	Note that the "Special Part B Information Required for Drip Pads" was originally at 270.22 as introduced into the code by Revision Checklist 82. The Boilers and Industrial Furnaces rule (56 <u>FR</u> 7134; February 21, 1991; Revision Checklist 85) inadvertently removed section 270.22 from the code. The July 1, 1991 (56 <u>FR</u> 30192; Revision Checklist 92) Wood Preserving technical corrections notice rectified this problem by redesignating that section, as introduced by Revision Checklist 82, as 270.26.						